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NEW ZEALAND – BIOFOULING – CRAFT RISK MANAGEMENT STANDARD

As a remote island nation in the South Pacific New Zealand has long enjoyed a reputation for its “clean green environment”. The high quality of the New Zealand environment is important to the New Zealand Government for a range of reasons, principally among those being its attraction to overseas tourists and the contribution which the environment makes to the perception of New Zealand’s primary industry exports as being of the highest quality.

New Zealand manages the risk of introduction of unwanted pests and other organisms through the provisions of the Biosecurity Act 1993, an Act of Parliament administered by the Ministry of Primary Industries (MPI). The purpose of the Act is to prevent the introduction to New Zealand of what are referred to as “unwanted organisms” which are defined as being organisms which are “capable or potentially capable of causing unwanted harm to any natural and physical resources or human health”.

In the shipping context there are two readily identifiable potential sources for the introduction to New Zealand of unwanted organisms in the form of invasive aquatic species, these being through ballast water exchange and through hull biofouling. Studies

undertaken in New Zealand have found that hull biofouling is responsible for the introduction of some 69% of invasive aquatic species as opposed to ballast water, which is responsible for a mere 3% of these species.

Marine pests and diseases brought in through hull biofouling can cause significant harm to New Zealand's marine biodiversity and to its fishing and agriculture industries. In an effort to manage this risk MPI has promulgated new biofouling standards. Compliance with the Craft Risk Management Standard (CRMS) for biofouling is voluntary until May 2018. In the meantime MPI has begun to monitor vessels and to take action against those which pose a biofouling risk.

In the context of the CRMS we are aware that MPI has ordered two ships from New Zealand waters over the past twelve months. The first of these ships was a cable laying ship which, prior to coming to New Zealand, had spent some months in tropical waters. It was no surprise therefore that the hull of this ship was heavily infested with unwanted organisms. It was cleaned in international waters off the coast of New Zealand.

More seriously we have recently seen the bulk carrier DL Marigold ordered from New Zealand waters because of what MPI regarded as excessive biofouling. The issue with this ship is that it is a normal trading vessel and so there must be concern that other ships which arrive in New Zealand before the CRMS is formally enforced in May 2018 will also be subject to sanction.

While from May 2018 the new rules will require all international vessels arriving in New Zealand to have a clean hull, it appears that, during the interim period, MPI will take action in cases of what they regard as being severe biofouling.

The scope of the new requirements is beyond what can be set out in a note of this type. Clubs are recommended to direct their members to the website of the Ministry of Primary Industries where the Craft Risk Management Standard for biofouling can be found along with details of what constitutes a clean hull, how biofouling thresholds can be met, and how compliance will be measured. The biofouling rules can be found at www.mpi.govt.nz/document-vault/11668.

The other relevant, and more comprehensive, website address is www.mpi.govt.nz/importing/border-clearance/vessels/biofouling-management/.

We strongly recommend that owners with ships which are intended to call at New Zealand Ports deal with this matter in an urgent and comprehensive way. DL Marigold was not only ordered from the New Zealand Port at which it was discharging its cargo but was then declined permission to enter the Ports in other South Pacific Islands for cleaning purposes. Cleaning was eventually undertaken by a team of divers from New Zealand in international waters off Fiji at considerable cost.

We would be happy to answer queries on this potentially serious issue for Clubs or their members.

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P & I Services
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