

SSM v. MOSS – WHY THE CHANGE?

BY KEITH INGRAM

At the front end of this issue I have given our inshore industry a bit of swish in my editorial. Sadly, and in the industry's defence, there are a lot of mixed messages being touted from all directions on the waterfront.

Maritime New Zealand is saying one thing and the Marine Transport Association is raising some very valid questions. SSM companies are also having a say and promoting what they believe is best for the industry and future safe operating systems.

Meanwhile, operators are being bombarded with so much information that confusion reigns. While not wishing to add to the confusion and still being a charter boat operator of sorts, even if I do now fall into the romantic part-time category, I thought I had a reasonable handle on the situation.

Clearly SSM as we know it is not working, as our mediocre safety record continues an upward trend. Granted, the fact that we have better reporting now may contribute to this, but the fact remains, we are not necessarily safer today than we were a decade ago.

Past government reviews and reports from Maritime NZ have identified weaknesses within the SSM system. A problem with the current SSM system is that it is confusing and unduly complex for many operators.

As a safety regulator, Maritime NZ may also be at risk of not being able to undertake the level of regulation expected of it. Feedback from the industry also suggests Maritime NZ is too far removed from the industry they are tasked with overseeing.

The current safety management framework is not delivering a

good enough safety outcome. In more than a decade since the SSM system was introduced, serious harm incidents have increased. This has to change and it's why Maritime NZ proposes to change the system to reduce its complexity and improve the quality of regulatory oversight and ultimately, our safety.

There are many more reasons we can all relate to from past experience with increasing compliance costs and inconsistent interpretation of the rules. There are changeable or inconsistent standards of surveyors or their survey inspections, where one boat in the port gets away with murder while others are pinged. Then there's Maritime NZ's inability to effect compliance to the rules or address pirate operator issues, and the list goes on.

What is being done about it? If the proposal goes ahead, this will mean changes for all operators, SSM companies, surveyors and Maritime NZ. Maritime NZ is giving the SSM system a good shakeout and in doing so has developed a system known as the Marine Operator Safety System or MOSS. The proposal involves replacing the current Maritime Rule Parts 21 and 46 with new rules, Parts 19 and 44.

The preferred option within the MOSS proposal has been developed over some years with the participation of SSM companies, surveyors and operators who were invited to comment.

The current consultation process provides a number of opportunities for the smaller operator to comment and provide feedback. MOSS focuses more firmly on the operator. This is because most fatalities and serious injuries over the past decade have been caused

COMPLETE COMPUTER SERVICES CHRISTCHURCH



60CM MARINE SATALITE ANTENNA FOR TV WITH BUILT IN GPS



45CM GYRO STABILIZED MARINE SAT TV ANETENNA



37CM GYRO STABILIZED MARINE SAT TV ANETENNA

- Works with Sky
- Excludes Install
- TV When On The Water
- Install Nationwide
- Also available CD/MP3 Players, Amps, Motor Home Satalites

CONTACT NATHAN GUNNING • PHONE 03 3890929 • MOBILE 0278163139

by human error. Maritime NZ suggests that under the current SSM system, documented vessel systems are unnecessarily complicated and don't support operators in taking a common sense, hands-on approach to safety.

Maritime NZ's predicted costs between SSM and MOSS show the combined costs of surveys and auditing will generally remain similar and may even result in savings for many operators. It is true that operators will need to bear the expense (in time or money) to convert their SSM documentation to a Maritime Transport Operator Plan. But the requirements for these plans are simpler than their equivalent under SSM and Maritime NZ will provide templates, examples and advice to assist with the process.

Maritime NZ is also carrying the cost of processing applications and issuing Maritime Transport Operator Certificates, so existing operators won't need to pay this. To help further, all SSM certificates will be allowed to run full-term after MOSS is introduced. Operators will only need a Maritime Transport Operator Certificate when their Safe Ship Management Certificate expires.

Maritime NZ suggests that our existing manual may be useful in developing our Maritime Transport Operator Plan, as it should already include ship and personnel certification and shipboard procedures. Under MOSS, the owner or operator is responsible for ensuring that a viable safety system is in place and the skipper is responsible for applying it while at sea. It is intended to introduce a five-year survey cycle (with mid-term survey) consistent with international standards.

We will be able to contract an independent surveyor of our choice or use the services of a surveying (ex-SSM) company. Maritime NZ is continuing to work on improving the quality and consistency of surveyors and surveys. Under MOSS, it proposes some new professional development requirements, includes a requirement for surveyors to join a professional institute and undergo regular training and updates.

In addition, Maritime NZ will continue to conduct spot checks on vessels and work with surveyors to establish a common understanding of survey standards and requirements.

Private use is always a curly question. Under MOSS, if an operator or owner wishes to use a commercial vessel temporarily outside its operating limits for non-commercial purposes, he or she will need to notify Maritime NZ beforehand (currently SSM companies need to be notified).

Notification is not required if the vessel is being used for non-commercial purposes within its commercial limit. However, safety procedures for non-commercial use will need to be applied in either case. Prior permission from the director of Maritime NZ is required for international voyages. This is also a requirement for recreational vessels travelling internationally.

Maritime NZ says a new Maritime Transport Operator Certificate will be issued to the operator (not each vessel) for a period of 10 years. It is not renewed every time a vessel is surveyed.

Instead, the proposal is to issue a Certificate of Survey against the vessel at each end-of-term survey to be issued by the surveyor alone and would not directly involve Maritime NZ and will hopefully reduce processing costs for operators, surveyors and Maritime NZ.

Fit and proper person criteria remains and will include the holder of a MTOC for a small maritime transport operation who would normally be the owner of the business. In larger organisations it could be one or a number of senior managers. These people would need to undergo a check to ensure they are a fit and proper person.

The questions continue. To assist Maritime NZ, those with further questions about MOSS should visit <http://www.maritimenz.govt.nz/Consultation/MOSS-consultation/MOSS-faqs.asp>.

Or you can contact Maritime NZ on: 0508 22 55 22 toll-free within New Zealand. Finally, please fill out the online questionnaire. This is your chance to have your say.



Sea Recovery
REVERSE OSMOSIS DESALINATORS[®]

Water water everywhere...

and every drop you can drink, shower, make ice, wash, hose down and never run out

Cruise where you want, when you want, without a fresh water worry in the world. Sea Recovery manufacture water makers for all types and sizes of vessels guaranteeing fresh, safe, crystal clear water 24/7.

LIGHTHOUSE
MARINE EQUIPMENT
always on the look out

tel: 09 448 2761 fax: 09 448 2764
email: sales@lhmarine.co.nz
web: www.lhmarine.co.nz

Address: 3C Henry Rose Place,
Albany, Auckland, New Zealand.

VIP.S67

PHOTO: UNICEF