



Transport Accident
Investigation
Commission

Watchlist

Recreational boat users: essential knowledge and skills

What is the problem?

New Zealand's maritime rules place no obligations on recreational boat users to demonstrate that they understand and practise safe boating behaviour before getting on the water. Although recreational boat users are legally required to observe the rules covering boating, they are not required to show that they know them, or have the skills needed to comply.

What is the solution?

Maritime rules must place some form of obligation on recreational boat users to demonstrate that they understand, and can practise, safe boating behaviour before they are able to skipper recreational craft.

Strategies to promote safety in New Zealand's recreational boating sector focus on encouraging self-reliance and skipper responsibility through safety awareness and education. The Transport Accident Investigation Commission's view is that the system is flawed because it relies on users knowing the rules, regulations and bylaws, but does not require them to demonstrate such knowledge before taking a craft on the water. This situation is anomalous with the aviation and road sectors. In 2009 we recommended that the Secretary for Transport address this issue. The recommendation remains open.

Background

Safe boating behaviour, as with any other socially desirable behaviour, depends on many things working together. Individuals need to have the knowledge and skills to act appropriately – lack of knowledge of, or failure to follow, basic maritime rules or good practice can result in recreational boat users getting themselves, their passengers, or other water users, injured or inconvenienced.

The New Zealand Pleasure Boat Safety Strategy¹, introduced in 2000, focuses on encouraging self-reliance and skipper responsibility through safety awareness and education. This focus developed from an analysis of boating accidents, which had shown that accidents were not the result of deliberate reckless behaviour, but a lack of safety awareness and knowledge.²

The National Pleasure Boating Safety Forum¹ reviewed the Safety Strategy in 2007, and determined it had been successful, evidenced by a downward trend in fatalities. Maritime New Zealand figures show³ that following the introduction of the strategy, there was a significant reduction in recreational maritime fatalities through to 2007, but the trend then reversed.

In 2009, the Commission investigated a recreational boating accident in which two people died and two were seriously injured. That accident involved a jet-boat and a personal watercraft.⁴ In our report we discussed the issue of recreational boat users not being required to demonstrate an in-depth knowledge of the rules. The Commission's view is that the system is flawed because it relies on users knowing the rules, regulations and bylaws, but does not require them to demonstrate such knowledge.⁵



The Commission concluded that some mechanism that requires recreational boat users to be appropriately educated should be introduced, and recommended that the Secretary for Transport address this safety issue. This recommendation remains open.

An independent reviewer, on behalf of the New Zealand Safer Boating Forum (the renamed National Pleasure Boating Safety Forum) again reviewed the Safety Strategy in 2014.⁶ The review's findings are consistent with the Commission's views with respect to a requirement for recreational boat users to demonstrate competency. One of the recommendations arising from the review is that: '[Maritime New Zealand] undertake policy work on the possible introduction of a mandatory recreational boating skipper licensing/education/proof of competency scheme, along with any viable alternatives' (p.11).

The Safer Boating Forum has elected not to undertake this policy work. It believes there is no compelling evidence to suggest compulsory education will significantly reduce the boating toll. The Commission acknowledges the efforts that New Zealand Safer Boating Forum, Maritime New Zealand, councils and harbourmasters have made towards improving safety, including the increasing use of social media in safety awareness campaigns. We also acknowledge the additional funding, announced in July 2020, for water safety, including recreational boating. Maritime NZ has received an additional allocation of \$4.8 million for its work in this area, including funding for research and data. We look forward to learning more about the application of the funding.

The issue of whether to require some kind of licence for recreational boating has been long debated in New Zealand. Until local bylaws or Maritime Rules require recreational boat users to acquire and demonstrate knowledge of boating rules, the risk of accidents caused by knowledge-based errors will remain high. The risk will increase with any expansion in maritime activity.

References

- ¹ In 1998, the Maritime Safety Authority (later named Maritime New Zealand) convened the Pleasure Boat Safety Advisory Group. Its purpose was to review the historical approach to promotion of recreational boating safety in New Zealand, which had focused on education rather than regulation. In 1999, the Advisory Group published the *New Zealand Pleasure Boat Safety Strategy*. As a result of one of the recommendations in the report, Maritime New Zealand established the National Pleasure Boating Safety Forum in 2000. The Forum provides national co-ordination for boating safety matters.
- ² Maritime New Zealand for the National Pleasure Boat Safety Forum (2008) *Boating Safety Strategy: 2007 Review of the New Zealand Pleasure Boat Safety Strategy*. Maritime New Zealand: Wellington.
- ³ Maritime New Zealand annual reports show the number of recreational boating fatalities in the calendar year 2007 was 8. Between the 2012/13 and 2018/19 financial years, the annual number of fatalities has been between 11 and 22, except for a spike in 2014/15 of 32. For 2018/19, the number was 20.
Maritime New Zealand (2016) *Annual Report 2015/2016*. Maritime New Zealand: Wellington, Appendix 3, p.140
Maritime New Zealand (2018) *Annual Report 2017/2018*. Maritime New Zealand: Wellington, Table 1, p.15
Maritime New Zealand (2019) *Annual Report 2018/2019*. Maritime New Zealand: Wellington, p.14
<http://www.maritimenz.govt.nz/about/annual-reports/>
- ⁴ Transport Accident Investigation Commission *Report MO-2009-201: collision: private jet-boat/private watercraft, Kawarau River, Queenstown, 5 January 2009*
<http://www.taic.org.nz/inquiry/mo-2009-201>
Open Safety Recommendation 004/11.
- ⁵ Further information about skipper responsibilities and what they need to know can be found here on the Maritime New Zealand website:
<http://www.maritimenz.govt.nz/recreational/the-basics/skipper-responsibilities/>
- ⁶ Matheson Associates Limited (2014). *2014 Review of the New Zealand Pleasure Boat Safety Strategy*. Prepared for Maritime New Zealand and the National Pleasure Boat Safety Forum.
<https://www.maritimenz.govt.nz/recreational/safety-campaigns/documents/PBSAG-full-report-December2014.pdf>

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Updated content: the Safer Boating Forum's decision not to undertake policy work as recommended.

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Te Kōmihana Tirotiro Aituā Waka

Transport Accident Investigation Commission

www.taic.org.nz

The Transport Accident Investigation Commission is an independent Crown entity established to determine the circumstances and causes of accidents and incidents with a view to avoiding similar occurrences in the future.