

12 March 2010

Dear

Letter No. 2: "What's Going On?"

Further to my letter number 1 of 27 November 2009, we have had numerous correspondence and several meetings, including meetings with the Director of Maritime NZ.

"World Class Seafarers' Qualifications Framework"

Recently we received issue 74 of the *Skipper* magazine, and on page 3 there is a letter to the editor from the Director of Maritime NZ in which she promised that the QOL Review will ensure that we have a world class seafarers' qualifications framework. At the same time, in breach of Maritime Rule Part 35, section 35.3(1), Maritime NZ allowed Nelson Polytech to commence a training course for Second Mates Foreign Going, without the approval required under this Rule.

As far as we know, this course was commenced with only one tutor available to cover the whole syllabus (more than 10 subjects), who, as we understand it, holds a Master Foreign Going certificate but has never been in command of a vessel and whose last position on a ship was as a Chief Officer on a Hong Kong flagged ship 15 years ago [Nelson Marlborough Institute of Technology "Voyage" Newsletter, Issue 6 May 2008, page 2].

In breach of the rule which requires *prior* approval, Maritime NZ approved this course only *after* it had got well underway with one tutor.

What kind of "world class qualifications" are we speaking about? Is this how the Director is going to ensure the NZ public and industry how she will keep high standards?

Nelson Polytech did not advertise its course as any kind of domestic solution, but as a course designed to combat the worldwide officer shortage [*Ibid issue no 7, page 1*], and to allow them one day to be captain of the Queen Mary [*Ibid issue 7, page 3*].

It is a certainly a brilliant initiative to retrain people from the fishing industry to work on merchant ships, but any education provider must have a) facilities, b) resources, and c) qualified staff.

It is not enough just to have one of these. All three are required. Note by way of analogy the ubiquity of tennis courts in New Zealand but lack of world champion professional tennis players, not because of lack of facilities but because there are insufficient world class tennis coaches living in NZ.

MNZ sends industry for a "Long Weight"

The saga with *Anatoki* shrinking and stretching continues. Recently we had information that the shipowner has now blocked up her holes in order to improve buoyancy and thereby increase cargo capacity on this vessel. There were numerous conversations with Maritime NZ about this problem in which they were insistent that *Anatoki* is less than 45m and does not need to comply with Part 40A (Construction of vessels), but need only comply with Part 40C. The problem is that before she became *less* than 45m, she was *more* than 45m, and all modifications must be approved by Classification Society and Maritime NZ.

As we understand it now, the owner blocked the holes up (probably with glue and rubber), rather than welding them, because if they had welded them they would have had to seek MNZ approval to do this work. And when we pointed out to MNZ that *Anatoki* had blocked its holes up, the answer was "No, not *all* of them!"

It was widely reported last year (e.g NZ Marine News, Vol 56 No 4 2009 p216), that Coastal Bulk Shipping received \$1.31 million for *Anatoki*.

Weight Watchers

Industry should keep an eye on the weight of *MV Jaguar*, which currently sits at 1044 gt. Her weight loss goal is to come in at under 1000 gt so that she can sail internationally without a cook.

Dredging up the past

After numerous correspondence to MNZ about troubles with this vessel, including manning, breach of ISM Code etc, MNZ finally agreed to do some investigating. We are still waiting for their report which they are supposed to finish in the middle of February, and even the Minister of Transport said we would receive this report in February. But as we understand it, the troubles are so deep that the report is still not completed.

Dredging into the future

MNZ explained to the *Pelican* operator and to their masters (some of them on work permits, and some who had been working more than 12 months without NZ endorsements), how to use NZ's minimum safe crewing documents.

45 meters

After numerous correspondence with MNZ for several years, nobody still knows where this 45m criteria originated from and why and what for. MNZ is supposed to know its own rules and why they exist and how they came into being.

We had been saying to MNZ that the 45m should be immediately removed from the rules and it does not comply with any international conventions, and to be replaced by 500gt. In the latest *Skipper* [issue 74, p14] there is a photo of the catamaran *Ipipiri* which may be less than 45 meters but is obviously bigger than 500gt.

But MNZ has furiously defended the 45m and kept insisting how impossible it is to make any quick amendments to its rules. It has sent us off to the QOL Review on this issue.

Recipe for Quick Rule Amendments

One shipowner,

One ship,

Incorporate an inconvenient rule. Stir slowly. Form into small amendments. Bake in a fast oven.

A quick amendment to Part 90 was rushed through recently, months ahead of schedule, specifically to enable maximising of profits of the owners/operators of *MT Awanuia*.

Exemptions Office

According to MNZ's 2009 Annual Report, there are 140 full time positions at Maritime NZ, 10 of them are inspectors in the ports, 17 staff in search and rescue, 5 staff in oil response team, and 108 full time positions in the main office in Wellington. The large contingent at Head Office are responsible for investigation of accidents/incidents which are still to be completed. At the same time, the same office issued exemptions for the year [page

It looks like Maritime NZ needs another rebranding to become "Maritime Exemptions Inc" because it seems this is its main function. It looks to many like safety is priority number two, with priority number one being improving the profitability of shipowners.

Super Power

MNZ has the idea that it can do whatever it wants in near coastal waters (200 nm from NZ's coast). STCW 95 clearly indicates in Article II (g), that it applies to "*seagoing ship[s]*", defined as "*a ship, other than those which navigate exclusively in inland waters or in waters within or closely adjacent to, sheltered waters or areas where port regulations apply.*"

But MNZ has no extra jurisdiction in near coastal waters apart from its duty to comply fully with STCW 95.

Chapter 2 clearly explains what sort of certificates the master and deck department must have. Chapter 3 explains about the engineering department.