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Printers:	GEON
Distribution:	Gordon and Gotch Ltd

Subscriptions: *Professional Skipper* is published for the maritime transport industry. It is available on subscription in NZ and overseas.

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Professional Skipper is produced bi-monthly.

Finalist 2008 Qantas Media Awards 



MPA Associate Member



EDITORIAL

JUST HOW UNSAFE ARE WE?

As I write this editorial, the waterfront is alive with the news of a stoush developing between Maritime New Zealand (MNZ) and Survey Nelson Limited (SNL) over the issues surrounding Safe Ship Management. In November, the director of MNZ issued notice that the approval for SNL to operate as an SSM company had been removed and operators were advised to seek other arrangements with alternative SSM companies. Obviously, Jean and Terry Reynolds owner/operators of SNL were not happy and headed off to court.

From our reading of Justice J Miller's oral decision, SNL has been afforded interim relief to keep operating until a substantive hearing is held in the New Year. The judge was somewhat critical of some of MNZ's processes in that MNZ had allowed the situation to evolve to the present position and had not cited specific instances where SNL had allowed vessels to continue to operate while not fit for purpose.

Which raises the question, just how unsafe is our maritime industry to warrant its high level of compliance costs? We are fast becoming one of the most over regulated industries with a plethora of rules and regulations that I would defy even the smartest advocate to claim to be fully conversant with. Something the director of MNZ is now trying to address.

Clearly, we can all identify the suspect vessels around the waterfront, the ones that would not survive any robust audit. One can only look back to the *Te Kotuku* and there are many more, from fishing boats to barges in service, only by the grace of the surveyor. I would venture to suggest that all SSM companies would have examples of these skeletons in their closets if the truth were known.

It would be fair to say that SNL has inherited more than its share of the dregs of the waterfront and in doing so, Terry and Jean have given a commitment to support and help small operators by allowing time for them to bring their boats up to standard. Whether this was right or wrong is not for debate. What is, is that some folk have gone out on a limb to keep boats at sea and give operators the time to make the money needed to upgrade their vessels. Unfortunately, in the case of many fishing boats, the quota owners have worked against both the fishermen and surveyors by creaming the ACE, ie raising or lowering the ACE in keeping with wharf price seasonal fluctuations to keep the profits and not pass them on to fishermen.

The end result being most fishermen are still not making money with many boats still deteriorating. I have said this before, if the quota owners do not ease up on the ACE prices and allow fishermen to make money, there soon won't be any fishermen to fish the inshore quota and your asset will become worthless. The Minister has clearly stated that you won't be using foreign boats to fish inshore quota so now is the time to ease the purse strings. Which begs the question, just how many boats are affected? Best estimates at present suggest it could be as high as 400 vessels across the SSM fleet. If this is correct this is serious stuff, just imagine the impact on our local economy if we see the sudden loss of 400 vessels, thousands of families could be affected.

So is this a problem? Maybe, maybe not! As an industry we can't say we have not seen this coming. In fact the small ship industry, from all sectors, has been lobbying MNZ, our surveyors and anyone who would listen, to reduce costs. Our cost of compliance is just not sustainable in the environment we work in and the director has taken these concerns on board. The Thompson-Clarke independent review exposed many shortcomings in our SSM system and the delegated authority under which SSM companies work. It revealed that MNZ had lost control and as the regulator, it now exposed government to issues where it no longer had any control. Clearly, MNZ has no option but to regain control, the question is, how? They are, after all, responsible for the Maritime Transport Act its rules and the law.

Maritime NZ cannot afford to lose this case. If they do, gone will be the wriggle room surveyors and SSM companies have enjoyed in the past. MNZ will be left with no option but to carry out full maritime safety audits of the fleet and chop all those who fail by immediately removing their maritime documents and certificate. This will set the maritime industry back 10 years.

On a brighter note from the team here at *Professional Skipper* magazine, all the best for the festive season and may the jolly bearded fellow in the red suit be most generous to you and yours as we look forward to a positive and prosperous New Year for us all.

Keith Ingram, Editor