NZSF
NEW ZEALAND SHIPPING FEDERATION

New Zealand Shipping Federation submission on the Craft Risk Management Standard

Introduction

1. The New Zealand Shipping Federation (NZSF) welcomes the opportunity to submit on the Craft Risk Management Standard (CRMS) and other supporting documents.

2. NZSF represents domestic coastal shipping operators from the Cook Strait ferries, to Chatham Islands Shipping, through to bulk carriers and container freight. Among NZSF members, only Chatham Islands Shipping Ltd routinely undertakes international voyages, specifically to Norfolk Island.

3. If there are any questions relating to the submission below, please contact the Executive Director of the New Zealand Shipping Federation, John Harbord, at execdirector@nzsf.org.nz

Summary

4. This submission primarily relates to the following documents: *Draft CRMS: Vessels* and the *Risk Management Proposal for the CRMS: Vessels*.

5. NZSF supports merging the current CRMSs *Vessels* and *Biofouling* into a single standard.

6. NZSF does not have a position on the change in common name for Asian Gypsy Moth and changes to risk areas and risk periods, as NZSF members are not substantively impacted by these proposed changes. The changes seem sensible, but we lack the expertise to make a definitive judgement.

7. NZSF is broadly supportive in principle of changes to biofouling requirements, noting our general observation below which means we cannot form a clear view. We offer a few observations on the biofouling changes in the *Biofouling* section of our submission below.

General observations

8. One general observation on the consultation is that while MPI has identified or defined issues relating to biofouling, i.e., potential harm to New Zealand's environment and ecosystems and/or fraudulent reporting, MPI has not quantified the issues.

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9. This should have been done and is essential to inform feedback on whether the costs associated with proposed changes are proportionate to the benefit expected to result from those changes. That is, we cannot undertake even a rudimentary cost-benefit analysis. Such analysis should be the foundation upon which evidence-based decisions are made.

10. To take the stated risk of fraudulent reporting as an example, New Zealand has around 2,750 visits from international ships per year. If, in each of the last 3 years, MPI has identified one case per year of fraudulent reporting (and thinks very few or no fraudulent reports escape MPI's detection by MPI systems and processes) then the case for significant reform is weak. If MPI is detecting widespread fraudulent reporting, then industry may have the view that proposed changes do not go far enough. If the issue is the number of fraudulent reports MPI thinks it is not detecting, then the solution might be changes to MPI's systems and processes, rather than imposing additional obligations on operators. Without quantitative information on the nature and scale of the issue we cannot make informed submissions, nor identify optimal potential solutions.

Biofouling

11. NZSF supports updating the 'Application' of the standard to combine versions from the *Vessels* and *Biofouling* standards.

12. The proposed standard *Vessels* will apply to all vessels entering New Zealand territory after a voyage originating outside New Zealand's territorial waters. To remove any further confusion, MPI has provided a proposed definition for 'voyage' which is set out below for ease of reference.

> "**Voyage** means a single journey where a craft intends to arrive in New Zealand from outside New Zealand's EEZ, after having entered another country's territorial waters and/or having spent a prolonged period in international waters. These are also vessels that are required to submit Advanced Notice of Arrival (ANOA) documents."

13. To further reduce any potential for confusion, we recommend amending the last sentence in the definition of 'voyage' to read:

> "These ~~are also~~ vessels ~~that~~ are required to submit Advanced Notice of Arrival (ANOA) documents."

14. This reduces any chance of interpretation that 'voyage' applies to vessels required to submit ANOA documents. That is, 'voyage' applies to <u>either</u> "a single journey where a craft intends to arrive in New Zealand from outside New

Zealand's EEZ, after having entered another country's territorial waters and/or having spent a prolonged period in international waters" or "Voyage means … also vessels that are required to submit Advanced Notice of Arrival (ANOA) documents."

15. We think the risk of any such confusion is low, but a simple change to the final sentence of the definition reduces any such risk even further.

16. NZSF supports the proposed application. Including specific reference to voyages originating outside New Zealand's territorial waters is important.

17. A number of domestic ship operators depart and re-enter New Zealand's territorial waters as part of purely domestic route optimisation. For example, a journey from Northport in Whangarei to Napier will involve sailing more than 12 nautical miles from the coastline.

18. The specific reference to voyages originating outside New Zealand's territorial waters prevents inadvertently capturing vessels which sail purely domestic routes.

19. NZSF would like to see MPI consider whether different standards related to risk from port-of-origin were viable. For example, if there are nearby countries that have equivalent or highly similar marine environments / ecosystems to New Zealand and biofouling standards and requirements equivalent to MPI's, could vessels voyaging to New Zealand from those countries have a more streamlined standard and related process. We do not imagine many, if any, such countries exist but, if they do, requiring vessels sailing to New Zealand them have the same responsibilities as ships, e.g., sailing from ports where Asian Gypsy Moth is prevalent seems to impose unnecessary cost and obligation on relevant operators.

ENDS