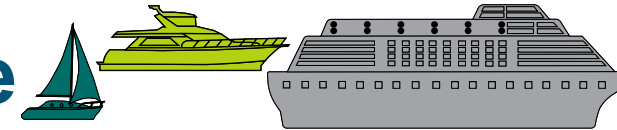


# The Maritime Transport Regulatory Work Programme



Scoping

Policy development

Consultation

Legislative change

Operational design

Implementation

Evaluation

Proposed Future Work

## Maritime Rule Part 53 Pilot Transfer Arrangements

This rule is being amended to provide greater certainty than is currently provided by the general exemption that was issued for Maritime Rule 53.4(2)(a). The rule amendment will replace the exemption.

**Outcomes:** Maintenance and renewal of the regulatory framework, including tools to support an effective regulator.

**Linkages:** Regulatory stewardship.

**Current stage:** Scoping.

**Next steps:** Complete policy investigation/scoping by the end of 2021.

## Rule Part 91 - Navigation Safety Rules

Issues have been identified with the workability of the Navigation Safety Rules. This includes consideration of changes to the rules regarding personal flotation devices.

**Outcomes:** Supporting healthy and safe people.

**Linkages:** Other rule changes, e.g. Part 90.

**Timeline:** Rule drafting and [redacted]

[redacted]

**Current stage:** Policy development.

**Next steps:** [redacted]

[redacted]

Withheld under section 9(2)(f)(iv) of the Official Information Act 1982

## 40 Series Reform Project

A multi-year project to reform the rules that set design, construction and equipment standards for New Zealand domestic commercial ships. Development of a performance-based approach to setting standards will allow for adaptable regulation and harmonisation of requirements across ship types, reducing the complexity and volume of rules.

**Outcomes:** Re-design of the regulatory framework to support a safe and effective transport system.

**Linkages:** Regulatory stewardship.

**Timeline:** Development of the rule and transport instrument content is expected to be completed by the end of 2023. This will be followed by formal public consultation.

**Current stage:** Policy development and early drafting of rules and transport instruments.

**Next steps:** Current work is focussed on the development of content for lifesaving appliances, electrical, survey and fire. We are continuing to "explore change" in these areas and will be engaging with surveyors, owners and operators to discuss these areas [redacted].

Withheld under section 9(2)(f)(iv) of the Official Information Act 1982

## Maritime / Marine offences regulations

The Maritime / Marine offence regulations need to be reviewed and updated to ensure the enforcement system is fit for purpose.

**Outcomes:** Maintenance and renewal of the regulatory framework, including tools to support an effective regulator.

**Linkages:** Financial Penalties Framework, regulatory stewardship.

**Timeline:** Expect completion by mid to late 2022.

**Current stage:** Policy development.

**Next steps:** [redacted]

[redacted]

Withheld under section 9(2)(f)(iv) of the Official Information Act 1982

## MNZ Funding Review (including Oil Pollution Levy)

A funding review of MNZ (inclusive of all activities and revenue streams) is undertaken on a 3 (mid point) and 6 (full) year cycle.

**Outcomes:** MNZ is appropriately funded to meet regulatory, compliance and response capability and performance expectations to operate as an effective modern regulator.

**Linkages:** Regulatory stewardship, regulatory reform programme, AVSEC & CAA funding review, and Waka Kotahi funding review.

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Withheld under section 9(2)(f)(iv) of the Official information Act 1982

## Rule Part 90 - Safety Risks in pilotage waters

Safety risks in pilotage waters have been identified as an issue for further investigation through intelligence analysis by MNZ and TAIC reporting. Initial changes regarding Bunker Barges are complete.

**Outcomes:** Supporting health and safe people, and anticipating risks in the system.

**Linkages:** Other Rule changes e.g. Part 91 (navigation safety).

**Timeline:** Project is on MNZ's multi-year work programme.

**Current stage:** On hold due to the need to prioritise other key regulatory work.

**Next steps:** The priority of this project on the work programme will be reconsidered in the second half of the 2021/22 year.

## Small Craft Identification

Investigating voluntary and mandatory measures to increase use of Automatic Identification Systems (AIS) by small craft – these are New Zealand registered craft under 300 gross tonnes not currently required to carry and operate AIS equipment.

**Outcomes:** Minimise and manage the various human, health, environmental, and economic risks posed by small craft.

**Linkages:** Maritime Security Strategy.

**Timeline:** The Maritime Security Oversight Committee (MSOC) has recently agreed an approach, including investigating and pursuing various voluntary and enforceable measure that span across the immediate term, through to 2028 and beyond.

**Current stage:** Policy development.

**Next Steps:** Information campaign and develop "safety" policy case for increased use of AIS by small craft. Explore potential amendments to the MTA, maritime rules, and other legislation to require AIS on certain small craft.

## Regulatory Systems (Maritime Transport) Amendment Bill

Seeks to amend the Maritime Transport Act to improve the effectiveness of the monitoring and enforcement regime for maritime transport.

**Outcomes:** Maintenance and renewal of the regulatory framework, including tools to support an effective regulator.

**Linkages:** Financial Penalties Framework, regulatory stewardship.

**Timeline:** Likely to take 18-24 months.

**Current stage:** Policy development.

**Next steps:** [redacted]

[redacted]

Withheld under section 9(2)(f)(iv) of the Official Information Act 1982

## CapeTown Agreement Rules

Rule change to support New Zealand's accession to Cape Town Convention which set minimum safety standards for fishing vessels.

**Outcomes:** Giving effect to New Zealand's international obligations.

**Linkages:** International Strategy.

**Timeline:** Rule change is expected by early 2022, followed by Implementation.

**Current stage:** Legislative change.

**Next steps:** Consultation has occurred, now in final stages of rule development. Implementation planning has begun.

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## Regulatory System Transport Amendment Rules

Necessary minor updates to Rules to ensure the system is fit for purpose (Omnibus and Assorted Issues).

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## Review of the Maritime Transport Act

This review will provide the opportunity to modernise the legislation and ensure the regulatory framework is fit-for-purpose for MNZ to effectively perform its role as the national maritime regulatory, compliance and response agency.

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## Maritime Drug and Alcohol Regime for Commercial Operators

This project will enable the MNZ Director to conduct drug and/or alcohol testing of safety-sensitive workers.

**Outcomes:** Supporting healthy and safe people.

**Linkages:** TAIC recommendations, transport instrument pilot.

**Timeline:** Expected to be in force by end of 2022.

**Current stage:** Policy development and Rule drafting. [redacted]

[redacted]

**Next steps:** PCO to draft rules for consultation based on Ministry instructions. [redacted]

[redacted]

Withheld under section 9(2)(f)(iv) of the Official Information Act

MARPOL Annex VI

## MARPOL Annex VI

Changes to the MTA and associated regulations and rules to enable New Zealand to accede to, and implement, its international obligations with respect to air pollution and emissions from ships.

**Outcomes:** Environmental sustainability.

**Linkages:** International Strategy, Annex VI Rules and Regulations.

**Timeline:** Bill likely to progress through the House by the end of 2021; with New Zealand's accession 3 months following the deposit of the instrument of accession.

**Current stage:** Select Committee reported back on 14 September, awaiting second reading.

[redacted]

## Annex VI Rules and Regulations

New Marine Protection Rules, and amendments to the Maritime (Offences) Regulations to implement obligations arising from accession to MARPOL Annex VI.

**Outcomes:** Environmental sustainability.

**Linkages:** International strategy, MARPOL Annex VI, and Effective Financial Penalties Framework.

**Timeline:** Rules and regulations to be approved by end 2021, coming into force early 2022.

**Current stage:** Submission analysis and rule finalisation. Implementation design well progressed.

**Next steps:** Final rule presented for your approval October 2021.

[redacted]

[redacted]