Part 3H: Life-saving Appliances
Proposal Summary for Consultation

This document is part of a series of documents to support consultation on changes to the existing Design, Construction and Equipment rules (the DCE rules). Other documents that form part of the consultation package include:

- *Invitation to Comment* - An overview of the consultation package and summary of the proposals, including information on how to have your say on the proposals.
- *Proposal summaries* - Details of the proposed changes for each of the four Rule topics being consulted on: Life-saving Appliances, Fire Protection, Machinery and Ancillary Equipment, and Anchors and Cables. This document is the proposal summary for Life-saving Appliances.
- *Draft Maritime Rules and draft Maritime Transport Instruments (MTIs)* – a set of rules and MTIs for each of the four Rule topics.
- *What does this mean for me* – This document outlines the implications of the proposed changes for 12 representative vessels that we consider reflect the majority of the New Zealand domestic commercial fleet.
- A template to support preparation of your submission.

These documents, and other supporting information, can be accessed at:
https://www.maritimenz.govt.nz/public/consultation/dce-40-series-package-1/

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Purpose

1. Maritime New Zealand - Nō te rere moana Aotearoa (Maritime NZ) is proposing significant reform of the Maritime Rules for vessel design, construction and equipment (the DCE Rules).
2. This document provides the detailed analysis of the proposed new Life-saving Appliances Rules and Maritime Transport Instrument (MTI). It explains our understanding of the issues and current situation (the 'status quo') under the present rules, and sets out the analysis and rationale behind the proposed changes. Any potential impacts we have identified from the proposed amendments are also described. This information is intended to meet the Government's Regulatory Impact Analysis requirements.
3. This document should be read in combination with the Overview of the Consultation package that is available on Maritime NZ's website at https://www.maritimenz.govt.nz/public/consultation/dce-40-series-package-1/

> Note: The word 'ship' is used in the Maritime Transport Act 1994 and the proposed rules and MTIs. This term is used to refer to any kind of boat or craft and does not refer to a craft of a specific size. For the avoidance of doubt, the terms vessel, ship and boat can be used interchangeably. This document uses the term 'vessel'.

Introduction to Life-saving Appliances

4. Commercial vessels must carry life-saving appliances for a range of related tasks: to retrieve persons from the water, sustain the lives of people in distress (e.g. with lifejackets and liferafts as appropriate), to signal distress, and alert people on board to an emergency.
5. Life-saving appliances need to be appropriate for:
   - the vessel's operating area, sea state and weather;
   - distance from support services (including other vessels), safe havens and shore;
   - the number and competency of people on board; and
   - any activities on the vessel that may increase the likelihood of persons falling overboard.
6. Primarily, vessels should avoid getting into emergency situations where life-saving appliances are required. However, in the event of an emergency, life-saving appliances need to be on hand and appropriate for the circumstances. Accidents are often a series of things that go wrong, and normal operating conditions do not always apply e.g. daytime operating vessels may end up in trouble at night.
7. The proposal aligns requirements for life-saving appliances across the rules for passenger, non-passenger, fishing and sailing vessels, where practical. The proposed requirements are based on risk and as such are linked to where the vessel operates, and the support that is readily available in the event of an emergency, rather than vessel type. There are flexible options to ensure that vessels have the life-saving appliances that are most appropriate for their operation.

Reasons change is needed

8. The proposed new rules and maritime transport instruments address a range of issues with the current life-saving appliances rules:
   - **There is a lack of consistency between the numbers and types of life-saving appliances required across different vessel types that are operating in the same area**.

This can result in unnecessary complexity, especially for vessels certified to multiple vessel types. In addition, some requirements do not appear to be based on risk and may be too high or too low for how and where the vessel operates.

- **The current rescue boat rules do not allow for flexibility.** Maritime NZ has granted many exemptions from the current rules relating to rescue boats (to allow for things such as manual launching or recognising a parent vessel's capability to rescue or retrieve from the water). Some rescue boat requirements for passenger vessels are based solely on length and do not consider the number of people on board.
- **Generally, liferafts do not need to be carried on vessels operating on lakes and within 12 nautical miles of the coast.** These requirements do not reflect New Zealand's cold water temperature in some locations or the likelihood that immediate assistance may not available.
- **Lifejackets are not currently required for all people on board passenger vessels.** Passenger vessels operating in enclosed water limits require there to be sufficient aggregate capacity of life-saving appliances for all persons on board. This can be a mix of life-saving appliances and does not equate to there being a lifejacket for each person on board.

Summary of proposed changes

9. The changes proposed in the new Life-saving Appliance Rules and MTI are outlined in the tables below under the following three proposal headings and summarised in Appendix 1:
    - **Proposal 1: Liferafts and lifejackets**
    - **Proposal 2: Rescue boats**
    - **Proposal 3: Lifebuoys and visual signals**
10. The tables provide a summary of the proposed changes, the rationale for those changes and potential impacts (both positive and negative).
11. The proposed changes to the current life-saving appliances rules are based on risk and provide for greater flexibility about what actions a vessel can take to reduce those risks. Some proposed changes may result in increased cost while others may decrease costs. For example:
    - There will be increased costs for vessels that need to carry liferafts under the new rules. This could particularly affect inshore fishing vessels that are less than 12 metres that are not currently required to carry liferafts.
    - More vessels operating in the coastal limits (50 nautical miles) will require a rescue boat. However, in some situations a rescue boat won't be required if the parent vessel can demonstrate they can effectively retrieve persons in the water (out to inshore limits only) or have auxiliary craft.
    - Changes to rescue boat requirements will be beneficial for new vessels, as requirements have decreased in some cases.
    - For lifebuoys and visual signals, the cost is likely to be minimal in most cases.

What do the changes mean for my ship/vessel/boat?

12. The proposed Life-saving Appliances Rule and Maritime Transport have been tested against 14 representative vessels that we consider represent the majority of the New Zealand domestic commercial fleet. The 14 'worked examples' help to illustrate what the new rules will do. They are available on the website page at: https://www.maritimenz.govt.nz/public/consultation/dce-40-series-package-1/

13. In addition, a ' snapshot' of the proposed life-saving appliance changes by vessel type, length and operating limit is included in Appendix 1 to this document. For ease of reference, a diagram of the operating limits set out in Part 20 of the Maritime Rules is included in Appendix 2 of this document.

14. The proposed Life-saving Appliance rules and MTI contain a number of options depending on when and how the vessel is operated. It is possible a vessel may not completely match one of the exemplars. Appendix 1 is intended to help understand the potential impacts in these situations. Additionally, a blank template is provided to enable readers to undertake their own assessment by applying the rules and MTI to their specific circumstances.

Please note that we cannot guarantee that this document includes all changes that may have an impact on a vessel or operation. Therefore we strongly recommend you also refer to the draft rule and MTI.

Proposal 1: Liferafts and Lifejackets

What we are proposing?

Although the requirements for liferafts and lifejackets are separate, the proposals were developed together to ensure safety in an abandon ship scenario.

The following proposed requirements will apply to both vessels entering into service for the first time and existing vessels. Existing vessels will be given two years to comply in most cases.

Liferafts

What vessels require a liferaft?

All vessels operating beyond the inshore or inshore fishing limits (i.e. around 12 nautical miles (NM) from the coast) will require liferafts.

Vessels within inshore and inshore fishing limits (including enclosed water limits) can undergo a risk assessment by a surveyor to determine whether liferafts are required.

- Vessels of less than 12 metres operating in inshore limits (b)[1] and inshore fishing limits are not required to have a liferaft if they have additional communication and alarm raising technology/arrangements on board.
- Vessels operating within enclosed water limits and inshore limits (a)[2] will only be required to have a liferaft if they have high risk factors that cannot be mitigated.

Number of liferafts required

Liferafts will be required to cater for 100 percent of persons where able to be deployed on both port and starboard sides. If liferafts cannot be transferred or centrally positioned, the total capacity will need to be 200 percent. In most cases, liferafts will be required to be float-free with a hydrostatic release.

Type of liferafts required

The requirement for SOLAS standard liferafts beyond offshore limits (200NM) will be retained. SOLAS standard liferafts will also be required for vessels operating beyond the coastal limits (50 NM). This will be the same as current requirements for passenger and non-passenger vessels but a higher requirement for fishing and sailing vessels.

For all other operating limits, liferafts will need to either comply with SOLAS or requirements for a Group A liferaft specified in *ISO 9650-1.* All liferafts must bear a mark of verification of compliance with the specified standard. Requirements for emergency packs inside of liferafts have been harmonised. Vessels within the inshore, inshore fishing and enclosed water limits may utilise auxiliary craft or a rescue boat as part of the required liferaft capacity.

Lifejackets

Changes to lifejacket requirements

Lifejackets of appropriate size for all persons on board will be required for all vessels, including in enclosed water limits.

Lifejacket buoyancy standards are harmonised and consolidated, removing differences by vessel type. References to the New Zealand Standard for personal buoyancy devices and lifejackets are updated. Lights will be required on lifejackets except for in enclosed water limits and inshore limits (a). All lifejackets must bear a mark of verification of compliance with the specified standard.

A more specific requirement for passenger vessels to carry a small amount of buoyant apparatus is also being considered.

1. In relation to a vessel, any defined section of the coastal limits not beyond the limit of the territorial sea of New Zealand (which has been assigned to that vessel as an inshore limit by a surveyor under rule 20.20(1)), subject to rule 20.20(4)
2. This refers to the inshore limits set out in Part 2 of Appendix 1 of Maritime Rules Part 20: Operating Limits

Liferafts and lifejackets

There will be more flexibility for servicing of liferafts and lifejackets

The proposal provides more flexibility for servicing intervals of liferafts and inflatable lifejackets, if an extended interval is allowed for by the manufacturer. Requirements for approved servicing facilities will be separate from personnel expertise requirements. This will allow an approved facility to be utilised by multiple independent servicing personnel or companies.

Restricted coastal limits[3] no longer being used as a separate standard

Separate lifejacket and liferaft requirements will no longer apply to vessels surveyed to "restricted coastal" limits – a category that has resulted in enormous variation in the assignment of operating limits.

Requirements for vessels 6 metres or less in length remain similar

Proposed lifejacket and liferaft requirements for vessels of 6 metres or less operating close to shore under safe operational plans are very similar to current requirements (noting these vessels generally do not require liferafts).

Current environment and rationale for proposed changes

The proposal increases requirements to carry liferafts

Currently, vessels operating within inshore and inshore fishing limits including enclosed water limits and inland waters (other than fishing vessels 12 metres or more in length), are not required to carry liferafts. Over 1300 passenger and non-passenger vessels are currently assigned inshore limits, of which several hundred are assigned limits out to 12 NM extending around the whole coast of New Zealand.

Requirements also differ between vessel type, although the reason is not clear. For example, a 12.7 metre vessel operating in inshore limits requires a liferaft if categorised as a fishing vessel, but a liferaft is not required if the same vessel carries passengers or is used as a work boat. In these situations buoyant apparatus is sufficient.

Liferafts play a critical role in an abandon ship scenario by enabling people to be out of the water while they await rescue or assistance. The current requirements do not reflect New Zealand's commonly cold water temperatures and the likelihood that immediate assistance is not available around much of the coast. Some vessels opt to carry liferafts, usually because of the risk posed by operating location e.g. cold or hazardous water.

The proposal generally increases New Zealand's fleet requirements to carry liferafts. However, it is important that an increase in liferaft requirements is appropriate and allows for flexibility.

Vessels operating in inshore and inshore fishing limits may need to carry liferafts

Vessels operating within inshore and inshore fishing limits will have different options for compliance that reflect the risk of the operation. This approach gives flexibility to operators.

- The starting point for a vessel operating in inshore limits (b) and inshore fishing limits is that it must carry liferafts unless it meets specified 'low risk' criteria. Low risk considerations include the area of operation, hours of operation and adequate communication arrangements. If a vessel does not carry a liferaft, all persons on board would be required to wear a lifejacket throughout the voyage.
- The starting point for a vessel operating in inshore limits (a) and enclosed water limits (including inland waters), is that liferafts are not required unless the vessel has 'high risk' factors that cannot be mitigated. High risk factors include hours of operation, latitude of operation, water temperature and number of persons on board. These vessels will also have the option to meet the low risk categories described above.

Liferaft capacity requirements and technical standard requirements are changing

Where the current rules require liferafts, the requirements for capacity, redundancy and technical standards are inconsistent. The proposal is for simplified rules that apply across all vessel types.

3 Restricted coastal limits, in relation to a vessel, means any defined section of the coastal limits which has been assigned to that vessel by a surveyor in accordance with rule 20.20(1):

Liferaft capacity requirements vary between vessel types. Most rules require liferafts to have sufficient aggregate capacity for all on board. Some rules require that if liferafts cannot be transferred from side to side then each side must have additional capacity (between 100 percent and 150 percent required each side). The current rules do not consistently address situations where some or all of the liferafts on one side may be inaccessible (e.g. if vessel is listing).

The proposal requires liferafts to have combined capacity to cater for 100 percent of persons on board. If liferafts cannot be centrally positioned or are unable to be transferred from side to side, 100 percent capacity will be required on both sides (200 percent total). This increases the likelihood that there will be sufficient liferaft capacity for all persons on board, even if some are unavailable.

The proposal allows a liferaft carried on a vessel operating in enclosed water limits, inshore limits, inshore fishing limits and coastal limits to be an open reversible liferaft, subject to a risk assessment conducted by a surveyor. The surveyor would need to consider sea state and likely weather conditions, proximity to rescue facilities and operating hours. This option provides flexibility for vessels with higher passenger numbers.

The current requirements for when a liferaft needs to meet a SOLAS or non-SOLAS standard depends on the vessel's operating limits and sometimes the vessel type. It is not always clear why there are differences by vessel type. The proposal simplifies these requirements, with only vessels operating in the offshore limits and the unlimited area requiring a SOLAS standard liferaft. All other vessels can have a non-SOLAS liferaft that complies with *ISO-9650-1*.

Current rules for different vessel types set different requirements for whether a liferaft must be float-free. The proposal requires all liferafts to be float-free unless it is not practical due to reduced freeboard, restricted deck space, or vulnerability to heavy weather damage[4].

Lifejackets will be required for all persons on board

The current rules require a prescribed quantity and minimum buoyancy for lifejackets. Apart from passenger vessels in enclosed waters, lifejackets for all on board are required to be carried on all vessels. The level of buoyancy and standard of lifejacket required varies depending on the operating limit and vessel category.

Under the proposal, lifejackets for all on board will continue to be required on all vessels, and this will include passenger vessels operating in enclosed water limits. This assists with likelihood of survival in an abandon ship scenario.

A more specific requirement for buoyant apparatus is being considered. This would apply to certain passenger vessels operating in inshore limits, and would require the vessel to carry buoyant apparatus to cater for at least 30% of persons on board. This would assist in the case of fire/collision/capsize, where people may need to abandon ship quickly.

Lifejackets buoyancy standards harmonised and alternatives continue to be allowed in some situations

The current buoyancy standards for lifejackets differ between vessel type with no clear rationale. The proposal harmonises and consolidates these requirements, based on operating limit.

The current rules rarely set out operational requirements such as when to wear a lifejacket. For example, a full body wet suit is an acceptable alternative "*provided it is worn throughout the voyage*" (on fishing vessels operating in enclosed waters). The rules (and the proposals) currently provide for alternative attire to lifejackets in lower risk environments:

- buoyancy vests are an accepted alternative for vessels operating within inshore fishing limits; and
- surveyors and authorised persons have discretion to not require personal buoyancy in some lower risk operations (e.g. in restricted waterways and in 1.5 metre deep water).

Liferafts and lifejackets must have a mark of verification

Liferafts and lifejackets generally bear a mark of verification, which verifies the product is built to a specified standard. The proposal introduces a requirement for this mark of verification, as an added

[4] The non float-free option is only available for vessels that are less than 12 metres LOA and operating within enclosed water limits, inshore limits or inshore fishing limits.

level of assurance. This aspect is not expected to have an impact as it is formalising current practice. This approach aligns with the NSCV[5].

Longer servicing intervals and updated requirements for approved facilities

The cost and availability of liferaft servicing stations in New Zealand is a problem for the industry. The current rules require liferafts to be serviced every 12 months at an approved servicing station, with provision to extend the servicing interval to 17 months if there is no approved servicing station in the vicinity of the vessel's location, or to coincide with a periodic survey or inspection. Inflatable lifejackets are currently required to be serviced not less than once in every two years. The proposal will allow an extended servicing interval of up to 30 months for both liferafts and inflatable lifejackets, if specified by the manufacturer.

To provide greater flexibility, the proposal separates requirements applying to the approved servicing facility from requirements about the expertise of the personnel. Once approved, a facility, could be used by suitability qualified and experienced personnel from more than one company.

Impact of the proposed change

Cost of liferafts will have the most substantive impact of the proposal

For vessel owners, the cost of liferafts is the biggest impact of the life-saving appliance proposals, particularly within the territorial sea limit (12 NM). There is the purchase cost as well as the associated ongoing servicing costs.

The type of liferaft (including the emergency pack inside) is related to operating limit/distance from shore. There are higher standards further from shore, regardless of vessel type. Some vessels will need to upgrade their liferafts to comply with the new rules whereas others may have lower requirements than current rules.

Non-SOLAS liferafts generally cost $3000 to $6000 to purchase, with ongoing servicing costs of around $1500 at 12-30 month intervals (depending on whether the liferaft is eligible for extended servicing). Costs for liferafts will differ by approximately $1000-$1500 depending on whether the liferaft is float-free or non-float-free.[6]

Cost is likely to be incurred in the following scenarios:

- Fishing vessels that are less than 12 metres that are operating in the inshore fishing limits are not currently required to carry liferafts. These vessels are unlikely to meet either of the proposed "low-risk" options, which would allow them not to carry a liferaft.
- Passenger, non-passenger, fishing and sailing vessels operating in inshore limits (a) and enclosed water limits may have to carry liferafts if they have high risk factors that cannot be mitigated.
- Passenger and non-passenger vessels operating in inshore limits (b) are not currently required to carry liferafts. Some of these vessels will not meet any of the proposed "low-risk" options, which would allow them not to carry a liferaft.
- Vessels that cannot centrally position or transfer their liferafts from port to starboard are likely to incur further cost, as they will be required to have 100 percent liferaft on either side (200 percent total). The more passengers a vessel is certified to carry, the higher this cost could be.
- Fishing vessels operating in offshore limits will be required to upgrade their standard of liferaft including the standard of emergency pack inside.
- Vessel owners who propose not to carry liferafts could incur some costs in providing evidence to establish that liferafts are not required.
- Surveyors would have increased responsibility to conduct risk assessments regarding liferafts. This may have a cost in regard to analysis and understanding of the operation.

5 National Standard for Commercial Vessels

6 Note that all costs are estimates

Updated lifejacket requirements will mean increased cost for some vessels

Lifejacket requirements will increase for some vessels. For those vessels who have to carry more lifejackets than currently required, or lifejackets of an updated standard or buoyancy, there will be a cost of approximately $100 per lifejacket.

This cost is likely to be incurred in the following scenarios:

- The proposal introduces the requirement for all vessels to carry lifejackets for every person on board, including passenger vessels operating in enclosed water limits (new requirement). Maritime NZ understands that many passenger vessels operating in enclosed water limits currently carry lifejackets for all on board. Those that don't will incur the cost of purchasing additional lifejackets. At this stage, there is no transition period proposed for this requirement, meaning that all vessels will need to comply on the date that the rules come into force.
- Vessels operating in inshore limits (b) or inshore fishing limits will be required to have lifejackets with a 100N minimum buoyancy, instead of the 71N buoyancy many will currently have.
- For some vessels within inshore and inshore fishing limits, liferafts will not be required but lifejacket requirements may increase (e.g. minimum buoyancy increases and there may be a requirement to wear the lifejacket throughout the voyage). While there would be a higher lifejacket requirement, the benefit would be that the vessel would not need liferafts.
- Passenger vessels operating in inshore limits may be required to carry buoyant apparatus for at least 30% of passengers on board. This could be an additional cost if these vessels do not currently have buoyant apparatus. However, buoyant apparatus would not be required if the vessel is required to carry liferafts.

Some costs are expected to reduce

Some requirements are expected to reduce costs for vessels:

- Passenger and non-passenger vessels operating within the coastal limit (out to 50 NM) will be able to have a non-SOLAS liferaft.
- Servicing costs will reduce where extended servicing intervals are allowed.
- The consistent approach to life-saving appliance requirements will benefit operators of vessels that are certified for more one than type of use – e.g. both fishing and passenger.

How the impacts will be mitigated

The impact of the proposal will be partially mitigated by a two year transition period until most of the rules take effect.

A longer transition period for some lifejacket requirements is being considered, particularly where the vessel's current lifejackets can meet all proposed new requirements apart from the buoyancy requirements.

Timing / Commencement date

Changes to the liferafts and lifejackets rules will take effect on commencement of Part 3H: Maritime (Design, Construction and Equipment – Life-saving Appliances) Rules.

Provisions applying to vessels coming into the fleet for the first time will take effect on commencement. Existing vessels will have two years from commencement to meet the new requirements, with the following exceptions:

- requirements for lifejackets for all persons on board vessels operating in enclosed water limits will apply to existing vessels from the date of commencement; and
- for vessels that carry an adequate number of lifejackets of a compliant standard, a 5 year transition period for these lifejackets to be upgraded to the required minimum buoyancy in the rules (if applicable) is being considered.

The estimated in-force date is currently early 2026.

Options analysis

The following two options were considered:

Option 1: (Status Quo) Continue the current approach to liferafts and lifejackets

Option 2: (Risk based) New rules that set new requirements for liferafts and lifejackets and allow for flexibility in some cases (preferred option)

How does Option 2 compare against the status quo

Option 1 (Status quo) does not address the issue that current liferaft and lifejacket requirements are not based on risk. There is inconsistency between the safety standards required by vessels operating in the same area. This has resulted in some vessels' liferaft and lifejacket requirements not being reflective of the risk of their operation.

Option 2 (Risk based):

The changes provide flexible and adaptive regulation:	The proposals for liferafts and lifejackets are risk-based and linked to operating limits rather than vessel type. Having different compliance options based on low-risk operating factors provides ongoing flexibility.
Rules are clearer and easier to understand and apply:	It is easier to understand and apply rules for lifejackets and liferafts as no longer need to distinguish between vessel types. This is especially beneficial for vessels that are operated as more than one type of operation, e.g. operate as both a fishing and passenger vessel.
Maritime safety is maintained or enhanced:	The proposal focuses on a high level of safety in an abandon ship scenario. The lifejackets and liferafts proposals sets a higher safety standard overall based on risk.
Changes are practical and economically viable:	Proposed changes are practical to implement and it is considered that the benefit outweighs the cost. However, where costs are likely to be significant, transition periods will be included to mitigate some of this cost.

Comparing option 2 against the status quo

	1. Status Quo	2: Risk based
Provides flexible and adaptive regulation	0	++
Rules that are clear and easier to understand and apply	0	++
Maritime safety is maintained or enhanced	0	++
Changes are practical and economically viable	0	+
Overall assessment	**0**	**++**

Key for qualitative judgements:

++	Much better than doing nothing/the status quo/counterfactual
+	Better than doing nothing/the status quo/counterfactual
0	About the same as doing nothing/the status quo/counterfactual
-	Worse than doing nothing/the status quo/counterfactual
- -	Much worse than doing nothing/the status quo/counterfactual

Preferred option

Option 2 is the preferred option as it rates well against all criteria. This option harmonises requirements across vessel types with some changes in standards based on safety matters, practicality and cost. Compared to the status quo, this option reflects the type of vessels and how they are operating now.

Option 2 will address the risk of operators potentially choosing smaller vessels in order to avoid requirements that apply in the relevant operating limits. It will also address vessels that are being surveyed to "assigned inshore" or "restricted coastal" limits which can increase risk to persons and vessels in a way that was not the intent of the rules.

What are the marginal costs and benefits of the preferred option?

Lifejackets

Affected groups	Comment	Impact	Evidence Certainty
Additional costs of the preferred option compared to taking no action			
Owners of passenger vessels in enclosed water limits	All vessel lengths	Need to carry lifejackets	Medium Unclear on current lifejacket carriage on these vessels
Owners of passenger and non-passenger vessels operating in inshore limits (b)	All vessel lengths	Need to upgrade lifejacket from 71N to 100N	Low-medium Testing through consultation
Owners of fishing vessels operating in inshore fishing limits	All vessel lengths	Need to upgrade lifejacket from 71N to 100N	Low-medium Testing through consultation
Owners of fishing vessels operating in inshore limits (a) or enclosed water limits	All vessel lengths	Need to upgrade lifejacket from 71N to 100N	Low-medium Testing through consultation
Owners of fishing vessels operating in offshore limits that are less than 24 metres	All vessel lengths	Need to upgrade from 100N to 150N	Low-medium Testing through consultation
Additional benefits of the preferred option compared to taking no action			
Passengers/persons on board vessels	Vessels in enclosed water limits	Increased numbers of lifejackets available	High Safety of persons on board
Lifejacket retailers		May sell more lifejackets	Low-medium Difficult to quantify

Liferafts

Affected groups	Comment	Impact	Evidence Certainty
Additional costs of the preferred option compared to taking no action			
Requirement to carry liferafts			
Owners of passenger, non-passenger and fishing vessels operating in inshore limits (a) and enclosed water limits	Affects all vessel lengths	Cost of liferaft/s $3000 to $8000	Low-medium It is expected that many vessels will not have high risk factors
Owners of passenger and non-passenger vessels	Affects all vessel lengths	Cost of liferaft/s $3000 to $8000	Medium

operating in inshore limits (b)			It is expected some inshore vessels will meet the low-risk categories
Owners of fishing vessels operating in inshore fishing limits	Vessels less than 12 metres (current fishing rules require liferafts for vessels 12 metres or more)	Cost of liferaft $3000 to $6000	High Most inshore fishing vessels will not meet either of the low-risk categories
Liferaft capacity requirements			
Vessels who cannot centrally position or transfer liferafts from side to side	Biggest effect for passenger vessels as more liferaft capacity needed	Will need 200% liferaft capacity	Medium Many may be able to transfer and others may opt to use larger open reversible liferafts
Additional benefits of the preferred option compared to taking no action			
Passengers/persons on board	All vessels	Liferafts available in an emergency	Medium Low probability but high impact event
Retailers		More liferafts will be sold	Medium
Servicing providers	Liferaft servicing facilities	$1500	Low-medium More vessels will need liferafts but servicing intervals extend so may even out demand

Assumptions and Notes

- Vessels operating in inshore limits (a) and enclosed water limits only require liferafts if they have high risk factors that cannot be mitigated. They also have the option of meeting one of the "low-risk" categories.
- Vessels operating in inshore limits (b) or inshore fishing limits will require liferafts unless they can meet one of the "low-risk" categories for vessels less than 12 metres (which are based on operating within strict geographic confines or vessels with redundancy in communication technology).

Implementation

The Rule(s) and Maritime Transport Instrument(s) that will implement this proposal

- Part 3H: Maritime (Design, Construction and Equipment – Life-saving Appliances) Rules
- Maritime Transport (Life-saving Appliances) Instrument [year]

The rules and MTI are expected to come into force in early 2026 and will apply to new vessels from the date of commencement. A second-hand vessel entering the fleet (for example from overseas) would be treated as a new vessel, and would need to meet the new rules.

Existing vessels will generally have two years from commencement to meet the new requirements, although some proposals are considering a 5 year transition period. See timing and commencement section above for more detail on proposed transition periods.

Once implemented, recognised surveyors[7] and Maritime NZ will have responsibility, through surveys and audits respectively, to ensure that vessels operating in New Zealand's domestic commercial fleet are meeting all applicable rules.

7 Persons formally recognised by the Director of Maritime New Zealand as being suitably qualified to survey a vessel and determine whether it meets all applicable rules.

Questions

L 1.1 Do you agree with the proposal to require lifejackets for all persons on board a vessel (in all operating limits)?

[Answers: Strongly agree; Agree; Neutral; Disagree; Strongly Disagree; No comment]

Why/why not?

L 1.2 Do you agree that vessels operating in enclosed waters should comply with the above lifejacket requirement from the date the rules come into force?

[Answers: Strongly agree; Agree; Neutral; Disagree; Strongly Disagree; No comment]

Why/why not? (for example, are operators able to transition immediately or do they need a time to transition to the new requirements)

L 1.3 Should there be a longer transition period (e.g. 5 years instead of 2 years) for certain lifejacket requirements, to allow time for lifejackets to be upgraded to a higher buoyancy (where applicable)?

[Answers: Strongly agree; Agree; Neutral; Disagree; Strongly Disagree; No comment]

Why/why not?

L1.4 Do you agree with the proposal to allow open reversible liferafts on vessels operating out to the coastal limits?

[Answers: Strongly agree; Agree; Neutral; Disagree; Strongly Disagree; No comment]

Why/why not? (for example, are the conditions set out appropriate to mitigate the risk?)

L 1.5 Should there be a requirement for buoyant apparatus for 30% of passengers on board a passenger vessel operating in inshore waters?

[Answers: Strongly agree; Agree; Neutral; Disagree; Strongly Disagree; No comment]

Why/why not?

L 1.6 Will you need to purchase a liferaft or lifejackets to comply with the proposed new rules and MTIs?

L 1.7 Are the proposals likely to result in any additional costs or savings?

Proposal 2: Rescue Boats

What we are proposing?

The proposed requirements for vessels to carry a rescue boat are based on operating limit, length of vessel and number of passengers.
The rule and MTI collectively:

- Amend length and passenger triggers for operations out to the inshore and inshore fishing limits (including enclosed water limits/inland waters):
  - new requirement to carry a rescue boat for vessels 15 metres or more and carrying 99 or more passengers; and
  - new requirement to carry a rescue boat for vessels 24 metres or more and carrying more than 36 passengers.
- Require a vessel carrying over 12 passengers proceeding in the coastal or offshore limits to carry a rescue boat (regardless of length).
- Change the vessel length that would generally trigger the need for a rescue boat. It is proposed that the length trigger be set at 35 metres or more (when operating beyond inshore limits (a)). Require vessels (other than passenger vessels) that are operating in restricted coastal limits to meet the same requirements as those operating in coastal limits.
- Introduce the option of a NZ standard rescue boat that a surveyor can approve.
- Allow for other vessels (auxiliary craft) to act as rescue boats (something that is currently provided for through exemptions – e.g. work boats on fishing vessels).
- Allow manual launching of rescue boats for vessels operating out to coastal limits.
- Retain the requirement to carry a rescue boat for a sailing vessel surveyed to the unlimited area.

In operating limits closer to shore, a vessel will not require a rescue boat if can demonstrate that it can safely recover a person from the water by alternative means.

Current environment and rationale for proposed changes

The intent of the current rescue boat requirements is not always clear
In the current rules, a rescue boat:

- may be required for quick retrieval after a man overboard incident or in the case of abandoning ship.
- is sometimes treated as a survival craft (i.e. it can be a replacement for a lifeboat or liferaft), which is not something considered in the International Life-Saving Appliance Code.
- may be required for marshalling liferafts.

A large number of individual exemptions related to rescue boats have been granted in recent years, including not requiring a vessel to carry a rescue boat when usually required, or allowing different types of rescue boats and launching equipment. The number of exemptions suggests that the current requirements are not always appropriate.

The current length triggers for when a rescue boat is required vary considerably

- In inshore limits and restricted coastal limits, rescue boats are mainly required for passenger vessels (depending on size of vessel and number of passengers carried) but not required for other types of vessels (other than non-passenger vessels 35 metres or more).
- In the offshore and coastal operating limits:
  - all passenger vessels are required to carry a rescue boat
  - non-passenger vessels 15 metres or more require a rescue boat
  - fishing vessels 45 metres or more require a rescue boat.

- In the unlimited area, any sailing vessel or non-passenger vessel requires a rescue boat whereas a fishing vessel only requires one if it is 24 metres or more.

Current requirements are not fit for purpose

Some current requirements may be impractical. Requiring a 15 metre vessel to have a rescue boat regardless of passenger numbers could be difficult as small vessels have limited room to store and launch a rescue boat on. This could create an incentive to have the vessel assigned inshore limits (b) or restricted coastal to avoid the rescue boat requirement. Similarly, a number of passenger vessels are likely to have been built to just under 24 metres to avoid the current length trigger.

Some current requirements appear excessive for vessel safety, including:

- passenger vessels of 24 metres or more in length being required to carry a rescue boat when operating inside inshore limits, regardless of the number of persons on board;
- passenger vessels of 45 metres or more operating within inshore limits being required to carry two rescue boats, again, with no relationship to the number of persons on board;

Some fishing vessels appear to have lower requirements when compared to other vessel types. For example, fishing vessels in coastal or offshore limits only require a rescue boat if they are 45 metres or more in length.

Different requirements across different vessel types are not justifiable on the basis of risk to safety of persons on board. Going forward, the requirements will be harmonised and consolidated based on operating limit, number of persons on board and size of vessel. This will mean higher requirements for some vessels and lower requirements for others (when compared to current requirements).

There will be more flexibility for carriage and launching of rescue boats

Rescue boats are a topic of high interest to the sector as many operations need to meet these rules. The proposed rules provide for greater flexibility around the use of the parent vessel in a person retrieval situation, how a rescue boat can be launched and the type of rescue boat that is carried.

Many operators argue (successfully) through exemption processes that the parent vessel, or other vessels in the vicinity are able to retrieve a person from the water more effectively. This will commonly be through the quick manoeuvrability of the vessel, and use of a re-boarding area or ladder. The proposal is that surveyors will be able to decide whether the operation can quickly retrieve someone from the water, based on the parameters set out in the draft rules/MTI.

The current requirement to have powered appliances to launch rescue boats is not always practical or appropriate. The rules also do not provide for manual launching of rescue boats, although this has previously been allowed through a general exemption issued by Maritime New Zealand, for vessels operating out to the restricted coastal limit. The proposal allows manual launching of a rescue boat for vessels operating out to the coastal limits.

Industry feedback advised that no rescue boat available in New Zealand meets the non-SOLAS standard as described in the current rules. The proposed rules introduce a new standard for most operating limits, and will allow recognised surveyors to approve rescue boats. This will reduce the cost to operators and allow local manufacturers to supply the market.

Impact of the proposed change

The cost of requiring a vessel to carry a rescue boat will be substantial but alternatives are available for some

For vessels that do not currently carry a rescue boat, but will be required to going forward, the impact on owners/operators may be significant. The estimated cost of a non-SOLAS standard/New Zealand standard rescue boat is in the range of $20,000 to $26,000. The impact will be able to be mitigated to some extent by:

- providing operators a two year period to transition to the new requirements; or
- providing the option, for some vessels, to be able to demonstrate that it can effectively conduct a rescue operation, without requiring a rescue boat. This would incur surveyor costs to confirm that the parent vessel can undertake a successful rescue operation but would avoid the cost of the rescue boat.

The following impacts will be positive for operators:

- A number of operations will no longer require a rescue boat.
- Existing operations with an exemption will not need to apply for renewal of those exemptions (noting the large number of current exemptions relating to rescue boats).
- Once the new rules are in force, exemption applications related to rescue boats are expected to reduce.
- Changes to the type of rescue boat required will allow for the production of a New Zealand made rescue boat.
- Flexibility to use the parent vessel for a rescue operation instead of carrying a rescue boat.
- Flexibility to manually launch rescue boats on vessels operating out to the coastal limits.

How the impacts will be mitigated

Considering cost on operators

We expect that many affected vessels will opt to demonstrate recovery by parent vessel or use of auxiliary vessels rather than carrying a rescue boat (noting most passenger vessels will already have man overboard procedures).

Where a rescue boat is required, the cost may be partially offset by the two year transition period before affected vessels are required to comply with the rules.

Timing / Commencement date

Changes to the rescue boat rules will take effect on commencement of Part 3H: Maritime (Design, Construction and Equipment – Life-saving Appliances) Rules.

Provisions affecting vessels coming into the fleet for the first time should take effect immediately.

The proposal is that existing vessels will have two years after the rules are introduced to comply with the new requirements.

The estimated in-force date is currently early 2026.

Options analysis

Two options were considered.

Option 1: (Status Quo) – Keep current requirements for rescue boats

Option 2: (Risk based) New rules that set new requirements for rescue boats and allow for flexibility in some cases (preferred option)

How does Option 2 compare against the status quo

Option 1 (status quo) does not address the issue that the current rescue boat requirements are not based on risk and in some cases are not practical due to the size of the parent vessel. It also does not provide the flexibility to use the parent vessel or an auxiliary vessel, which in some cases could achieve the same outcome as carrying a rescue boat. The reliance on the exemption process results in additional costs to the operator with little to no clear safety gains.

Option 2 (Risk based):

The changes provide flexible and adaptive regulation:	Some of the current rules do not appear to be based on risk and may be too high or too low for how and where the vessel operates. The proposed requirements are harmonised and based on size of vessel, operating limits and number of persons on board. There is flexibility to recognise a parent vessel's capability to retrieve a person from the water.
Rules are clearer and easier to understand and apply:	Option 2 offers significant improvements over the status quo in terms of consistency across different vessel types operating in a similar area.

Maritime safety is maintained or enhanced:	The proposal focuses on a high level of safety while ensuring requirements are proportionate.
Changes are practical and economically viable:	Proposed changes are practical, albeit they will involve significant cost for affected vessels. The transition period is expected to mitigate the impact, to some extent, by allowing time for operators to plan and budget for the additional costs. The new risk-based requirements for rescue boats also more effectively balance the costs of rescue boats with the safety benefits they provide.

Comparing options against the status quo

	1. Status Quo	2: Risk based
Provides flexible and adaptive regulation	0	++
Rules that are clear and easier to understand and apply	0	++
Maritime safety is maintained or enhanced	0	+
Changes are practical and economically viable	0	+
Overall assessment	**0**	+

Key for qualitative judgements:

++	Much better than doing nothing/the status quo/counterfactual
+	Better than doing nothing/the status quo/counterfactual
0	About the same as doing nothing/the status quo/counterfactual
-	Worse than doing nothing/the status quo/counterfactual
- -	Much worse than doing nothing/the status quo/counterfactual

Preferred option

Option 2 is the preferred option as it rates well against all criteria. This option harmonises requirements across vessel types and sets requirements based on risk. It also provides flexibility, by allowing the parent vessel or an auxiliary vessel to be used instead of a rescue boat in some circumstances. This will reduce the need for operators to seek exemptions, as is the current practice, where suitable alternatives to carrying dedicated rescue boats are available.

What are the marginal costs and benefits of the preferred option?

Rescue boats

Affected groups	Comment	Impact	Evidence Certainty
Additional costs of the preferred option compared to taking no action			
Owners of passenger vessels between 15-24 metres operating within inshore limits/enclosed water limits that carry more than 99 passengers	Additional requirement for vessels to carry a rescue boat. Although the proposal includes the option to use parent vessel or auxiliary vessel instead of a rescue boat	Approximately $20,000 - $26,000 (per affected vessel)	The numbers of vessels able to use the parent vessel or an auxiliary vessel, instead of a rescue boat, will be tested as part of pubic consultation
Owners of non-passenger vessels that are 35 metres or more operating within inshore limits	As above	As above	As above
Owners of non-passenger vessels that are 35 metres or more and operate in the unlimited area	Only a small number of vessels fall within this category. These vessels will have an additional	Approximately $50,000 (per affected vessel)	The impact of the proposal will be tested as part of public consultation

	requirement to carry a rescue boat.		
Owners of passenger vessels that are less than 24 metres and carry more than 12 passengers and proceed in the coastal or offshore limits	Only a small number of vessels fall within this category. These vessels will have an additional requirement to carry a rescue boat.	As above	The impact of the proposal will be tested as part of public consultation
Additional benefits of the preferred option compared to taking no action			
Owners of new passenger vessels that are 45 metres or more	Current rules require two rescue boats. Proposal is that only one rescue boat is needed doing forward.	Potential saving of $20,000 -$26,000 (per affected vessel)	The benefit of these proposals, particularly for existing vessels, will be tested as part of public consultation.
Owners of new and existing passenger vessels that are 24 metres or more and operating within inshore limits	Current rules require rescue boat. Proposal requires if 24m or more and with more than 36 passengers. Also have the option to use parent vessel to recover MOB		
Owners of new and existing non-passenger vessels operating in offshore or coastal limits that are between 15 and 35 metres	No longer require a rescue boat if less than 35 metres		
Owners of new and existing passengers vessels operating in the offshore or coastal limits that are less than 45 metres and carry 200 or more passengers	Can have NZ standard rescue boat (instead of SOLAS standard).	Potential saving of $50,000 (per affected vessel)	
Owners of new and existing non-passenger vessels operating in the unlimited area that are less than 35 metres	No longer required to carry a rescue boat	Potential saving of $20,000-$26,000 (per affected vessel)	
Passengers/persons on board	Increases safety in an abandon ship scenario	Availability of rescue boat	Medium (low probability but high impact event)
Seafarers working on commercial vessels			

Notes

- Non-passenger vessels that are 35 metres or more and operating in the unlimited area will be required to carry a SOLAS standard rescue boat under the new rules. The estimated cost is $50,000.

Implementation

The Rule(s) and Maritime Transport Instrument(s) that will implement this proposal

- Part 3H: Maritime (Design, Construction and Equipment – Life-saving Appliances) Rules
- Maritime Transport (Life-saving Appliances) Instrument [year]

The rules and MTI are expected to come into force in early 2026 and will apply to new vessels from the date of commencement. A second-hand vessel entering the fleet (for example from overseas) would be treated as a new vessel, and would need to meet the new rules.

Existing vessels will have two years from commencement to meet the new requirements.

Once implemented, recognised surveyors and Maritime NZ will have responsibility, through surveys and audits respectively, to ensure that vessels operating in New Zealand's domestic commercial fleet are meeting all applicable rules.

Questions

L 2.1 Do you agree with the proposal to allow manual launching for rescue boats out to the coastal limits?

[Answers: Strongly agree; Agree; Neutral; Disagree; Strongly Disagree; No comment]

Why/why not?

L 2.2 Will the rescue boat design standards be suitable to cover workboats on fishing vessels or other auxiliary craft?

[Answers: Strongly agree; Agree; Neutral; Disagree; Strongly Disagree; No comment]

Why/why not?

L 2.3 Will you need to purchase a rescue boat to comply with the proposals?

L 2.4 Are the proposals likely to result in any additional costs or savings?

Proposal 3: Lifebuoys and Visual Signals

What we are proposing?

The proposals for lifebuoys and visual signals have been combined in this document due to a similar harmonisation approach being taken for each topic.

Lifebuoys

Current lifebuoy requirements will be replaced with risk-based rules that apply to all vessels

The proposed rules are not seeking to specifically raise standards/requirements for lifebuoys. The proposed requirements are based on vessel size, sea conditions likely to be experienced and distance from land, rather than differentiating between types of vessel. The main points include:

- Passenger, non-passenger and fishing vessels, where reasonable to do so, will have similar requirements for the number of lifebuoys if operating in the same area.
- Vessels with large numbers of passengers and/or multiple decks will need more lifebuoys.
- Rational distribution of lifebuoys around the vessel (based on accessibility on the individual vessel rather than being evenly distributed).
- A surveyor may determine that:
  - a vessel of less than 15 metres operating no further out than inshore limits (b) or inshore fishing limits may carry a horseshoe lifebuoy in place of a round lifebuoy.
  - a vessel of less than 9 metres operating no further out than inshore limits (b) or inshore fishing limits may carry a throw bag instead of lifebuoy (where appropriate).
- Some flexibility will apply to attachments required on lifebuoys.

Visual signals

Requirements for visual signals will be harmonised

The proposed rules harmonise requirements across vessel type, so vessels operating in the same area have the same requirements for visual signals. The main points include:

- Allowing hand held smoke signals as well as buoyant smoke signals.
- A surveyor may, determine on a vessel operating no further from shore than inshore or inshore fishing limits, determine:
  - which combination of visual signals must be carried, taking into account specified operating factors; and
  - that a vessel does not have to carry visual signals in a limited number of circumstances.

The actual effect of the proposals on vessels - such as swapping one type of signal for another - is likely to be minor (e.g. requiring hand flares instead of parachute flares).

Current environment and rationale for proposed changes

Lifebuoys

Current rules vary across vessel types

To be effective, lifebuoys need to be accessible, and present in sufficient numbers to be easily reached and rapidly deployed. They also need to be produced to a recognised standard covering buoyancy, visibility and strength.

There is currently a lack of consistency between the number and types of lifebuoys required by a vessel operating in the same area, where the risks are likely to be the same. The current rules are also very prescriptive about the type and number of attachments.

Proposed rules are based on vessel length, operating limit and distance from land

The proposed rules require between 1 and 4 lifebuoys, depending on length of vessel, operating limit and distance from land. An increased number of lifebuoys may be required in some circumstances, taking into account factors such as size/layout of vessel, accessibility and ability of persons on board to deploy. Conversely, a reduced number of lifebuoys is allowed in some circumstances, depending on vessel design, size and area of operation. A lifebuoy on a vessel that is 35 metres or more in length that is operating in coastal limits or beyond has to meet more prescriptive requirements regarding placement and attachments.

Similar to current rules for passenger vessels, no fewer than 50 percent of round lifebuoys must be provided with a buoyant lifeline and the remaining lifebuoys must be provided with a self-igniting light (unless the vessel is limited to daytime operation).

There will be more flexibility for use of horseshoe lifebuoys

The current rules allow for the use of horseshoe lifebuoys on charter yachts and sail training vessels that are less than 15 metres and operating within the offshore limit. This reflects the fact that horseshoe lifebuoys are easier to throw and can be stored in more accessible places. Vessels, other than charter yachts and sailing training vessels, may have similar constraints in terms of being able to store and deploy standard lifebuoys.

The new rules allow for greater flexibility about the types of vessels that are able to use horseshoe lifebuoys, but with similar caveats that apply when used by charter yachts and sail training vessels (except they are only to be used within enclosed water, inshore and inshore fishing limits). Unlike round lifebuoys, there is no specified international standard for horseshoe lifebuoys. The current rules require a minimum buoyancy of 100 Newtons, but there are no other requirements as to materials or construction. The proposal requires particular design standards in terms of buoyancy, attachments, features and colour/material.

Visual signals

Vessels operating in the same area will have the same requirements for visual signals

Flares remain a relatively cheap, simple and straight-forward way of signalling distress where the receiver is within visual range. They can be used in conjunction with other distress signals such as EPIRBs[8]. There have been some technological developments in flares – i.e. use of LED lights. But, traditional types (parachute, water activated or hand held) are still recommended. Each has a different purpose in an emergency and multiple means of signalling distress allows for points of failure.

Current requirements are for rocket parachute flares, buoyant smoke signals and red hand flares. These vary between vessel type and operating limit. Reasons for variation are generally unclear.

In enclosed water limits, fishing vessels are required to carry rocket parachute flares and buoyant smoke signals. All other vessel types are required to carry buoyant smoke signals and hand flares. The other requirements for flares also vary somewhat between vessel types, with no clear reasoning as to the differentiation:

- rocket parachute flares are generally required, with variation between the numbers required for each vessel type;
- from restricted coastal outwards, two buoyant smoke signals are generally required alongside rocket parachute flares; and
- sailing vessels, in coastal and offshore operating limits, also require hand held flares.

The primary focus of the visual signals proposal is to consolidate requirements across the fleet, so vessels operating in the same area have the same requirements. In some areas, standards will be increased while others will decrease:

- the number of parachute flares required will be able to be reduced in some situations e.g. vessels operating in inshore limits during daylight hours;
- passenger vessels within offshore and coastal limits will have higher requirements due to higher risk; and

[8]Emergency position-indicating radio beacon

- There will be reduced requirements for hand flares for coastal and offshore operations where other technologies are more useful for contact between vessels.

Discretion to not carry visual signals will be limited

The current rules do not require flares in a number of circumstances (e.g. vessels 6 metres or less other than fishing vessels, operating in a restricted waterway, operating in daylight only, or where the vessel has other methods of communications). Under the proposal, the discretion not to carry flares is only for vessels that are carrying no persons on board, vessels within constant sight of immediate assistance or operating in a restricted waterway. This reflects the rationale that flares are helpful, in conjunction with other forms of signalling distress, and should be utilised.

Impacts

The proposed changes for lifebuoys and visual signals will simplify the rules and make them more straight-forward to apply. There is some flexibility for operators in enclosed water, inshore and inshore fishing limits.

For both lifebuoys and visual signals, the proposals are largely similar to current requirements. Some vessels will have a slightly higher requirement whereas others will have a slightly lower requirement. Overall, the impact of this proposal is not expected to be significant.

There will be a two year transition period for existing vessels, which will mitigate increases to higher requirements, where applicable.

Timing / Commencement date

Changes to the lifebuoys and visual signals rules will take effect on commencement of Part 3H: Maritime (Design, Construction and Equipment – Life-saving Appliances) Rules.

Provisions affecting vessels coming into the fleet for the first time should take effect from the start. The proposal is for rules to affect existing vessels two years after the rules are introduced.

The estimated in-force date is currently early 2026.

Options analysis

Two options were considered:

Option 1 (Status quo). Reproduce the current rules for the number, type and capacity of lifebuoys and visual signals, with variation in requirements between vessel categories.

Option 2 (Harmonised and consolidated). Harmonise and consolidate across vessel types the requirements for the number, type and capacity of lifebuoys and visual signals, with some new requirements and more flexibility (preferred option).

How does Option 2 compare against the status quo

Option 1 (Status quo) does not address the issues that the current requirements for lifebuoys and visual signals are not consistently applied across the different vessel types. Additionally, in some situations, the requirements do not optimise the potential use of these life-saving appliances as the requirements do not reflect the layout of the vessel or where it is operating.

Option 2 (Harmonised and consolidated)

The changes provide flexible and adaptive regulation:	The proposals provide a harmonised and consolidated set of requirements for lifebuoys and visual signals. It incorporates new technologies and both topics allow for flexibility in lower risk environments/operations.
Rules are clearer and easier to understand and apply:	Option 2 sets out consistent rules across all vessel types that are based on operating limit, vessel design and nature of operation.

Maritime safety is maintained or enhanced:	Option 2 largely maintains current safety settings with some minor changes to optimise the potential use of these life-saving appliances by aligning requirements with the layout of the vessel and where it operates.
Changes are practical and economically viable:	Both proposals are practical to implement and are not expected to require significant changes for the existing fleet.

Comparing options against status quo for lifebuoys and visual signals

	1. Status Quo	2: Harmonised and consolidated
Provides flexible and adaptive regulation	0	++
Rules that are clear and easier to understand and apply	0	++
Maritime safety is maintained or enhanced	0	+
Changes are practical and economically viable	0	++
Overall assessment	**0**	++

Key for qualitative judgements:

++	Much better than doing nothing/the status quo/counterfactual
+	Better than doing nothing/the status quo/counterfactual
0	About the same as doing nothing/the status quo/counterfactual
-	Worse than doing nothing/the status quo/counterfactual
- -	Much worse than doing nothing/the status quo/counterfactual

Preferred option

Option 2 is the preferred option as it rates well against all criteria. It aligns with a guiding principle of the DCE rules reform which is that rules will be consolidated and harmonised across vessel types to reduce complexity and increase consistency.

What are the marginal costs and benefits of the preferred option?

Table 8: Marginal Costs and Benefits of Changing Rules for Lifebuoys and Visual Signals

Affected groups	Comment	Impact	Evidence certainty
Additional costs of the preferred option compared to the status quo			
Vessel owners and operators	All vessel types and lengths	Requirements being harmonised (lifebuoys and visual signals)	Low-medium (see notes below)
		$100 (per additional lifebuoy or visual signal)	
Additional benefits of the preferred option compared to taking no action			
Vessel owners and operators	All vessel lengths	Potential saving of $100 (per lifebuoy or visual signal)	Low-medium (see notes below)
Vessel owners and operators	Certain vessels operating in inshore and inshore fishing limits	Ability to carry horseshoe lifebuoy instead of round lifebuoy	Low-medium
Vessel owners and operators	Certain vessels operating in inshore and inshore fishing limits	Flexibility regarding lifebuoy attachments and type of visual signal carried	Low-medium

Notes

- Lifebuoy and visual signal proposals harmonise requirements across vessel types. The impacts are likely to be minimal, increasing in some cases and decreasing in others. This will be tested during consultation.

Implementation

The Rule(s) and Maritime Transport Instrument(s) that will implement this proposal

- Part 3H: Maritime (Design, Construction and Equipment – Life-saving Appliances) Rules
- Maritime Transport (Life-saving Appliances) Instrument [year]

The rules and MTI are expected to come into force in early 2026 and will apply to new vessels from the date of commencement. A second-hand vessel entering the fleet (for example from overseas) would be treated as a new vessel, and would need to meet the new rules.

Existing vessels will have two years from commencement to meet the new requirements.

Once implemented, recognised surveyors and Maritime NZ will have responsibility, through surveys and audits respectively, to ensure that vessels operating in New Zealand's domestic commercial fleet are meeting all applicable rules.

Questions

L 3.1 Do you agree with the proposed approach to rules for lifebuoys and visual signals?

[Answers: Strongly agree; Agree; Neutral; Disagree; Strongly Disagree; No comment]

Why/why not?

L 3.2 Do you agree with the proposed design standards for horseshoe lifebuoys? E.g. that they should have a minimum buoyancy of 100 Newtons?

[Answers: Strongly agree; Agree; Neutral; Disagree; Strongly Disagree; No comment]

Why/why not?

How to have your say

The deadline for providing comment on these proposals is **5 pm on Friday 18 October 2024.**

15. This document is part of a package of documents on the proposed changes to the design, construction and equipment rules. Additional information on this consultation is available on Maritime NZ's website.

16. Subject to interest, Maritime NZ will hold online information sessions on the proposals on 27 and 28 August and 24 and 25 September [times to be confirmed]. Please contact us at the email address provided below if you would like to attend a session or if you would like us to contact you to discuss any of the proposals.

17. We welcome any feedback you would like to provide. Submissions can be made by completing the submission form on our website (https://www.maritimenz.govt.nz/public/consultation/dce-40-series-package-1/) or in any other written form, and:

    1. Emailed to us at 40.series@maritimenz.govt.nz; or
    2. Posted to the Regulatory Reform Projects Team, Maritime NZ, PO Box 25620, Wellington 6140.

18. This document includes questions to help you focus your feedback. Answering the questions is optional.

Submissions are public information

19. Please let us know if your comments are commercially sensitive or if for some other reason you consider they should not be disclosed. If your submission is subject to an Official Information Act (OIA) request, Maritime NZ will consider your confidentiality request in accordance with the grounds for withholding information set out in the OIA.

20. In addition, if you are an individual (that is your comments are made personally and not on behalf of a company or an organisation), please let us know if you have reasons that your identity should not be disclosed.

21. We will acknowledge all submissions that we receive. Once the rule is finalised a summary of submissions will be published on our website.

Questions

22. The following questions have been included to help focus your feedback. Answering the questions is optional. Any and all feedback is welcome.

Proposal 1: Liferafts and lifejackets

L 1.1 Do you agree with the proposal to require lifejackets for all persons on board a vessel (in all operating areas)?

[Answers: Strongly agree; Agree; Neutral; Disagree; Strongly Disagree; No comment]

Why/why not?

L 1.2 Do you agree that vessels operating in enclosed waters would need to comply with the above lifejacket requirement from the date the rules come into force?

[Answers: Strongly agree; Agree; Neutral; Disagree; Strongly Disagree; No comment]

Why/why not? (for example, are operators able to transition immediately or do they need a time to transition to the new requirements)

L1.3 Should there be a longer transition period (e.g. 5 years instead of the proposed 2 years) for certain lifejacket requirements, to allow time for lifejackets to be upgraded to a higher buoyancy (where applicable)?

L1.4 Do you agree with the proposal to allow open reversible liferafts on vessels operating out to the coastal limits?

[Answers: Strongly agree; Agree; Neutral; Disagree; Strongly Disagree; No comment]

Why/why not? (for example, are the conditions set out appropriate to mitigate the risk?)

L 1.5 Should there be a requirement for buoyant apparatus for 30% of passengers on board a passenger vessel operating on fixed routes in inshore waters?

[Answers: Strongly agree; Agree; Neutral; Disagree; Strongly Disagree; No comment]

Why/why not?

L 1.6 Will you need to purchase a liferaft or lifejackets to comply with the proposed new rules and MTIs?

L 1.7 Are the proposals likely to result in any additional costs or savings?

Proposal 2: Rescue boats

L 2.1 Do you agree with the proposal to allow manual launching for rescue boats out to the coastal limits?

[Answers: Strongly agree; Agree; Neutral; Disagree; Strongly Disagree; No comment]

Why/why not?

L 2.2 Will the rescue boat design standards be suitable to cover workboats on fishing vessels or other auxiliary craft?

[Answers: Strongly agree; Agree; Neutral; Disagree; Strongly Disagree; No comment]

Why/why not?

L 2.3 Will you need to purchase a rescue boat to comply with the proposals?

L 2.4 Are the proposals likely to result in any additional costs or savings?

Proposal 3: Lifebuoys and visual signals

L 3.1 Do you agree with the proposed approach to rules for lifebuoys and visual signals?

Answers: Strongly agree; Agree; Neutral; Disagree; Strongly Disagree; No comment]

Why/why not?

L 3.2 Do you agree with the proposed design standards for horseshoe lifebuoys? E.g. that they should have a minimum buoyancy of 100 Newtons?

Answers: Strongly agree; Agree; Neutral; Disagree; Strongly Disagree; No comment]

Why/why not?

Appendix 1: A ' snapshot' of the proposed life-saving appliance changes

LIFE-SAVING APPLIANCES - PART 3H			
General approach to the Life-saving Appliances Rules	**Overall approach to lifesaving appliances:** The current Life-saving Appliances rules have been consolidated and harmonised into one Rule Part and one MTI. They bring together rules for multiple different lifesaving appliances currently found in 9 different locations. The new rules are risk-based, and reflect the vessel's type of operation and proximity to rescue. Broadly speaking: • Requirements for vessels operating in restricted coastal, coastal and offshore limits and the unlimited area are much the same as the current rules, with changes and clarifications that reduce requirements for some vessels. • Requirements for different vessel types have been consolidated to the extent practicable, but requirements tend to be higher where passengers are carried, because passengers are more vulnerable if an incident occurs. • Some requirements will increase for vessels operating in the enclosed water limits, inshore limits and inshore fishing limits – particularly in regard to carrying lifejackets and liferafts. • The new rules seek to provide flexibility by providing options and trade-offs for when and how a requirement needs to be met. This is particularly the case for liferafts and rescue boats, and also for lifebuoys to a lesser extent. **Existing vessels:** An existing vessel operating in enclosed water limits will need to meet lifejacket requirements when the rules come into force. An existing vessel will need to meet most other requirements within 2 years. Line throwing appliances and survival clothing requirements (Sections 6 and 9 of the Rules) will also apply immediately. These requirements only apply to a few ships, and are not addressed in this Table.		
Liferafts			
General approach to liferafts	**Overall approach to liferafts:** The current rules applying to liferafts have been consolidated and harmonised, and simplified into one Rule Part and one MTI. Requirements for vessels operating in restricted coastal, coastal and offshore limits and the unlimited area are much the same as the current rules. The main changes will be for vessels operating in enclosed water limits, inshore limits and inshore fishing limits: Liferafts will generally **not be required** for vessels operating in enclosed water limits and inshore limits (a). However, they will be required if the vessel has one or more specified risk factors and the operator does not have arrangements in place to mitigate the risks. Liferafts will generally **be required** for vessels operating in inshore limits (b) and inshore fishing limits, unless the operations meet all the specified criteria for lowering the risks. **Existing vessels:** Existing vessels will have 2 years to meet the new requirements.		
High Risk Factors in regard to liferafts	• operating during the hours of darkness • operating south of 44 degrees south latitude	• operating in water with an average water temperature of less than 15 degrees centigrade • carrying more than 38 persons on board	MTI 7.5(8)

	Vessel length	Requirements	Rule/MTI
When a liferaft is required: **Vessel operating in enclosed water limits** ***All vessel types***	Any length	**A liferaft is not required unless the vessel has a High Risk Factor which cannot be mitigated** The mitigations are arrangements to provide for likely rescue within 30 minutes: • Communication and navigation arrangements; and • Proximity to assistance	MTI 7.5(6)
	6m or less in LOA	**A liferaft is not required unless one or more of the factors below applies** (*this provision is separate to MTI 7.5(6)*) • The vessel operates further than 2 NM of the shore, launch spot or parent vessel; or more than 5 NM from a safe haven. • The vessel operates outside of daylight hours or does not return to safety / port on the same day. • The vessel does not have arrangements that provide for likely rescue within 30 minutes, such as communication and navigation arrangements; and proximity to assistance.	MTI 7.5(9)
	12m or less LOA	**A liferaft is not required unless one or more of the factors below applies** (*this provision is separate to MTI 7.5(6)*) • The vessel carries more than 8 persons on board. • The vessel operates outside of daylight hours or does not return to safety / port on the same day. • The vessel does not have additional (specified) communications equipment and external monitoring of operations that would facilitate rescue of persons within 30 minutes of an emergency or abandon vessel incident.	MTI 7.5(10)
When a liferaft is required: **Vessel operating in inshore Limits (a)** ***All vessel types***	Any length	**A liferaft is not required unless the vessel has a High Risk Factor which cannot be mitigated** The mitigations are arrangements to provide for the immediate rescue of all persons on board by: • The vessel carries a rescue boat; or • The operator has other vessels operating nearby that are capable of rescue; or • A combination of the two.	MTI 7.5(4) and (8)
	6m or less in LOA	**A liferaft is not required unless one or more of the factors below applies** *(this provision is separate to MTI 7.5(4))* • The vessel operates further than 2 NM of the shore, launch spot or parent vessel; or more than 5 NM from a safe haven. • The vessel operates outside of daylight hours or does not return to safety / port on the same day. • The vessel does not have arrangements that provide for likely rescue within 30 minutes, such as communication and navigation arrangements; and proximity to assistance.	MTI 7.5(9)

	12m or less LOA	**A liferaft is <u>not required</u> unless one or more of the factors below applies** *(this provision is separate to MTI 7.5(4))* • The vessel carries more than 8 persons on board. • The vessel operates outside of daylight hours or does not return to safety / port on the same day. • The vessel does not have additional (specified) communications equipment and external monitoring of operations that would facilitate rescue of persons within 30 minutes of an emergency or abandon vessel incident.	MTI 7.5(10)
When a liferaft is required: **Vessel operating in <u>inshore limits (b)</u>** ***All vessel types*** **or** **Vessel operating in <u>inshore fishing limits</u>** ***Fishing vessels***	6m or less in LOA	**A liferaft is <u>required</u> unless all of the factors below apply:** • The vessel operates no more than 2 nautical miles from the shore, launch spot or parent ship or no more than 5 nautical miles from a safe haven; <u>and</u> • The vessel operates within daylight hours and returns to safety / port on the same day; <u>and</u> • The vessel has arrangements that provide for likely rescue within 30 minutes of an emergency or abandon-ship incident, such as communication and navigation arrangements; and proximity to assistance; <u>and</u> • Every person on board the vessel wears a 100 Newton lifejacket at all times during the course of a voyage.	MTI 7.5(9)
	12m or less LOA	**A liferaft is <u>required</u> unless all of the factors below apply:** • The vessel carries fewer than 8 persons on board; <u>and</u> • The vessel operates within daylight hours and returns to safety / port on the same day; <u>and</u> • The vessel has additional (specified) communications equipment and external monitoring of operations that would facilitate rescue of persons within 30 minutes of an emergency or abandon vessel incident; <u>and</u> • Every person on board wears a 150 Newton lifejacket at all times during the course of a voyage.	MTI 7.5(10)
When a liferaft is always required	All vessel types All vessel lengths	A life raft for all persons on board is required if a vessel is operating in restricted coastal limits; coastal limits; offshore limits; or the unlimited area	MTI 7.5(9)
Lifejacket or personal floatation device (PFD)			
General approach to lifejackets and PFDs	**Overall approach to lifejackets and PFD:** The current rules applying to lifejackets / personal floatation devices (PFD) have been consolidated and harmonised, and simplified into one Rule Part and one MTI. Most requirements in the current rules have been carried over into the new rules. The main difference is a requirement for all vessels to carry a lifejacket or PFD for all person on board. This is not currently a requirement for a passenger vessel operating in enclosed water limits. Lifejacket buoyancy requirements also increase from 71 Newtons to 100 Newtons for vessels operating in inshore limits (b) and inshore fishing limits. **Existing vessels:** An existing vessel operating in enclosed water limits will need to meet lifejacket requirements when the rules come into force. Other existing vessels will need to meet lifejackets and PFD within 2 years.		

	Vessel type	Operating limits	Vessel length	Requirements	Rule/MTI
Lifejacket or PFD	All vessel types	All lengths	All operating limits	A lifejacket or PFD will be required for all persons on board.	C5.2 MTI 5.2
Rescue boat					
General approach to rescue boats	**Overall approach to rescue boats:** The current rules applying to rescue boats have been consolidated and harmonised, and simplified into one Rule Part and one MTI. Like the current rules, the requirements for rescue boats focus on passenger vessels - which have been assessed as having a higher risk of a man overboard event - and larger vessels operating in the coastal or offshore limits or the unlimited area. The 35m threshold has been chosen to align with Australia. This threshold is used in the current rules for non-passenger vessels. Other thresholds are similar to the current rules, but may increase or decrease requirements for some vessels, depending on the specific circumstances. The alternatives to a rescue boat – lifeboats and auxiliary craft – are carried over from the current rules. The new rules will introduce the ability of operators to demonstrate the ability to recover persons from the water without needing a rescue boat. This will only apply if the vessel operates in enclosed water limits, inshore limits and inshore fishing limits. **Existing vessels:** Existing vessels will have 2 years to meet the new requirements.				
	Vessel type	**Operating limits**	**Vessel length**	**Requirements**	**Rule/MTI**
When a rescue boat will be required	All vessel types	Beyond inshore limits (a)	35m or more LOA	**Rescue boat is required**	Rule C3.2 MTI 3.2
	Sailing vessel	Beyond the offshore limit	Any length		
	Passenger vessel	Within the coastal or offshore limits	Any length	A rescue boat is required if the vessel carries 12 passengers or more	
	Passenger vessel	Enclosed water limits Inshore limits	15m or more LOA	A rescue boat is required if the vessel carries 99 passengers or more	
	Passenger vessel	Enclosed water limits Inshore limits	24m or more	A rescue boat is required if the vessel carries more than 36 passengers	
Alternatives to carrying a rescue boat (where one is required)	All vessel types	All operating limits	All lengths	The following meet the requirements for a rescue boat: • A lifeboat (that meets applicable rules); or • An auxiliary craft (that meets applicable rules).	MTI 3.6(2)

	All vessel types	Enclosed water limits, inshore limits and inshore fishing limits	All lengths	A vessel that requires a rescue boat does not need to carry one if the vessel can demonstrate safe recovery of persons from the water using alternative means.	MTI 3.6(3)

Lifebuoys

General approach to lifebuoys	**Overall approach to lifebuoys:** The current rules found in multiple locations have been consolidated and harmonised into one Rule Part and one MTI. Requirements have been simplified, and are much the same as the current rules or reduce, depending on the vessel type and operating limit. Although requirements reduce for many vessels, the surveyor will be able to require more lifebuoys in certain circumstances. Also in certain circumstances, the surveyor may allow fewer lifebuoys, or allow a horseshoe lifebuoy or a throw bag.				
	Vessel type	**Operating limits**	**Vessel length**	**Requirements**	**Rule/MTI**
Number of lifebuoys required	All vessel types except: - Cape town fishing vessels - SOLAS ships	Restricted Coastal Coastal limits Offshore limits Unlimited area	9m or more LOA	Must carry 4 lifebuoys	Rule C2.2. MTI 2.2
			Less than 9m LOA	Must carry 2 lifebuoys	
		Enclosed water limits Inshore limits Inshore fishing limits	15m or more LOA	Must carry 4 lifebuoys	
			9m or more & less than 15m	Must carry 2 lifebuoys	
			Less than 9m LOA	Must carry 1 lifebuoy or 1 throw bag	
	Unmanned barge	Any operating limit	Any length	Must carry 2 lifebuoys	MTI 4.2(2)
When additional lifebuoys may be required	**The surveyor may require up to an additional 4 lifebuoys if** • The number of decks, or the length of the vessel, means no lifebuoys are accessible within 15m on an exposed deck; or • A lifebuoy is not easily accessible from the navigating position, where deployment from that position would be necessary. **The surveyor may require up to an additional 2 lifebuoys if** persons on board a vessel are unlikely to be able to effectively access or deploy a lifebuoy.				MTI 4.6(2) MTI 4.6(3)

When fewer lifebuoys may be allowed	All vessel types	Enclosed water limits Inshore limits Inshore fishing limits	Less than 15m LOA	**Up to 2 fewer lifebuoys if** the surveyor determines that the vessel has sufficient lifebuoys and other life-saving appliances along the length of the vessel to enable rapid deployment and optimal likelihood of rescue and retrieval of persons in distress from the water.	MTI 4.6(4)
			Less than 15m LOA	**A horseshoe lifebuoy** may be carried instead of a round lifebuoy, if the surveyor determines that this is appropriate.	MTI 4.6(5)
			Less than 9m LOA	**A throw bag** may be carried instead of a lifebuoy if the surveyor determines that this is appropriate.	MTI 4.6(6)

Visual signals (flares)

General approach to flares

Overall approach to flares:

The current rules found in multiple locations have been consolidated and harmonised into one Rule Part and one MTI.

- Requirements in offshore limits and the unlimited area stay the same or reduce, depending on the vessel type
- Requirements in the coastal limits, inshore limits and inshore fishing limits stay much the same or reduce. There are more options for the mix of flares to be carried.
- Requirements in enclosed water limits stay much the same. Exclusions for when flares are not required are carried over to the new rules, but apply to all vessel lengths, not just to vessel of 6m or less.

Existing vessels: Existing vessels will have 2 years to meet the new requirements.

Number and type of flares required

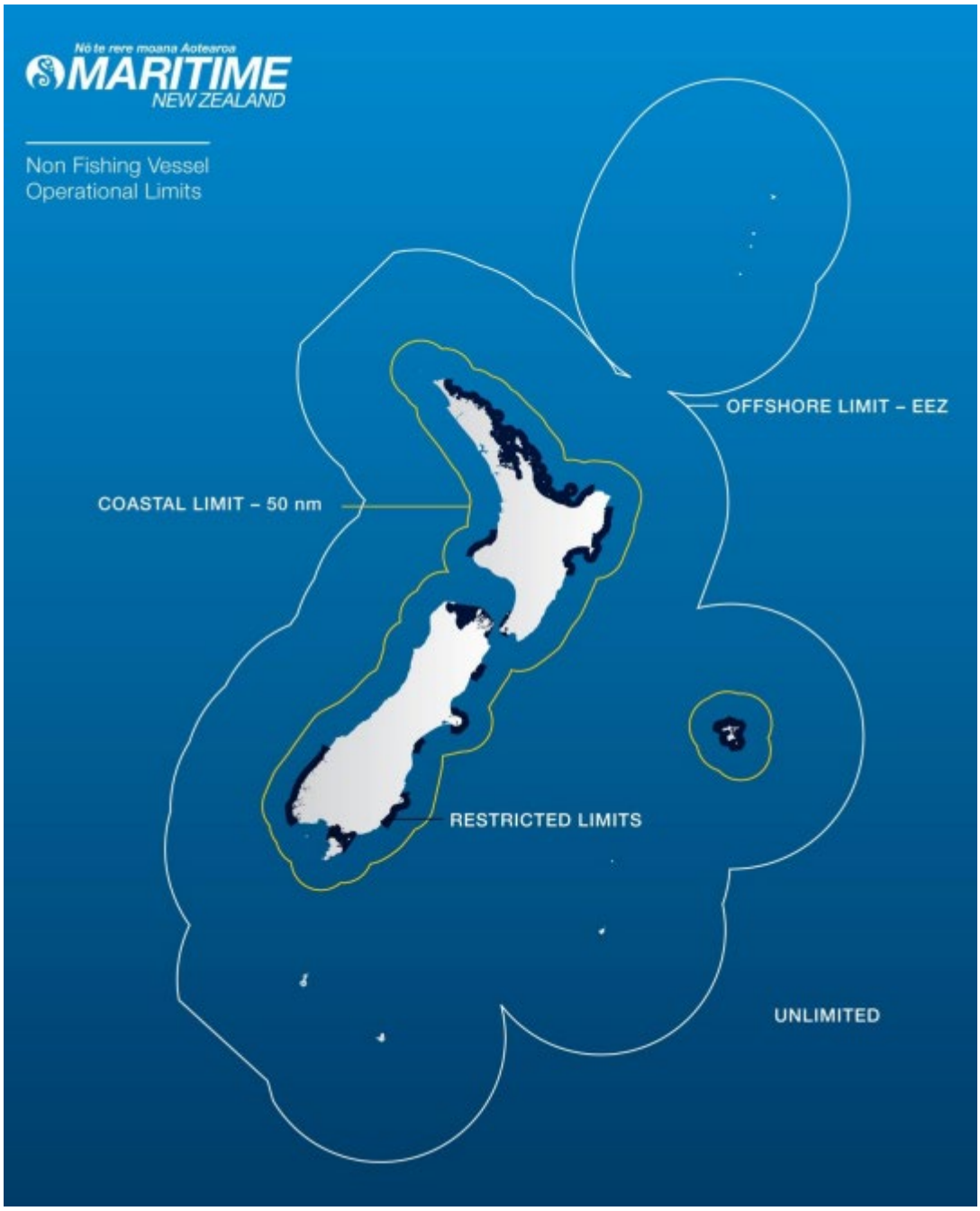
Vessel type	Operating limits	Vessel length	Requirements	Rule/MTI
All vessel types except: - Cape town fishing vessels - SOLAS ships	Enclosed water limits	All lengths	A combination of 2 rocket parachute or 2 red hand flares; and 2 hand smoke signals or 1 buoyant smoke signal. Unless any modification under MTI 2.5(2) applies.	Rule C2.2. MTI 2.2
	Inshore limits Inshore fishing limits	All lengths	A combination of 4 rocket parachute or 2 red hand flares; and 2 hand smoke signal or 1 buoyant smoke signal. Unless any modification under MTI 2.5(2) applies.	
	Coastal limits	All lengths	4 rocket parachute and 2 buoyant smoke signals or 4 rocket parachute, 1 buoyant smoke and 2 hand smoke signals.	
	Offshore limits Unlimited area	All lengths	6 rocket parachute and 2 buoyant smoke signals.	

When flares are not required	A surveyor may determine that a vessel does not need to meet requirements for visual signals if— • The vessel is an unmanned barge; or • The vessel is in constant sight of, and communication with, a means of immediately available assistance during the normal course of its operation; or • The vessel operates in a river or other similar restricted waterway and there are no likely scenarios in which flares would be required.	MTI 2.5(2)

Appendix 2: Diagram of Operational Limits

The following diagram is an extract from Part 20 of the Maritime Rules available on our website at https://www.maritimenz.govt.nz/media/knfnwbso/part20-maritime-rule.pdf. Part 20 provides further information on the boundaries of these operating limits

Operational limits – non fishing vessels



Operational limits – fishing vessels