



MTA NEGOTIATES CHEAPER DEAL OVER AIS

BY ALAN MOORE

The MTA has successfully negotiated with the Auckland Regional Transport Authority over their requirement to fit the expensive class A automated information system to all passenger vessels capable of speeds in excess of 15 knots operating on the Auckland Harbour in restricted visibility.

The position reached is that, provided the vessel's destination is included in the transmission, the signal can be sent using the much cheaper class B unit.

The difference in the price between the two units is in excess of \$5000 and, as there are approximately 25 vessels affected, results in considerable savings to MTA members.

This good price is only available to MTA members and is due to the association using the economies of scale to obtain a significant reduction in the normal retail price.

ARTA have indicated that they intend to expand the requirement for the fitting of these units to all vessels using their wharf facilities, such as Pier 3 Downtown, Auckland. They will monitor this usage with CCTV cameras fitted on the wharf.

They are concerned that there are a number of charter boats using their facilities without paying and intend to ensure that all operators share in the cost of providing and maintaining the infrastructure.

MTA support ARTA in making sure that all users pay their way but oppose any attempt to encroach on the privacy and security of any information gathered by them in the process, or to use it to download commercially sensitive information from passenger transport providers.

CELL PHONE USE

TAIC have recently investigated an incident that resulted in a fatal accident and involved the use of text messaging from a cell phone. Concern has been expressed about this and the MTA is developing a policy to restrict the danger of this practice to a minimum.

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The MTA recognise that cell phones are a valuable communication tool, for users to stay in touch and would not like to see any additional legislation to restrict use, provided it is appropriate. They also acknowledge, for the vast number of recreational boaties, the cell phone is their primary communication tool and texting is frequently a preferred option.

However, we also recognise the increasing number of near misses and serious accidents at sea involving all manner of craft attributable to cell phone or texting use and it is in our best interest to develop a suitable approach to ensure that the use of this important communication device is conducted in the safest and most practical way.

We will also be discussing this issue at the conference and would like to solicit members views about what sort of controls

should be placed on the use of the device.

It has been suggested that texting be disallowed while in command of a vessel and this may be a suitable solution. It is clear that texting takes far more attention on the process than just simply talking on the phone and perhaps this is the cause of the spate of incidents that have been reported. In any event it is considered to be prudent to develop a suitable policy that we can suggest to our members so that the organisation and its members can be seen to act responsibly.

Your input would be appreciated. Better still, come along to conference and have your say. More about the conference will be found in this newsletter and details of how to register and the programme of events will follow via e-mail within a couple of weeks.

FUEL

Caltex Oil NZ Ltd has indicated they intend to divest themselves of their marine refuelling facilities. This places the arrangement that exists with MTA Star Card Members in risk and while some members use the credit facility for motor vehicle fuel purchases others rely on this arrangement to get their vessel diesel.

MTA have been discussing the position with Caltex and have also invited Gull Petroleum to discuss options for the supply to members. While Gulf's position in the market is comparatively restricted at least they are interested in continuance and are not like all the other multinationals, pulling out.

CHARTER BOAT REPORTING

The Ministry of Fisheries has issued a draft of the proposed regulations that will require all charter boats to be licensed and report their catches or the lack of to the department. This position has been argued by various user groups including the MTA and the end result is that there is a requirement to provide the information. However, when the rules are studied closely, it is apparent that all commercials except tugs and barges, ferries, and licensed fishing vessels are required to file a return. This means that the white boat fleet, e.g. luxury cruise boats such as Pacific Mermaid and the Explore NZ Americas Cup yachts will have to provide their catch information even though they have not been fishing, monthly nil return. Clearly this will be an imposition on a lot of our members who take tourists out on the water but don't go fishing. The subject is on the agenda for the upcoming conference and we will try to negotiate a satisfactory solution on behalf of all those involved.

REVIEW OF QUALIFICATIONS AND OPERATIONAL LIMITS

Bridget Carter and John Mansell of MNZ have commenced their programme of the review of this important aspect of our industry. The review team are going around the country obtaining the views of the industry so that they may evaluate the information and make recommendations as to changes needed to ensure the rules and regulations fit the desire and needs of the operators.

This process will take some time and Bridget will be reporting back to MNZ on a specifically programmed basis to ensure the review is successful.

Both Bridget and John will be attending the conference and

reporting their progress. They will also be looking for feedback so you should make your views known.

The issues here are:

1. Are the Certificates of Competency we are required to obtain suitable for the purpose?
2. Is there a need to introduce new or different Certificates of Competency?
3. Do the operational limits fit within our requirements and needs?
4. Are the passenger numbers relative to the crewing numbers appropriate?
5. Is the manning of the vessels appropriate for the limits in which they operate?
6. Is the system operating fairly and consistently?

There have been instances where Minimum Safe Crewing Documents have been issued, where the manning level for similar vessels operating with similar passenger numbers in the same geographical area, have been radically different, thereby placing a competitor at a disadvantage.

These issues are well overdue to be discussed and, despite the fact that a change is some time away, it is a move in the right direction.

SAFE SHIP MANAGEMENT

On August 1, 2009, Sharyn Forsyth was appointed general manager maritime safety systems for Maritime New Zealand and brings her extensive knowledge of the industry into her work involving the improvements to the service delivery of the Safe Ship Management system. This will take up a large part of her role while this function is under review and we look forward to the development of an improved system in the process. Sharyn will be presenting a paper at the September conference during the Maritime New Zealand forum. This will be an opportunity to learn about the proposals and for Maritime New Zealand to hear from operators their views on changes to the delivery process. There will also be discussion of the arrangements for Fit and Proper Person Certificates and an update on how to comply with this requirement.

2009 MTA CONFERENCE

The annual MTA conference is to be held at the Portage Lodge, Kenepuru Sound on Wednesday, September 23, 2009 starting with registration at 4.30pm on that day and going through to the annual conference dinner on Friday, September 25. The conference proper gets underway on Wednesday morning at 9 am with the opening address from Peter Talley of Talley Fisheries.

The day will be taken up with matters that affect our industry and updates on all the topical issues raised above.

The annual North South Competition will be held in the late afternoon while we cruise the Marlborough Sounds and enjoy the refreshments supplied by our friends and sponsors Transdiesel Ltd.

On Friday 25, Maritime New Zealand will present an industry information forum designed to improve the knowledge of all operators and will be looking for feedback from those interested operators on all the issues that are currently under review. This is always a good opportunity to learn and understand the problems that face us all. MNZ director, Catherine Taylor, will present the opening address and this will be a great opportunity to meet her and hear of her vision and leadership as the key regulators in our industry.

The evening will be taken up with the annual conference dinner and will be an opportunity to get to know the MNZ staff, the sponsors and your fellow operators. This function is always

well supported and always a huge success. Website for more details is www.marinetransport.co.nz

MARLBOROUGH DISTRICT COUNCIL BY-LAWS

Earlier in the year Peter Dawson of Dawson Law prepared a submission to the Marlborough District Council on behalf of the MTA and other affected parties in the Marlborough Sounds relating to a proposal by them to introduce a new set of by-laws for the conduct of vessels operating within their area of jurisdiction.

The whole process was foisted upon the operators with such proposals as to introduce AIS Class A systems to all commercial vessels, reducing the Pilotage tonnage to 100 tons, the requirement to carry either a pilot or an exemptions for all vessels transiting the Tory Channel, introducing price increases clearly designed to force the small operator (and the big one for that matter) out of business.

Peter's submission has really got them rattled for they

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have stalled making a decision until late September maybe even October and qualified that by wanting to wait until the discussions on Rule Part 90 (Pilotage etc) comes out.

Peter will be presenting a paper at Conference and we all eagerly await the reaction by MDC to the submissions. There will be an opportunity to appear before the committee hearing the proposals and this will give us all including MTA an opportunity to put our case.

RULE PART 90 – PILOTAGE

Peter will also discuss the ramifications of this proposed rule change and how it will affect the operators in the Marlborough Sounds. It is not restricted to just that area as some of the proposals will affect operators throughout the country. For example there is a proposal to combine the meterage (read as tonnage) of tow boats and their barges for the purposes of determining the minimum requiring a pilot and this will effectively put such a huge cost barrier to moving goods by sea that trucking will be more cost effective.

The whole process is under scrutiny and needs careful examination. MTA have outlaid a considerable amount on obtaining the services of Peter Dawson and he has acquitted himself extremely well. We need the support of the industry to justify this cost and earnestly require support from all affected parties to prove to the bureaucrats that there is vehement opposition to their proposals. If we all sit back on our hands they will have their wicked way and we will suffer forever.

What comes out of this is that you all need to come to the Conference, find out what is proposed, realize the implications of the propositions and register your complaints about what is happening. If we show that we will not tolerate it we may change their minds.

This is a call to arms and I urge you to register as a delegate at Portage Lodge.

A registration form is available on the MTA Website and this will give details of the programme, the social activities, transport arrangements and most importantly the cost. I sincerely request that you give it serious consideration. To obtain the form for this event contact MTA secretary Alan Moore, at info@marinetransport.co.nz or phone 021 942 850. 