



# SEMAPHORE

Newsletter of the Maritime Law

Association of Australia and New Zealand



## Returning Cruise Ships Fall Foul of Kiwi Regs

New Zealand regulatory authorities have been quick to act on cruise vessels with suspected biofouling issues, in the country's returning post-pandemic international cruise season.

It is understood that by late January the Ministry for Primary Industries (MPI) business unit, Biosecurity New Zealand, had issued notices of direction imposing itinerary restrictions on seven ships, with reports of subsequent incidents arising.

Biosecurity New Zealand environmental health manager Paul Hallett clarified there had been no recent change in the country's biofouling regulations and that the agency was merely enforcing the Craft Risk Management Standard which became mandatory in May 2018.

"Biosecurity New Zealand does a risk assessment on all vessels visiting New Zealand waters," he said.

"This is done through reports, images, videos and analysis of the vessel's routes, age, type and biofouling/cleaning history."

Mr Hallett said operators of vessels receiving the notices had to either adapt their schedules or opt to clean the vessels' hulls.

"If they opt to clean before visiting New Zealand ports, it cannot be done in our territorial waters.

"To resume their intended itinerary, the vessel operators need to demonstrate they have carried out sufficient hull cleaning to meet our requirements."

He added that it appeared there were a "combination of factors" behind the surge in biofouling issues.

"These include the long layoff from cruising due to the pandemic, many new personnel at cruise companies, and logistical and commercial restraints when it comes to biofouling cleaning (related to an occasional shortage of commercial divers, and their locations).

"We are continuing to work closely with the shipping industry to ensure biofouling does not bring unwanted organisms into New Zealand, including providing information to cruise lines prior to the arrival of their vessels."

New Zealand Cruise Association chief executive Kevin O'Sullivan confirmed the sector was seeking to address matters.

"Protecting New Zealand's unique marine environment is very important for cruise lines – especially in our most sensitive areas – and cruise will continue to ensure biofouling on hulls does not bring unwanted organisms into our waters," he said.

In a statement issued on February 1, the Association lamented that having expected a return to pre-pandemic port call numbers of about 915, both the biofouling issues and then extremely-bad weather had combined to badly affect the season.

"We are more used to port calls being cancelled because of weather but this year has been exceptional for lost calls, particularly over the last few days," read the statement.

"The catastrophic rainfall in Auckland and beyond contributing to the worst January for bad weather.

“A missed port call is a lost opportunity for regional ports, for regional tourism operators and for cruise operators still struggling to recover in the aftermath of the pandemic.

“We won’t have a detailed idea of the lost value until we see analysis from Statistics New Zealand, but it will be many millions of dollars.

“We are getting back on our feet, but it’s not what our decimated tourism industry needed in peak season. People are tired and have a lot personally to deal with, but they are on the ground providing service to our precious cruise sector.

“[However] through all of this the kiwi can do spirit shines through.”

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