

# **Status update on TAIC safety recommendations**

***Report from the transport sector on activity for 1 July 2024 to 30 June 2025***

The Ministry of Transport, the Civil Aviation Authority, Maritime NZ and the rail sector supply the information for this report.

TAIC collates the information into a single document, but does not validate, analyse, or alter the contents in any way.

# Summary

## Purpose

This report is an update from the Ministry of Transport (MoT), the Civil Aviation Authority (CAA), the rail sector, and Maritime New Zealand (MNZ) on the status of recommendations issued to them by the Transport Accident Investigation Commission (TAIC). Note that TAIC's recommendations are not mandatory.

The report informs you about:

- the numbers of recommendations issued over the reporting period and indicates whether they were
  - accepted (wholly or in part)
  - are under consideration
  - were rejected and will not appear in future reports
- a status report on
  - the decisions about recommendations that were previously reported as under consideration
  - the progress in implementing accepted recommendations.

## Information sources

The information contained in this report is supplied by:

- the Ministry of Transport (MoT)
- the Civil Aviation Authority (CAA)
- Maritime New Zealand (MNZ)
- those in the rail sector with assigned recommendations:
  - Waka Kotahi New Zealand Transport Agency
  - KiwiRail
  - the Ministry of Transport (MoT)
  - the National Rail System Standards Executive (NRSS-E)
  - Local Government NZ.

TAIC has collated the information into this document, but has not validated, analysed, or altered the contents in any way.

# Ministry of Transport

## Recommendations issued over the period 01-Jul-24 to 30-Jun-25

Number issued: 1

Number implemented: 0

| Inquiry         | Number | Issued    | Recommendation                                                                                                                                                                                                                                                                                                                                   | Status 30-Jun-25   |
|-----------------|--------|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| <b>Aviation</b> |        |           |                                                                                                                                                                                                                                                                                                                                                  |                    |
| AO-2024-003     | 042/25 | 14-May-25 | On 14 May 2025, the Commission recommended that the Ministry of Transport and the Civil Aviation Authority of New Zealand, in consultation with stakeholders, work to fully integrate drones into the aviation system and develop appropriate rules and standards, to reflect technology developments and relevant international best practices. | Partially accepted |
| <b>Rail</b>     |        |           |                                                                                                                                                                                                                                                                                                                                                  |                    |
| None            |        |           |                                                                                                                                                                                                                                                                                                                                                  |                    |
| <b>Maritime</b> |        |           |                                                                                                                                                                                                                                                                                                                                                  |                    |
| None            |        |           |                                                                                                                                                                                                                                                                                                                                                  |                    |

Recommendation 042/25: This recommendation was issued jointly to the Ministry of Transport and the Civil Aviation Authority. The Civil Aviation Authority has the recommendation under consideration, dependent on the Ministry progressing the “Enabling Drone Integration” work.

## **Update on recommendations previously reported as being implemented or under consideration**

Number reported on: 3

Number implemented: 1

| <b>Inquiry</b>  | <b>Number</b> | <b>Issued</b> | <b>Status 30-Jun-24</b> | <b>Status 30-Jun-25</b> |
|-----------------|---------------|---------------|-------------------------|-------------------------|
| <b>Aviation</b> |               |               |                         |                         |
| AO-2015-005     | 028/17        | 28-Sep-17     | Being implemented       | Being Implemented       |
| AO-2012-001     | 012/13        | 11-Oct-13     | Being implemented       | Implemented             |
| <b>Rail</b>     |               |               |                         |                         |
| <i>None</i>     |               |               |                         |                         |
| <b>Maritime</b> |               |               |                         |                         |
| MO-2021-204     | 003/23        | 25-Jan-23     | Being implemented       | Being Implemented       |

Recommendation 016/24 from inquiry AO-2018-009 was issued to both the Ministry of Transport and the Civil Aviation Authority. The update is included in the aviation section of this report.

Recommendation 001/23 from inquiry AO-2022-001 was transferred to the Civil Aviation Authority.

Recommendations 012-016/23 from inquiry MO-2022-201 were transferred to Maritime NZ.

# Civil Aviation Authority

## Recommendations issued over the period 01-Jul-24 to 30-Jun-25

Number issued: 6

Number implemented: 3

| Inquiry     | Number | Issued    | Recommendation                                                                                                                                                                                                                                                                                                                                                           | Status 30-Jun-25         |
|-------------|--------|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| AO-2024-003 | 042/25 | 14-May-25 | On 14 May 2025, the Commission recommended that the Ministry of Transport and the Civil Aviation Authority of New Zealand, in consultation with stakeholders, work to fully integrate drones into the aviation system and develop appropriate rules and standards, to reflect technology developments and relevant international best practices.                         | Under consideration      |
| AO-2023-011 | 038/25 | 27-Mar-25 | On 27 March 2025, the Commission recommended that the CAA take steps to ensure that all procedures applied by local aerodrome operators are recorded in the AIPNZ.                                                                                                                                                                                                       | Accepted and implemented |
| AO-2023-011 | 037/25 | 27-Mar-25 | On 27 March 2025, the Commission recommended that the CAA issue guidance to promote suitable methods to increase conspicuity for aircraft flying at night.                                                                                                                                                                                                               | Accepted and implemented |
| AO-2023-010 | 004/25 | 26-Feb-25 | On 26 February 2025, the Commission recommended to the Director of Civil Aviation at the Civil Aviation Authority of New Zealand that they promote, through the appropriate International Civil Aviation Organization (ICAO) forum, the need for additional information to be included in all rotorcraft flight manuals, to assist pilots in avoiding Vortex Ring State. | Rejected                 |
| AO-2023-010 | 002/25 | 26-Feb-25 | On 26 February 2025, the Commission recommended to the Director of Civil Aviation at the Civil Aviation Authority of New Zealand that they promote, through the appropriate International Civil Aviation Organization (ICAO) forum, consideration for the requirement and implementation for Vortex Ring State alerting systems to be installed in new helicopters.      | Under consideration      |

| Inquiry     | Number | Issued    | Recommendation                                                                                                                                                                                                                                                                                                              | Status 30-Jun-25         |
|-------------|--------|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| AO-2023-010 | 003/25 | 26-Feb-25 | On 26 February 2025, the Commission recommended that the Director of Civil Aviation at the Civil Aviation Authority of New Zealand use the lessons from this report to raise awareness for helicopter pilots of the risks associated with inadvertently entering flight conditions that are conducive to Vortex Ring State. | Accepted and implemented |

**Report AO-2024-003, recommendation:**

**042/25 (Under consideration) On 14 May 2025, the Commission recommended that the Ministry of Transport and the Civil Aviation Authority of New Zealand, in consultation with stakeholders, work to fully integrate drones into the aviation system and develop appropriate rules and standards, to reflect technology developments and relevant international best practices.**

The CAA broadly agrees with the intent of the recommendation but is not able to accept it as a short- or medium-term action. Achieving the integration of drones into the aviation system requires a holistic and coordinated programme of work, which would be driven by the Ministry of Transport.

**Report AO-2023-011, recommendation:**

**038/25 (Accepted and implemented) On 27 March 2025, the Commission recommended that the CAA take steps to ensure that all procedures applied by local aerodrome operators are recorded in the AIPNZ.**

The Civil Aviation Authority, in the context of our role, already takes steps to ensure preferred procedures are recorded in the AIPNZ.

**Report AO-2023-011, recommendation:**

**037/25 (Accepted and implemented) On 27 March 2025, the Commission recommended that the CAA issue guidance to promote suitable methods to increase conspicuity for aircraft flying at night.**

Current aircraft lighting rule requirements are adequate and harmonised internationally.

**Report AO-2023-010, recommendation:**

**004/25 (Rejected) On 26 February 2025, the Commission recommended to the Director of Civil Aviation at the Civil Aviation Authority of New Zealand that they promote, through the appropriate International Civil Aviation Organization (ICAO) forum, the need for additional information to be included in all rotorcraft flight manuals, to assist pilots in avoiding Vortex Ring State.**

As of 13 May 2025, the CAAs position is that we do not consider this recommendation actionable unless there is clear evidence of a systemic and widespread lack of appropriate VRS information in existing flight manuals. Based on current assessments, this does not appear to be the case. Any proposals of this nature that are raised with ICAO should be supported by robust evidence of a significant, broad-based issue; therefore, the CAA will not be progressing this recommendation at this time. If evidence of a systemic issue of this nature comes to light in future, the CAA will engage with TAIC with a view to establishing a unified State position and an appropriate mechanism for raising it internationally.

**Report AO-2023-010, recommendation:**

**002/25 (Under consideration) On 26 February 2025, the Commission recommended to the Director of Civil Aviation at the Civil Aviation Authority of New Zealand that they promote, through the appropriate International Civil Aviation Organization (ICAO) forum, consideration for the requirement and implementation for Vortex Ring State alerting systems to be installed in new helicopters.**

The CAAs position is that we will seek to engage in any future work that ICAO may undertake regarding VRS alerting systems. However, given the current maturity of the technology, it would be premature to actively promote this topic within ICAO forums at this time. The CAA will continue to review its position as the technology evolves and will discuss any updates in this area with TAIC.

**Report AO-2023-010, recommendation:**

**003/25 (Accepted and implemented) On 26 February 2025, the Commission recommended that the Director of Civil Aviation at the Civil Aviation Authority of New Zealand use the lessons from this report to raise awareness for helicopter pilots of the risks associated with inadvertently entering flight conditions that are conducive to Vortex Ring State.**

As of 13 May 2025, the CAA has reassessed its position and now considers this recommendation to be 'Accepted and Implemented'. The CAA recognises the importance of applying lessons learned to raise awareness among helicopter pilots about the risks of inadvertently entering conditions conducive to VRS. The Authority has previously outlined how this topic is addressed through existing materials and outreach channels, and it will continue to update and disseminate VRS-related information as new data becomes available.

## Update on recommendations previously reported as being implemented or under consideration

Number reported on: 9

Number implemented: 1

| Inquiry     | Number | Issued    | Status 30-Jun-24    | Status 30-Jun-25  |
|-------------|--------|-----------|---------------------|-------------------|
| AO-2018-009 | 015/24 | 15-May-24 | Accepted            | Implemented       |
| AO-2018-009 | 016/24 | 15-May-24 | Accepted            | Being implemented |
| AO-2022-002 | 033/23 | 25-Oct-23 | Accepted            | Being implemented |
| AO-2021-003 | 029/23 | 27-Sep-23 | Accepted            | Being implemented |
| AO-2021-003 | 030/23 | 27-Sep-23 | Accepted            | Being implemented |
| AO-2022-001 | 001/23 | 30-Mar-23 | Under Consideration | Being implemented |
| AO-2019-005 | 021/22 | 7-Mar-23  | Being implemented   | Being implemented |
| AO-2019-005 | 022/22 | 22-Feb-23 | Being implemented   | Being implemented |
| AO-2019-006 | 013/22 | 1-Sep-22  | Being implemented   | Being implemented |

### Report AO-2018-009, recommendation:

**015/24 (Implemented)** On 15 May 2024, the Commission recommended that the Director of Civil Aviation revise the rule, notes and guidance provided for CAR Part 12: Accidents, Incidents, and Statistics to make it clear that a door opening in flight is a safety issue and to take steps to address door-opening-in-flight occurrences that are not being promptly reported to the CAA.

This recommendation has been implemented. Under Section 4 under the heading *In-service defects* para (f) of AC12-1 a “door opening in flight” has been given as an example of a failure or malfunction of aircraft systems and equipment.

### Report AO-2018-009, recommendation:

**016/24 (Being implemented)** On 15 May 2024, the Commission recommended that the Secretary for Transport and the Director of Civil Aviation resolve the ambiguity in the definition of 'crew members' in commercial transport operations and take steps to clarify the use of the term in associated rules and Advisory Circulars.

The rules for crew members were amended and signed by the Minister on 13 December and came into force on 5 April. We are now working to develop a Civil Aviation Notice that will clarify the definition further in specific areas.

**Report AO-2022-002, recommendation:**

**033/23 (Being implemented) On 25 October 2023, the Commission recommended that the Director of Civil Aviation at the Civil Aviation Authority of New Zealand review the suitability of hook and loop retaining straps as a means of securing emergency locator transmitters to airframes.**

An internal review is underway. Proposed actions have been drafted however, no decision has been made on final outcomes/actions. Based on the proposals a final decision and any associated action is likely to be deferred until the latter part of 2025.

**Report AO-2021-003, recommendation:**

**029/23 (Being implemented) On 27 September 2023, the Commission recommended that the Civil Aviation Authority of New Zealand, in consultation with stakeholders, resolve the ambiguity around night Visual Flight Rules and guidance to ensure they are fit for purpose.**

This recommendation is connected to the work that has been completed and is ongoing in relation to Report AO-2018-009 Recommendation 016/24.

The rules for NVIS were amended and signed by the Minister on 13 December and came into force on 5 April.

The CAA is still working on the accompanying Notice for NVIS which we plan to consult on in November this year.

**Report AO-2021-003, recommendation:**

**030/23 (Being implemented) On 27 September 2023, the Commission recommended that the Civil Aviation Authority of New Zealand, in consultation with stakeholders, establish and clarify instrument currency requirements for night Visual Flight Rules flying.**

This recommendation is connected to the work that has been completed and is ongoing in relation to Report AO-2018-009 Recommendation 016/24 and the above recommendation 029/23.

The associated syllabus development remains on the syllabus development workstream. Due to a number of limitations on resource, it will progress as opportunity allows.

**Report AO-2022-001, recommendation:**

**001/23 (Being implemented) The Commission recommended that the Secretary of Transport review and revise Civil Aviation Rule Part 91 to mandate the wearing of pilot restraint harnesses during critical phases of commercial balloon flights.**

All the four operators involved in this activity are already implementing the recommendations put forward by the Commission, and that the operators' safety management systems requires the wearing of pilot restraints. The Ministry believes that adequate steps are already in place to address the Commission's recommendations. Furthermore, the Civil Aviation Authority

(CAA) has agreed to monitor voluntary compliance for a period of time and use that information to form an evidenced view on whether the residual risk alluded to in the Commission's report continues to exist. If it does, then an amendment to Civil Aviation Rules might be justified.

As you will appreciate, the development of Civil Aviation Rules is undertaken together with the CAA. Given the small size of the commercial balloon operation sector in New Zealand (four operators), the mitigations already in place, and competing priorities, the recommended revision is unlikely to be prioritised in the near-medium term, unless the risk outlook for the commercial balloon operation sector changes significantly to the detriment of safety.

**Report AO-2019-005, recommendation:**

**021/22 (Being implemented) The Commission recommended that the Civil Aviation Authority of New Zealand address the growing gap between New Zealand's minimum performance requirements and technical standards for NVIS and helicopter air ambulance operations and current international best practices.**

This recommendation is connected to the work that has been completed and is ongoing in relation to Report AO-2018-009 Recommendation 016/24 and Report AO-2021-003 Recommendation 029/23

The rules for NVIS were amended and signed by the Minister on 13 December and came into force on 5 April.

The CAA is still working on the accompanying Notice for NVIS which we plan to consult on in November this year.

Advisory Circular AC91-13 is part of the Notices development for NVIS. Once the Notices are done then we will be able to ensure any AC updates are aligned to that, with the intent to get it done by 5 April 2026 to align with the transitional arrangements in the rules.

We will monitor the NVIS related rule making and guidance updates and once finalised will consider whether to carry out related monitoring activities.

**Report AO-2019-005, recommendation:**

**022/22 (Being implemented) Crew resource management competency is not yet an effective safety measure for helicopters operating under CAR Part 135. On 22 February 2023 the Commission recommended that the Civil Aviation Authority of New Zealand address this safety issue.**

This recommendation is connected to the work that has been completed and is ongoing in relation to Report AO-2018-009 Recommendation 016/24, Report AO-2021-003 Recommendation 029/23 and the above Recommendation 021/22.

The rules for crew members were amended and signed by the Minister on 13 December and came into force on 5 April. We are now working to develop a Civil Aviation Notice that will clarify the definition further in specific areas.

**Report AO-2019-006, recommendation:**

**013/22 (Being implemented) Promote ongoing understanding of 'simultaneous operations', including a published definition and how the practice relates to parallel runway operations at unattended aerodromes.**

The Issue Assessment Panel reviewed this in December 2023 and agreed to the development of guidance to improve understanding of the existing CARs as they relate to simultaneous runway operations. This action is in train, and we anticipate being able to start work on this in 2026.

# Rail sector

## Recommendations issued over the period 01-Jul-24 to 30-Jun-25

Number issued: 12

Number implemented: 3

| Inquiry                    | Number | Issued    | Recommendation                                                                                                                                                                                                                                                                                                                                 | Status 30-Jun-25         |
|----------------------------|--------|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| <b>To Waka Kotahi NZTA</b> |        |           |                                                                                                                                                                                                                                                                                                                                                |                          |
| RO-2023-104                | 017/24 | 25-Sep-24 | On 25 September 2024, the Commission recommended that NZ Transport Agency Waka Kotahi work with rail operators to assess the benefits of all rail operators on the Auckland rail network using a common engineering safety system to improve the safety of all users of that network.                                                          | Accepted and implemented |
| <b>To KiwiRail</b>         |        |           |                                                                                                                                                                                                                                                                                                                                                |                          |
| RO-2023-105                | 032/25 | 28-May-25 | On 28 May 2025, the Commission recommended that KiwiRail review and improve its rules and procedures relating to track maintenance work to require additional protection within worksites where the tracks have been made impassable.                                                                                                          | Accepted and implemented |
| RO-2023-105                | 033/25 | 28-May-25 | On 28 May 2025, the Commission recommended that KiwiRail review its national project management structure to ensure there is sufficient oversight of and ongoing support for all project staff at all levels to maintain safe working conditions and manageable workloads.                                                                     | Accepted                 |
| RO-2023-105                | 031/25 | 28-May-25 | On 28 May 2025, the Commission recommended that KiwiRail review and improve its process for authorising rail movements within worksites to ensure the safe movement of all rail traffic and personnel within protected work areas, including the verification of track integrity and the sharing of and access to safety-critical information. | Accepted                 |
| RO-2024-102                | 039/25 | 30-Apr-25 | "On 30 April 2025, the Commission recommended that KiwiRail take all necessary steps to ensure that                                                                                                                                                                                                                                            | Accepted                 |

| Inquiry     | Number | Issued    | Recommendation                                                                                                                                                                                                                                                                                     | Status 30-Jun-25         |
|-------------|--------|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
|             |        |           | contractors operating under its rail licence carry out track work protection in accordance with KiwiRail's safety case and safety system, particularly with respect to: <ul style="list-style-type: none"> <li>a. supervision of trainee RPOs</li> <li>b. training of supervising RPOs.</li> </ul> |                          |
| RO-2024-102 | 040/25 | 30-Apr-25 | On 30 April 2025, the Commission recommended that KiwiRail utilise engineering controls on track worksites to mitigate the risk of human error by track workers carrying out safety-critical tasks.                                                                                                | Accepted                 |
| RO-2023-106 | 035/25 | 26-Mar-25 | On 26 March 2025, the Commission recommended that KiwiRail review and improve the automatic carriage alarm system (TMS) to ensure it alerts the crew to faults.                                                                                                                                    | Accepted                 |
| RO-2023-106 | 036/25 | 26-Mar-25 | On 26 March 2025, the Commission recommended that KiwiRail include in its Operational Rules the processes and procedures to respond to a train parting because of a mechanical failure, to ensure the risk of injury to rail personnel and damage to rail vehicles is mitigated.                   | Accepted                 |
| RO-2023-106 | 034/25 | 26-Mar-25 | On 26 March 2025, the Commission recommended that KiwiRail review and improve the maintenance and inspection of safety-critical components of the carriage-coupler system to ensure they remain safe to operate.                                                                                   | Accepted                 |
| RO-2021-104 | 004/24 | 25-Sep-24 | On 25 September 2024, the Commission recommended that KiwiRail review the trigger settings of its rainfall-monitoring equipment and weather risk matrix to ensure they can identify and respond to moderate or heavy rainfall that occurs within a short time period.                              | Accepted and implemented |
| RO-2023-104 | 018/24 | 25-Sep-24 | On 25 September 2024, the Commission recommended that KiwiRail review the route knowledge training for locomotive engineers to ensure infrequent driving of the route and prolonged absences are identified so that locomotive engineers have the route knowledge to travel safely.                | Accepted                 |

| Inquiry     | Number | Issued    | Recommendation                                                                                                                                                                                   | Status 30-Jun-25 |
|-------------|--------|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| RO-2023-104 | 019/24 | 25-Sep-24 | On 25 September 2024, the Commission recommended that KiwiRail implement risk controls with respect to signal 308 to ensure that the hazards that have been identified are adequately mitigated. | Accepted         |

### **Common engineering safety solution (RO-2023-104 Rec 017/24)**

We note that this recommendation is a duplicate of 036/23 which was assigned to (and accepted by) KiwiRail following the Commission's investigation into the L71 Mainline Shunt derailment and subsequent rollover at Tamaki, 01 June 2022 (Report RO-2022-102). An update by KiwiRail in the recent Transport Sector Activity Report Status Update on TAIC Safety Recommendations for 1 July 2023 to 30 June 2024 confirmed that; the extension of ETCS for freight locomotives in the Auckland Metro network is underway by KiwiRail.

The benefits of using a common engineering safety system to improve the safety to all users of the Auckland Metro network are clear, they have been assessed, and steps are in hand to realise those benefits. NZTA will maintain oversight of this rollout through routine safety assessments and specific requests to KiwiRail for project progress reports.

### **Additional protection rules (RO-2023-105 Rec 032/25)**

This recommendation has been accepted and implemented. A new rule TS02 Protected Work Area, Section 4, Worksites, 4.4 Speed Restricted or Unsafe Track was introduced and notified via Shield Alert No. 247. This was effective 31 March 2025.

### **Project oversight (RO-2023-105 Rec 033/25)**

This recommendation is accepted and forms part of an ongoing improvement process.

### **Rail movements within worksites (RO-2023-105 Rec 031/25)**

This recommendation has been accepted. In part this has been covered under our response to recommendation 032/25. Additionally, we are looking at amending the Track Access Request (TAR) form to make it clearer as to what information is required at the front-end planning stage, which is in progress.

### **Contractor Rail Protection Officer training and supervision (RO-2024-102 Rec 039/25)**

KiwiRail is considering options which include enhancements to the On-the-job Training books to further ways in which the roles and responsibilities for both internal and external parties are verified and assessed.

**Improve track worker safety (RO-2024-102 Rec 040/25)**

KiwiRail is working on a number of projects including the Mobile Radio Warning System (MRWS), and other engineering controls to keep track workers safe; along with opportunities to expand use of the Machine Avoidance System which is currently approved for use.

**Improve track worker safety (RO-2023-106 Rec 035/25)**

KiwiRail has raised an Engineering Change Request to review the AKL TMS alarm, and this is now underway. The review considers alarm duration, alarm volume and ability of the system to distinguish between event types. The scheduled timeframe to complete the review and introduce improvements is the end of 2025.

**Train parting response and rules (RO-2023-106 Rec 036/25)**

We will work on this with the Rules Committee to implement appropriate changes.

**Train parting response and rules (RO-2023-106 Rec 034/25)**

KiwiRail has completed design, manufacture, and trial installation of improved eye bolts. Improvements include material choice, reduction of stress raisers and thread root surface finish. Installation of new eye bolts on in-service carriages begins 28th April 2025. The eye bolts will then be removed for inspection annually.

**Rainfall monitoring settings (RO-2021-104 Rec 004/24)**

Our new Severe Weather TARP addresses this recommendation and was published on 26 September 2024.

**Route knowledge training requirements (RO-2023-104 Rec 018/24)**

A project is being established around incorporating route knowledge components into the KiwiRail Learning Exchange (KLE) with implementation into the business during second half of 2025.

**Risk controls for Signal 308 (RO-2023-104 Rec 019/24)**

This recommendation is accepted, and work continues analysing the options available to manage the hazard.

## Update on recommendations previously reported as being implemented or under consideration

Number reported on: 18

Number implemented: 6

| Inquiry     | Number | Issued    | Recipient | Status 30-Jun-24    | Status 30-Jun-25    |
|-------------|--------|-----------|-----------|---------------------|---------------------|
| RO-2023-102 | 012/24 | 24-Apr-24 | KiwiRail  | Accepted            | Implemented         |
| RO-2023-102 | 014/24 | 24-Apr-24 | KiwiRail  | Under consideration | Implemented         |
| RO-2023-101 | 010/24 | 27-Mar-24 | KiwiRail  | Accepted            | Accepted            |
| RO-2023-101 | 011/24 | 27-Mar-24 | KiwiRail  | Accepted            | Accepted            |
| RO-2022-104 | 001/24 | 22-Feb-24 | KiwiRail  | Under consideration | Under consideration |
| RO-2022-104 | 002/24 | 22-Feb-24 | KiwiRail  | Accepted            | Accepted            |
| RO-2022-102 | 035/23 | 25-Oct-23 | KiwiRail  | Under consideration | Under consideration |
| RO-2022-102 | 036/23 | 25-Oct-23 | KiwiRail  | Accepted            | Being implemented   |
| RO-2022-102 | 037/23 | 25-Oct-23 | KiwiRail  | Under consideration | Implemented         |
| RO-2022-103 | 032/23 | 27-Sep-23 | KiwiRail  | Under consideration | Under consideration |
| RO-2022-103 | 031/23 | 27-Sep-23 | KiwiRail  | Under consideration | Under consideration |
| RO-2020-101 | 012/21 | 8-Dec-21  | KiwiRail  | Being implemented   | Implemented         |
|             |        |           | NZTA      | Being implemented   | Implemented         |
| RO-2020-104 | 009/21 | 8-Dec-21  | KiwiRail  | Being implemented   | Being implemented   |
| RO-2020-103 | 008/21 | 24-Nov-21 | NZTA      | Being implemented   | Implemented         |
| RO-2019-103 | 003/20 | 6-Apr-20  | KiwiRail  | Being implemented   | Implemented         |
| RO-2017-101 | 019/18 | 23-Aug-18 | KiwiRail  | Being implemented   | Being implemented   |
| RO-2016-101 | 034/17 | 15-Dec-17 | KiwiRail  | Being implemented   | Being implemented   |
| RO-2016-101 | 033/17 | 15-Dec-17 | KiwiRail  | Being implemented   | Being implemented   |

### Adverse Weather (RO-2023-102 Rec 012/24)

An Enterprise Wide SHE Management Standard has been developed and published. This provides the mandatory processes and additional guidance information relating to Severe Weather Events. This document has been developed in conjunction with the Weather Risk Matrix Trigger Action Response Plan (TARP). These were published on 26 September 2024.

### Waterways maintained appropriately (RO-2023-102 Rec 014/24)

There are two parts to this recommendation

Our approach to the two parts has been different by necessity and achievability of the recommendation. The first part is managed through our regular meetings with the regions,

inspection reviews and some pending new task instructions for corrective maintenance and inspections of drainage assets. We don't have specific maintenance programmes for waterways, rather we are targeting standardised and cyclical maintenance for higher risk areas and assets and a pragmatic approach using standard maintenance approaches for wider network locations.

The second part of this recommendation will not be progressed. KiwiRail are not responsible for maintenance of third-party assets as we do not hold records of assets we don't own.

#### **Training (RO-2023-101 Rec 010/24 & 011/24)**

The business is working on determining the best way to manage the trainee/ganger ratio.

#### **Risk assess regular propelling movements (RO-2022-104 Rec 001/24)**

#### **Permit to Enter (RO-2022-104 Rec 002/24)**

#### **Review second person training (RO-2022-102 Rec 035/23)**

#### **ETCS for locomotives in Auckland Metro (RO-2022-102 Rec 036/23)**

Retrofitting of ETCS to locomotives is a significant task with limited available space and the safety critical nature of the ETCS equipment. A specific design is required for each new class fitted followed by prototype fitment, testing for safety assurance and then individual vehicle fitout and assurance testing. The cost and timeframe associated with this process is significant. Accordingly, many factors need to be taken into consideration with respect to retro fitting of old locomotives. These include:

- KiwiRail is currently installing ETCS to 53 DL class locomotives.
- All new locomotives purchased for mainline running on the KiwiRail network are designed to be ETCS ready.
- Any new locomotives intended for mainline running in the Auckland suburban area will be fitted with ETCS at factory – currently this includes the fitment of 20 DM class locomotives destined for North Island operations.
- DC and DH classes will be retired over the next five or so years. We are now primarily using DL's on the Port duty (which will be fitted with ETCS) and will be transferring DSG's into Auckland for the Westfield local shunts (Penrose / Sylvia Park etc.) We still have to work through a strategy of ETCS but it has been discussed in relation to the class.

#### **First Aid and Evacuation training (RO-2022-102 Rec 037/23)**

Implemented.

**Unplanned level crossing disconnections – RCA interaction (RO-2022-103 Rec 032/23)**

This recommendation is under consideration.

**Unplanned level crossing risk assessment (RO-2022-103 Rec 031/23)**

This recommendation is under consideration.

**Level crossings – (RO-2020-101, 012/21, RO-2020-103, 008/21)**

Waka Kotahi and KiwiRail continue to work on assessing level crossings and providing advice to Road Controlling Authorities for funding and forward planning considerations. This will help to determine the most appropriate safety considerations to be implemented. This includes level crossings where short stacking has been identified. Two high profile locations are currently in construction phases for level crossing improvements (Wairarapa and Auckland). This work is now considered to be part of our usual network improvement discussions, and this recommendation is considered implemented.

**Protection of track workers – (RO-2020-104 Rec 009/21)**

KiwiRail is working on a number of projects including the Mobile Radio Warning System (MRWS), and other engineering controls to keep track workers safe; along with opportunities to expand use of the Machine Avoidance System which is currently approved for use.

**Cyclic track conditions – (RO-2019-103 Rec 003/20)**

We are satisfied our actions have addressed this recommendation and no further action required. It is now a business-as-usual activity.

**Fatigue Management (RO-2017-101 Rec 019/18)**

Fatigue management has been implemented and rolled out across the business

**Signalling safety, Wellington (RO-2016-101 Rec 034/17 and Rec 033/17)**

Discussions to be held with NZTA to progress this to closure due to improvements made to signals in the Wellington Station Area.

**Implemented (6)**

# Maritime NZ

## Recommendations issued over the period 01-Jul-24 to 30-Jun-25

Number issued: 17

Number Implemented: 2

| Inquiry     | Number | Issued    | Recommendation                                                                                                                                                                                                                                                                                                                                                                                                    | Status 30-Jun-25    |
|-------------|--------|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| MO-2023-205 | 044/25 | 26-Jun-25 | On 26 June 2025, the Commission recommended that Maritime New Zealand investigate and submit papers as appropriate to the IMO (through the appropriate sub-committee) to promote standards that ensure sufficient quality assurance for rudder systems throughout the process of installation, alterations, major repairs and maintenance.                                                                        | Partially accepted  |
| MO-2023-203 | 023/25 | 15-May-25 | On 15 May 2025, the Commission recommended that Maritime New Zealand collaborate with other states to submit joint papers to the IMO (through the appropriate sub-committee) recommending the IMO introduce a more meaningful definition of critical equipment and systems.                                                                                                                                       | Rejected            |
| MO-2023-203 | 024/25 | 15-May-25 | On 15 May 2025, the Commission recommended that Maritime New Zealand collaborate with other states to submit joint papers to the IMO (through the appropriate sub-committee) recommending the IMO amend the ISM Code (or through another mechanism) to ensure ship owners remain accountable for the safe operation of their ships, notwithstanding the use of ship management companies to operate their fleets. | Under consideration |
| MO-2023-203 | 025/25 | 15-May-25 | On 15 May 2025, the Commission recommended that Maritime New Zealand collaborate with other states to submit joint papers to the IMO (through the appropriate sub-committee) recommending the IMO introduce the requirement for a continuous synopsis record for the                                                                                                                                              | Under consideration |

| Inquiry     | Number | Issued    | Recommendation                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Status 30-Jun-25         |
|-------------|--------|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
|             |        |           | repair and maintenance of ships' critical equipment and systems remain on board throughout a vessel's life.                                                                                                                                                                                                                                                                                                                                                        |                          |
| MO-2023-203 | 022/25 | 15-Mar-25 | On 15 May 2025, the Commission recommended that Maritime New Zealand work with the Ministry of Transport to continue to develop and then implement a more comprehensive maritime incident response strategy that includes a risk assessment to identify areas most susceptible to very serious marine casualties, particularly mass fatality events, and strengthen the long-term salvage and rescue capability in those areas.                                    | Partially accepted       |
| MO-2023-206 | 029/25 | 13-Mar-25 | On 13 March 2025, the Commission recommended that the Director of Maritime New Zealand review their competency frameworks for STCW-F-aligned certificates, to ensure they include the basic principles to be observed in keeping a navigational watch as set out in Chapter IV of the Annex to STCW-F.                                                                                                                                                             | Rejected                 |
| MO-2024-201 | 028/25 | 27-Feb-25 | On 27 February 2025, the Commission recommended that Maritime New Zealand implement measures to raise awareness of the standards for the Certificate of Medical Fitness for seafarers and ensure that certificate holders understand their responsibilities to maintain certificate validity and report any impacting changes.                                                                                                                                     | Accepted and Implemented |
| MO-2022-206 | 019/25 | 26-Feb-25 | On 26 February 2025, the Commission recommended that the New Zealand Search and Rescue Council:<br>Direct the Rescue Coordination Centre and New Zealand Police to work together to ensure that effective processes are in place that allow the Rescue Coordination Centre to coordinate maritime and/or aviation assets on behalf of Police when requested or deemed beneficial, fully utilising the strengths of both SAR coordinating authorities for efficient | Being implemented        |

| Inquiry     | Number | Issued    | Recommendation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Status 30-Jun-25         |
|-------------|--------|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
|             |        |           | and well-coordinated search and rescue operations.                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                          |
| MO-2022-206 | 020/25 | 26-Feb-25 | On the 26 February 2025, the Commission recommended that the director of Maritime NZ further explore whether Rescue Coordination Centre should be responsible for tasking and coordinating all SAR aviation assets, as is done overseas.                                                                                                                                                                                                                                                            | Being implemented        |
| MO-2022-206 | 011/25 | 26-Feb-25 | Support the submission of papers to the IMO through an appropriate IMO forum for their consideration to raise awareness about the importance of:<br>-doffing and deflation procedures<br>-the potential hazard of inflating when obstructed overhead.                                                                                                                                                                                                                                               | Accepted and Implemented |
| MO-2022-206 | 006/25 | 26-Feb-25 | Work with lifejacket industry stakeholders and commercial operators to identify and implement effective safety measures that mitigate the risks associated with incorrectly re-arming and re-packing inflatable life jackets.                                                                                                                                                                                                                                                                       | Under consideration      |
| MO-2022-206 | 009/25 | 26-Feb-25 | Work with lifejacket industry stakeholders and commercial operators to identify and implement appropriate safety measures that mitigate the potential risks associated with:<br>-inflating a lifejacket while obstructed overhead or in a confined space, limiting a wearer's ability to escape to a safer area<br>-the lack of guidance and procedures relating to the doffing and deflation of inflatable lifejackets, to increase a wearer's ability to remove an inflated lifejacket if needed. | Under consideration      |
| MO-2022-206 | 012/25 | 26-Feb-25 | Introduce a requirement for crew of passenger vessels equipped with Category II EPIRB's to also carry a personal location beacon or similar device capable of transmitting a distress message, to increase the timeliness of notification of an emergency.                                                                                                                                                                                                                                          | Under consideration      |
| MO-2022-206 | 007/25 | 26-Feb-25 | Implement a requirement for Recognised Surveyors to record in                                                                                                                                                                                                                                                                                                                                                                                                                                       | Partially accepted       |

| Inquiry     | Number | Issued    | Recommendation                                                                                                                                                                                                          | Status 30-Jun-25    |
|-------------|--------|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
|             |        |           | their survey report the servicing and expiry details for life-saving appliances onboard the vessel, to reduce the risk of appliances that are not fit for purpose remaining in service.                                 |                     |
| MO-2022-206 | 010/25 | 26-Feb-25 | Work with lifejacket industry stakeholders to develop guidelines on the information that should be covered in safety briefings on lifejacket use, including doffing, deflation and hazards.                             | Under consideration |
| MO-2022-206 | 005/25 | 26-Feb-25 | Adjust the level of oversight and monitoring of the survey system to ensure it is sufficient to give MNZ confidence that the system is fit for purpose, providing for the safety of the vessel and its occupants.       | Being implemented   |
| MO-2022-206 | 008/25 | 26-Feb-25 | Work with lifejacket industry stakeholders to educate and raise awareness with users of inflatable lifejackets of the:<br>-doffing and deflation procedures<br>-potential hazard of inflating when obstructed overhead. | Under consideration |

**MO-2023-205 044/25** On 26 June 2025, the Commission recommended that Maritime New Zealand investigate and submit papers as appropriate to the IMO (through the appropriate sub-committee) to promote standards that ensure sufficient quality assurance for rudder systems throughout the process of installation, alterations, major repairs and maintenance.

- Maritime NZ partially accepts this recommendation

The Achilles Bulker incident on its own is unlikely to present a compelling case for work at an international body. Maritime NZ, in collaboration with MAIF (through the relationship with TAIC) will investigate, building an evidential base for action to improve quality assurance systems related to dry dock work, which would include installation, major repairs and maintenance of ship systems.

The information gathered will allow Maritime NZ to determine the most appropriate avenue within the IMO and other international forums or associations, to promote standards that ensure sufficient quality assurance. There are a number of international forums / associations and potential work pathways that may be more suitable for this purpose.

**MO-2023-203 023/25** On 15 May 2025, the Commission recommended that Maritime New Zealand collaborate with other states to submit joint papers to the IMO (through the appropriate sub-committee) recommending the IMO: a) introduce a more meaningful definition of critical equipment and systems

- Maritime NZ rejects this recommendation

This recommendation may pose significant challenges as the IMO definition of critical equipment and systems is necessarily broad. Depending on the design and operation of individual vessels what is critical will differ significantly. Oil Companies International Marine Forum (OCIMF) and International Association of Classification Societies (IACS) have already provided adequate guidance on this. We therefore would not see this as a priority in IMO negotiations.

**MO-2023-203 024/25** *On 15 May 2025, the Commission recommended that Maritime New Zealand collaborate with other states to submit joint papers to the IMO (through the appropriate sub-committee) recommending the IMO: b) amend the ISM Code (or through another mechanism) to ensure ship owners remain accountable for the safe operation of their ships, notwithstanding the use of ship management companies to operate their fleets.*

- Maritime NZ is considering this recommendation

Maritime NZ is currently considering the NZ priorities for IMO work programme agreed at MSC 110 for the biennium 2026/27. Maritime NZ does not currently have resources to pursue a standalone effort but will promote the outcome should an opportunity arise to amend SOLAS IX/3 and the ISM Code

**MO-2023-203 025/25** *On 15 May 2025, the Commission recommended that Maritime New Zealand collaborate with other states to submit joint papers to the IMO (through the appropriate sub-committee) recommending the IMO: c) introduce the requirement for a continuous synopsis record for the repair and maintenance of ships' critical equipment and systems remain on board throughout a vessel's life.*

- Maritime NZ is considering this recommendation

Maritime NZ is currently considering the NZ priorities for IMO work programme agreed at MSC 110 for the biennium 2026/27. Maritime NZ does not currently have resources to pursue a standalone effort but will look for opportunities within agreed work items at IMO

**MO-2023-203 022/25** *On 15 May 2025, the Commission recommended that Maritime New Zealand work with the Ministry of Transport to continue to develop and then implement a more comprehensive maritime incident-response strategy that includes a risk assessment to identify areas most susceptible to very serious marine casualties, particularly mass fatality events, and strengthen the long-term salvage and rescue capability in those areas.*

- Maritime NZ partially accepted this recommendation

Under our strategy we have a risk assessment we have a clear idea of areas most susceptible to serious marine casualties and have previously signalled through the strategy the gaps in salvage and rescue capability.

Our next version of this strategy and plan is currently underway taking into account of lessons of various responses since 2022. As part of this we have developed a refreshed Maritime Response Model, an updated Notification, Escalation and Activation (NEA) procedure and generation of a formalised lessons management policy and procedure. Future work includes the refresh of an updated exercise programme that aligns with the updated response model and includes focus on reducing and preparing for new and emerging risks whilst maintaining the existing readiness and response capability at the regional and national level. We are currently, or will be, working with all of our key partners on this. For example, regional councils, ports and operators and also will engage with the Ministry of Transport as part of this work.

Maritime NZ has contracted the provision of services for emergency ocean response and salvage capability (EORC) provided by MMA Vision for up to 20 days per month in the vicinity of the Cook Strait until June 2026. With the ability to extend another year. Additionally, the government has directed continued work between Maritime NZ and the Ministry of Transport to undertake the next phase of work to explore procuring an enduring emergency ocean response capability, on a predominantly user-pays basis.

**MO-2023-206 029/25** On 13 March 2025, the Commission recommended that the Director of Maritime New Zealand review their competency frameworks for STCW-F aligned certificates, to ensure they include the basic principles to be observed in keeping a navigational watch as set out in Chapter IV of the Annex to STCW-F.

- Maritime NZ rejects this recommendation

Maritime NZ considers changing the competency framework is unlikely to resolve this issue. The competency frameworks for STCW-F aligned certificates align closely with international requirements. The rules around what is required for watch (including at a competency level) are, in our view, very clear as outlined in our position statement on watch keeping <https://www.maritimenz.govt.nz/media/rpkbjmn5/lookout-position-statement.pdf>. We do not consider that a review of competency frameworks would have a significant impact on the factors above.

Our strong view, based on ongoing discussions with the sector, are that the drivers of poor lookout and watchkeeping practice are complex; relating to economic constraints (particularly for smaller operators), interactions with other drivers of harm such as fatigue, embedded historical practice, attitudes to government / compliance and a range of other factors. These drivers require an equally multi-faceted harm prevention approach in partnership with the sector and others over time. We would suggest that TAIC considers and encourages work on the wider factors that contribute to poor watchkeeping.

Maritime NZ notes that the STCW framework is being reviewed which will not be complete until around 2030 and the STCW-F framework have just completed a review at the IMO. We are engaging as a priority in this work. If the reviews identify any changes to the conventions or competency requirements we would consider how any changes apply domestically at the appropriate time.

Maritime NZ has had a significant focus on lookout and watchkeeping in the fishing sector for a considerable period of time. As TAIC has noted, this is because good watchkeeping and lookout practice is essential to prevent a range of harms; including collisions, strandings, groundings and safe navigation. However, ensuring good practice remains a challenge.

Maritime NZ is confident that our current framework, work with the sector, and position statement are closely aligned with STCW-F in regards to watch keeping. As such, Maritime NZ do not support the recommendation.

**MO-2024-201 028/25** On 27 February 2025, the Commission recommended that Maritime New Zealand implement measures to raise awareness of the standards for the Certificate of Medical Fitness for seafarers and ensure that certificate holders understand their responsibilities to maintain certificate validity and report any impacting changes.

- Maritime NZ has implemented this recommendation

We ensure that all certificate holders are aware of their obligations to maintain a valid medical certificate as part of our BAU activities:

- At the time of certification and renewal
- During our monitoring of compliance (e.g. audits and inspections), and
- Through our regular comms, engagement and education.

This is also a key requirement in our multi-year digital programme, which will deliver improvements to seafarers in phased releases.

**MO-2022-206 019/25** On 26 February 2025, the Commission recommended that the New Zealand Search and Rescue Council direct the Rescue Coordination Centre and New Zealand Police to work together to ensure that effective processes are in place that allow the Rescue Coordination Centre to coordinate maritime and/or

*aviation assets on behalf of Police when requested or deemed beneficial, fully utilising the strengths of both SAR coordinating authorities for efficient and well-coordinated search and rescue operations*

- Maritime NZ is implementing this recommendation

SAR Council has funded an aviation tasking trial for RCCNZ to undertake all aviation tasking and to report back on insights and outcomes for determining an ongoing model. This will be reported back to SAR Council in May 2026.

**MO-2022-206 020/25** *On the 26 February 2025, the Commission recommended that the director of Maritime NZ further explore whether Rescue Coordination Centre should be responsible for tasking and coordinating all SAR aviation assets, as is done overseas.*

- Maritime NZ is implementing this recommendation

SAR Council has funded an aviation tasking trial for RCCNZ to undertake all aviation tasking and to report back on insights and outcomes for determining an ongoing model. This will be reported back to SAR Council in May 2026.

**MO-2022-206 011/25** *On the 26 February 2025, the Commission recommended that the director of Maritime NZ support the submission of papers to the IMO through an appropriate IMO forum for their consideration to raise awareness about the importance of:*

- *doffing and deflation procedures*
- *the potential hazard of inflating when obstructed overhead.*

- Maritime NZ has implemented this recommendation

Maritime NZ delivered paper number III 11/INF.24 to the 11<sup>th</sup> session of the Sub-Committee on the Implementation of IMO Instruments in July 2025.

**MO-2022-206 006/25** *On the 26 February 2025, the Commission recommended that the director of Maritime NZ work with lifejacket industry stakeholders and commercial operators to identify and implement effective safety measures that mitigate the risks associated with incorrectly re-arming and re-packing inflatable life jackets.*

- Maritime NZ is considering this recommendation

It has been referred to our Recreational Craft and Domestic Commercial's Harm Prevention Programmes for joint consideration, scoping and prioritisation. This matter has also been discussed with the NZ Marine Industry Association, and the Safer Boating Forum's Products Workstream, so we can consider how this message could be incorporated into point of sale safety information and training.

**MO-2022-206 009/25** *On the 26 February 2025, the Commission recommended that the director of Maritime NZ work with lifejacket industry stakeholders and commercial operators to identify and implement appropriate safety measures that mitigate the potential risks associated with:*

- *inflating a lifejacket while obstructed overhead or in a confined space, limiting a wearer's ability to escape to a safer area*
- *the lack of guidance and procedures relating to the doffing and deflation of inflatable lifejackets, to increase a wearer's ability to remove an inflated lifejacket if needed.*

- Maritime NZ is considering this recommendation

It has been referred to our Recreational Craft and Domestic Commercial's Harm Prevention Programmes for joint consideration, scoping and prioritisation. This matter has also been discussed with the NZ Marine Industry Association, and the Safer Boating Forum's Products Workstream, so we can consider how this message could be incorporated into point of sale safety information and training.

**MO-2022-206 012/25** *On the 26 February 2025, the Commission recommended that the director of Maritime NZ introduce a requirement for crew of passenger vessels equipped with Category II EPIRB's to also carry a personal location beacon or similar device capable of transmitting a distress message, to increase the timeliness of notification of an emergency*

- Maritime NZ has partially accepted and is considering this recommendations

Maritime NZ notes the potential value and benefit to rescue operations. Consideration of the merits will be included in ongoing regulatory reform work.

Maritime NZ has already reviewed capsized incidents in New Zealand waters. Our analysis indicates that small passenger vessels operating within inshore limits present the most risk in a capsized event. We are considering rules changes that would require the master of these vessels to carry a means of communication.

Maritime NZ will be seeking public submission in these proposals as part of the Series 40 reform work.

**MO-2022-206 007/25** *On the 26 February 2025, the Commission recommended that the director of Maritime NZ implement a requirement for Recognised Surveyors to record in their survey report the servicing and expiry details for life-saving appliances onboard the vessel, to reduce the risk of appliances that are not fit for purpose remaining in service*

- Maritime NZ partially accepts this recommendation

Maritime NZ considers that the primary responsibility to ensure the periodic service of inflatable lifejackets is correctly placed on the owner and master as outlined in Maritime Rule 42A.38.

The resources that Maritime NZ provides to surveyors include a survey report template setting out matters a surveyor should consider. The template indicates that surveyors inspect the service records of a range of safety equipment, including inflatable lifejackets.

Maritime NZ has published this related investigation insight:

- Servicing and maintenance of life jackets Investigation Insight February 2025  
<https://www.maritimenz.govt.nz/commercial/safety/notifications/servicing-and-maintenance-of-lifejackets/>

As part of the work to reform the Survey and Certification rules, Maritime NZ will consider this recommendation, including what level of detail is appropriate to include in the new rule and transport instrument and what detail is appropriate to include in supporting guidance to surveyors. Consultation on the new draft Survey and Certification rules is expected to take place later in 2026.

**MO-2022-206 010/25** *On the 26 February 2025, the Commission recommended that the director of Maritime NZ work with lifejacket industry stakeholders to develop guidelines on the information that should be covered in safety briefings on lifejacket use, including doffing, deflation and hazards.*

- Maritime NZ is considering this recommendation

The recommendation remains under consideration. It has been referred to our Recreational Craft and Domestic Commercial's Harm Prevention Programmes for joint consideration, scoping and prioritisation. This matter has also been discussed with the NZ Marine Industry Association, and the Safer Boating Forum's

Products Workstream, so we can consider how this message could be incorporated into point of sale safety information and training.

**MO-2022-206 005/25** *On the 26 February 2025, the Commission recommended that the director of Maritime NZ adjust the level of oversight and monitoring of the survey system to ensure it is sufficient to give MNZ confidence that the system is fit for purpose, providing for the safety of the vessel and its occupants*

- Maritime NZ is implementing this recommendation

From December 2024 Maritime NZ started establishing a new Third-Party Oversight team to further strengthen MNZ's oversight and focus on providing assurance that third-party regulators are performing well, so the maritime sector and public can have confidence in the maritime system.

A team have been recruited, and have developed an agreed prioritised work programme. Recognised Surveyors are the first third-party regulator the team are focussing on, due to the strategic impact of the role they play and the presence of known issues. Work is focussed on identifying all the performance issues that are present, developing a Maritime NZ programme of work to tackle the most significant issues, and providing stronger leadership and engagement.

**MO-2022-206 008/25** *On the 26 February 2025, the Commission recommended that the director of Maritime NZ work with lifejacket industry stakeholders to educate and raise awareness with users of inflatable lifejackets of the:*

- *doffing and deflation procedures*
- *potential hazard of inflating when obstructed overhead.*

- Maritime NZ is considering this recommendation

It has been referred to our Recreational Craft and Domestic Commercial's Harm Prevention Programmes for joint consideration, scoping and prioritisation. These considerations have been discussed with the Products Workstream of the Safe Boating Forum. We are considering how these messages can be incorporated into point of sale safety information, and conveyed in training programmes that cover life jacket use

## Update on recommendations previously reported as being implemented or under consideration

Number active over period: 19

Number implemented: 4

| Inquiry       | Number | Issued    | Status 30-Jun-24                     | Status 30-Jun-25                                                                     |
|---------------|--------|-----------|--------------------------------------|--------------------------------------------------------------------------------------|
| MO-2022-202/3 | 025/23 | 27-Sep-23 | Partially accepted                   | Implemented                                                                          |
| MO-2022-202/3 | 024/23 | 22-Aug-23 | Accepted/partially accepted/accepted | Implemented/<br>partially accepted<br>and being<br>implemented/ Being<br>implemented |
| MO-2022-201   | 020/23 | 13-Jul-23 | Under consideration                  | Under consideration                                                                  |
| MO-2022-201   | 018/23 | 13-Jul-23 | Under consideration                  | Being implemented                                                                    |
| MO-2022-201   | 019/23 | 13-Jul-23 | Accepted                             | Being implemented                                                                    |
| MO-2022-201   | 014/23 | 13-Jul-23 | Accepted                             | Implemented                                                                          |
| MO-2022-201   | 015/23 | 13-Jul-23 | Accepted                             | Implemented                                                                          |
| MO-2022-201   | 012/23 | 13-Jul-23 | Accepted                             | Being implemented                                                                    |
| MO-2022-201   | 013/23 | 13-Jul-23 | Accepted                             | Being implemented                                                                    |
| MO-2022-201   | 016/23 | 13-Jul-23 | Accepted                             | Being implemented                                                                    |
| MO-2019-204   | 013/20 | 18-Nov-20 | Being implemented                    | Being implemented                                                                    |
| MO-2018-202   | 008/19 | 26-Sep-19 | Being implemented                    | Being implemented                                                                    |
| MO-2018-202   | 009/19 | 26-Sep-19 | Being implemented                    | Being implemented                                                                    |
| MO-2017-203   | 030/18 | 22-Nov-18 | Being implemented                    | Being implemented                                                                    |
| MO-2016-206   | 013/18 | 23-May-18 | Being implemented                    | Being implemented                                                                    |
| MO-2016-206   | 014/18 | 23-May-18 | Being implemented                    | Being implemented                                                                    |
| MO-2007-206   | 001/08 | 20-Mar-08 | Being implemented                    | Being implemented                                                                    |
| MO-2003-201   | 033/03 | 29-Aug-03 | Being implemented                    | Being implemented                                                                    |
| MO-2003-201   | 025/03 | 22-Jul-03 | Being implemented                    | Being implemented                                                                    |

Recommendations 012-016/23 from inquiry MO-2022-201 were transferred from the Ministry of Transport.

**MO-2022-202 & 203 025/23** On 27 September 2023, the Commission recommended that Maritime New Zealand and WorkSafe (until 1 July 2024) ensure that their regulatory activity includes a proactive role (such as monitoring and assessment) in the safety of the stevedoring industry.

- Maritime NZ has implemented this recommendation

Effective 1 July 2024, Maritime NZ's designation under the Health and Safety at Work Act 2015 was extended to include the landside of major ports. The ports were previously regulated by WorkSafe NZ.

Maritime NZ's intention is to develop a high performing, resilient port sector where people thrive, and worker health and safety is prioritised through high trust, tripartite collaboration. We have worked with the sector to develop an Approved Code of Practice (ACOP) for the loading and unloading of cargo at Ports and on ships. Implementation of the Approved Code of Practice (ACOP) across the sector has been overseen by the Port Health and Safety Leadership Group.

To support the implementation of the ACOP Maritime NZ initiated a phased programme of proactive inspections focused on the loading and unloading of the range of cargo types discussed in the code. These inspections primarily assessed significant hazards associated with stevedoring and port operations. They have provided opportunities for worker engagement and the provision of education and guidance where needed. The approach taken includes collating insights and trends from across all inspections relating to a particular cargo so that they can be fed back to the sector through Maritime NZ's Port and Harbour Harm Prevention Programme and the Port Health and Safety Leadership Group. The intention is to enable the sector to identify areas for continuous improvements on how they manage safety. This feedback process is ongoing.

As a result of learnings, Maritime NZ has commenced the development of further industry specific guidance to support people conducting businesses or undertakings (PCBUs) in managing their risks. The initial focus is on hazardous atmospheres and working at height. This guidance is being co-developed with industry representatives and unions.

Proactive communication and engagement will continue through quarterly webinars, industry meetings, the PHSLG newsletter, and other appropriate channels. Proactive inspections, informed by intelligence and insights, will be an ongoing feature of Maritime NZ's operational delivery.

**MO-2022-203 & 203 024/23** *On 22 August 2023, the Commission recommended that Maritime New Zealand works with industry stakeholders to improve safety standards for stevedoring operations through:*

*a) implementing an Approved Code of Practice for managing health and safety risks associated with stevedoring activity.*

- Maritime NZ has implemented this recommendation

Through a tripartite approach with industry and unions, following the release of the ACOP November 2024, Maritime NZ have set up an implementation programme for the ACOP.

Implementation work to date includes industry wide engagement and communication on what the ACOP is, and what it means for industry; frontline inspections on ports with a focus on foundational elements of HSWA and topics within the ACOP; workshops with industry to co-design education resources and supplementary guidance under the ACOP (for example working at height, hazardous atmospheres).

*b) establishing minimum training standards for stevedores*

- Maritime NZ have partially accepted this recommendation

As part of the PHSLG Port Sector Insights Picture and Action Plan (the Action Plan), the port sector have completed their micro credential aimed at equipping workers with a base level knowledge and understanding of risks in the port environment, as well as factors that influence their performance. This is now being implemented and workers are enrolled.

Alongside this, the sector have reviewed the Certificate in Port Operations. The qualification has been broken into two (level 3 and level 4), to provide stepping stones for industry and make progression more accessible and manageable.

The Port and Crane Academy of New Zealand has received NZQA approval to deliver and assess the above, and are working towards a suite of qualifications that can promote national consistency.

Alongside this, Maritime NZ have been exploring how to lift the sector's brand; as well as what can be done to develop minimum training standards for the sector (using tools such as regulations and Safe Work Instruments under HSWA or an ACOP). More work will occur in this space, exploring what good training in the sector looks like and how to achieve consistency. However, ultimately this will be a decision for Ministers.

- c) *establishing a programme to facilitate continuous improvement of stevedoring safety standards, including the sharing of safety information amongst industry stakeholders.*

- Maritime NZ are implementing this recommendation

Maritime NZ are already doing this as part of the Action Plan with the PHSLG. We have already worked with the sector and Callaghan Innovation to develop a platform which provides the sector with information on new safety technologies. With the disestablishment of Callaghan, we are working with the Port Industry Association to see what other options are available.

Additionally, under the ACOP we are developing a more extensive programme of good practice guidance and sharing of insights and good practices from our proactive regulatory activity on ports. The PHSLG Action Plan contains an action led by the PIA, but supported by Maritime NZ, to develop a repository of good practice.

**MO-2022-201 020/23** *On 13 July 2023, the Commission recommended that the Director of Maritime New Zealand introduces the requirement for commercial vessels to be fitted with automatic identification system (AIS) or equivalent when carrying passengers outside inshore limits*

- Maritime NZ is considering this recommendation

The potential to mandate AIS on a larger number of vessels remains under consideration. The driver for this exploration relates to safety as well as security. As with all rules work, the decision to proceed with a rules change will sit with Ministers

**MO-2022-201 018/23** *On 13 July 2023, the Commission recommended that the Director of Maritime New Zealand ensures that Maritime New Zealand has an adequate system for monitoring the performance of marine surveyors.*

- Maritime NZ is implementing this recommendation

From December 2024 Maritime NZ started establishing a new Third-Party Oversight team to further strengthen MNZ's oversight and focus on providing assurance that third-party regulators are performing well, so the maritime sector and public can have confidence in the maritime system.

A team been recruited, and have developed an agreed prioritised work programme. Recognised Surveyors are the first third-party regulator the team are focussing on, due to the strategic impact of the role they play and the presence of known issues. Work is focussed on identifying all the performance issues that are present, developing a MNZ programme of work to tackle the most significant issues, and providing stronger leadership and engagement.

**MO-2022-201 019/23** *On 13 July 2023, the Commission recommended that the Director of Maritime New Zealand ensures that appropriate rules and/or guidance is available to marine surveyors and vessel operators about the risk of having all life jackets stowed in one place that might not be accessible during foreseeable events*

- Maritime NZ is implementing this recommendation

Maritime NZ is continuing to work on this recommendation. It has been added to the Domestic Commercial harm prevention programme's work programme pending prioritisation against other guidance needs. In the meantime and more generally, the work of our Third Party Oversight Team is focusing in part on ensuring that surveyors understand their critical role in supporting the holistic and active management of risks by operators such as the need for lifejackets to remain accessible at all times.

**MO-2022-201 014/23** *On 13 July 2023, the Commission recommended that the Director of Maritime New Zealand work with SAR coordinators and providers of SAR air assets across New Zealand to identify opportunities for the supply and, if necessary, the storage of fuel for extended SAR operations in remote areas and maintain a database of identified stored fuel and fuel supply logistics.*

- Maritime NZ has implemented this recommendation

Connections with aviation partners on fuel questions are well established and are reflected in our SAR Resource Database. We note that Northern Rescue Helicopter Limited has taken a range of steps to increase the capacity and number of available fuel trailers in the far north and have put in place enhanced monitoring and tracking of these supplies.

**MO-2022-201 015/23** *On 13 July 2023, the Commission recommended that the Director of Maritime New Zealand work with SAR coordination entities to ensure they have procedures for prompting the operator of air assets about the maximum range of operation and opportunities for refuelling for sustained SAR operations.*

- Maritime NZ has implemented this recommendation

Consideration around fuel and sustainment in general (for example crew hours, weather and light limitations) are integrated in our aviation briefing and SAROP planning processes.

**MO-2022-201 012/23** *On 13 July 2023, the Commission recommended that the Director of Maritime New Zealand delegate responsibility to one or more entities, for the remit, jurisdiction, and resources to set standards for search and rescue (SAR) assets and the training of their SAR crews and enter into service level agreements with other agencies and operators for the provision of search and rescue assets.*

- Maritime NZ is implementing this recommendation

An updated SAR Aviation standard has been circulated with partners and will be made available on the Maritime NZ website. Agreements with Aviation Operators that support these standards have been prepared and are being rolled out to operators.

Questions around training (who funds and how this is supported) are being considered under the SAR Capability objective that sits within the SAR Sector Strategy. This is still being worked through.

**MO-2022-201 013/23** *On 13 July 2023, the Commission recommended that the Director of Maritime New Zealand coordinate across government and other appropriate agencies to identify and source air and maritime assets that are appropriately designed, equipped and crewed to meet New Zealand's full SAR requirements. Government agencies that have a potential dual use for these assets or who have existing assets that could provide a dual role should be considered.*

- Maritime NZ is implementing this recommendation

This is an ongoing piece of work that sits within the Capability objective within the NZSAR Strategy.

**MO-2022-201 016/23** *On 13 July 2023, the Commission recommended that the Director of Maritime New Zealand work with SAR coordination authorities to identify SAR assets that are likely to be routinely called on to act as on-scene coordinators and develop a joint training programme that will ensure that they work to the same framework and use the same terminology as the coordinating authorities.*

- Maritime NZ is implementing this recommendation

On Scene Coordinator training continues to be delivered. However, work to make this more systematic and able to support the full range of requirements is still being worked through under the NZSAR Strategic Plan. Resources able to support this continue to be constrained and limited due to other priorities.

**MO-2019-204 013/20** *On 18 November 2020, the Commission recommended that Maritime New Zealand ensure that future Maritime Rules require appropriate stability, buoyancy, and survivability assessments with respect to a vessel's area of operation, and that information is made available for all domestic commercial passenger vessels.*

- Maritime NZ is implementing this recommendation

Cabinet has given approval for Maritime NZ to consult on reform of the Stability rules (and other rules that contribute to enhancing survivability) as part of the review of the 40-series rules. CAB-24-MIN-0277 refers. Consultation on draft stability proposals is expected in early 2025. Proposals are expected to include a requirement that all vessels have stability information, and that this information is stored on the vessel or is readily available.

**MO-2018-202 008/19** *On 26 September 2019 the Commission recommended to the Director of Maritime New Zealand that they take any measures available to them to make post-2004 fishing vessels comply with as many of the design, construction and equipment standards prescribed in the current Rule 40D as are reasonable and practicable.*

- Maritime NZ is implementing this recommendation

The Fire proposals in the Design, Construction and Equipment Rules Reform include requirements for large fishing ships (over 24 metres in length) to have fire detection and alarm systems, fixed fire suppression systems and structural fire protection. The rules will include transition periods of 2 years or 5 year for structural fire protection. Subject to submissions and final decisions by the Minister, we expect that new rules will be in place during 2026

**MO-2018-202 009/19** *On 26 September 2019 the Commission recommended to the Director of Maritime New Zealand that they work with the Ministry of Transport to amend Rule 40D to put appropriate measures in place to ensure that aging fishing vessels are not permitted to remain in the system indefinitely without being required to meet contemporary safety standards*

- Maritime NZ is implementing this recommendation

The Fire proposals in the Design, Construction and Equipment Rules Reform include requirements for large fishing ships (over 24 metres in length) to have fire detection and alarm systems, fixed fire suppression systems and structural fire protection. The rules will include transition periods for existing ships to comply - of 2 years, or 5 year for structural fire protection. Subject to submissions and final decisions by the Minister, we expect that new rules will be in place during 2026.

**MO-2017-203 030/18** *On 22 November 2018 the Commission recommended to the Director of Maritime New Zealand raise through the appropriate International Maritime Organization safety committee for its consideration, the implications for maritime safety of not having adequate minimum standards for the inspection, testing and rejection of pressure vessels that are part of a stored energy system*

- Maritime NZ is implementing this recommendation

Following further discussion between agencies we found that this appears to be an isolated incident in terms of life boat launching however there may be wider links to compressed gas storage incidents. To help connect across incident reporting we are following up with the IMO secretariat to ensure:

1. the report finding is properly included in the IMO Casualty Analysis Report and
2. how we might work together to determine if there is a wider issue to be addressed.

Using IMO process to address the issue is more likely to be successful than taking a unilateral approach to creating a new output at the IMO.

**MO-2016-206 013/18** *On 23 May 2018, the Commission recommended that the Director of Maritime New Zealand review the current requirements for the carriage of lifejackets on commercial restricted-limit vessels, and use an appropriate mechanism to ensure that the required lifejackets are of an appropriate type for the type and place of operation.*

- Maritime NZ is implementing this recommendation

Cabinet has agreed to public consultation on an extensive reform of the Lifesaving Appliances rules as part of the Design Construction and Equipment Rules Reform. Consultation started on 7 August 2024. The proposals include compliance with Type 401 open-waters lifejackets as one of several options, and also include the wearing of lifejackets at all times when underway as part of an assessment for whether a liferaft is required for vessels operating in restricted limits. The proposals do not specifically address requirements for crossing a bar, which should form part of the vessel operator's safety system.

**MO-2016-206 014/18** *On 23 May 2018, the Commission recommended that the Director of Maritime New Zealand use an appropriate mechanism to make it mandatory for crotch straps to be fitted to lifejackets required on board commercial vessels that operate out of bar harbours and off exposed coastlines.*

- Maritime NZ is implementing this recommendation

As previously noted, barges are regulated to the extent that they fall under the operator's safety system (refer Part 19), and this will not change. As part of the reform of the design, construction and equipment (DCE) rules, work on the rules that apply to barges is due to commence in 2024/25. This will include stability and freeboard requirements.

**MO-2007-206 001/08** *On 20 March 2008, the Commission recommended that the Director of Maritime New Zealand take the steps necessary to ensure that all dumb barges with no persons on board that are used commercially for the carriage of cargo are brought within the framework of the maritime rules with regard to the issuance of load lines and the provision of stability information*

- Maritime NZ is implementing this recommendation

As previously noted, barges are regulated to the extent that they fall under the operator's safety system (refer Part 19), and this will not change. As part of the reform of the design, construction and equipment (DCE) rules, work on the rules that apply to barges is due to commence in 2024/25. This will include stability and freeboard requirements.

**MO-2003-201 033/03** *On 29 August 2003, the Commission recommended that the Director of Maritime New Zealand When conducting any review of maritime rule part 40A (Design and Equipment – Passenger Ships SOLAS) undertake a cost benefit analysis to consider any existing restricted limit passenger ships with totally enclosed*

*engine spaces to be fitted with a fire detection system and a remotely operated fire extinguishing system in the engine space.*

*Where a cost benefit is demonstrated as positive, consider drafting an amendment to maritime rule part 40A for the Minister's consideration.*

*Any amendment of the rule to be phased so that existing passenger vessels above 15m, or carrying more than 36 passengers to be fitted with this equipment first.*

- Maritime NZ is implementing this recommendation

Cabinet has agreed to public consultation on changes to the Fire Protection rules as part of the Design Construction and Equipment Rules Reform. These include fire detection and alarm systems, and fixed fire suppression systems for most ships. Consultation started on 7 August 2024. Subject to final decisions by the Minister, we expect that new rules will be in place during 2026.

The proposals include a transition period of 2 years for existing ships, including passenger vessels.

**MO-2003-201 025/03** *On 22 July 2003, the Commission recommended that the Director of Maritime New Zealand draft an amendment to maritime rule 40A (Design, Construction and Equipment – Passenger Ships SOLAS) for the Minister's consideration, that the new restricted limit passenger ships with enclosed ER spaces should be fitted with a fire detection system and a fixed fire extinguishing system in the engine spaces.*

- Maritime NZ is implementing this recommendation

Cabinet has agreed to public consultation on changes to the Fire Protection rules as part of the Design Construction and Equipment Rules Reform. These include fire detection and alarm systems, and fixed fire suppression systems for most ships. Consultation started on 7 August 2024. Subject to final decisions by the Minister, we expect that new rules will be in place during 2026.

## Appendix: Definitions

| Response to issued recs  | Definition                                                                                | Further reporting required? |
|--------------------------|-------------------------------------------------------------------------------------------|-----------------------------|
| Accepted and implemented | The recommendation was accepted (wholly or in part) and has been implemented              | No                          |
| Accepted                 | The recommendation was accepted (wholly or in part) and is being, or will be, implemented | Yes                         |
| Under consideration      | The recommendation was neither accepted nor rejected. Further consideration is required   | Yes                         |
| Rejected                 | The recommendation will not be implemented                                                | No                          |

| Status of active recs | Definition                                                                             | Further reporting required? |
|-----------------------|----------------------------------------------------------------------------------------|-----------------------------|
| Implemented           | The recommendation was implemented over the reporting period                           | No                          |
| Being implemented     | The recommendation is in the process of implementation                                 | Yes                         |
| Under consideration   | The recommendation remains under consideration                                         | Yes                         |
| No further action     | The recommendation has been implemented in part, but no further action will be taken   | No                          |
| Rejected              | The recommendation was under consideration and it has been decided not to implement it | No                          |