



Transport Accident
Investigation
Commission

Watchlist 2024

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. We repeated the recommendation in 2023.

Why are knowledge and skills important?

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.

What recommendations have we made?

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.¹ In October 2010, we recommended that the Secretary for Transport:

- recommend rules or some other mechanism that requires the person in charge of a designated recreational craft to hold a licence or certificate that requires them to be appropriately educated to identified standards.²

In October 2021, we investigated an accident in which three people died when a recreational power boat capsized while crossing the Manukau bar.³ In our report, published in May 2023, we noted the response to the 2010 recommendations, which was not to introduce additional regulation to the recreational maritime transport sector. We commented that the current educational campaigns provide fundamental safety information, but the motivation to learn and apply that knowledge is not levered by any legal compulsion.

We made two recommendations to the Ministry of Transport to:

- revisit its decision with respect to the 2010 recommendation and take steps to mitigate the increase in the risk of competence-based accidents in the recreational maritime transport sector⁴
- undertake research to determine the merits of a regulatory system for the recreational maritime sector, in line with overseas best practice, and how such a system may incorporate licensing, registration and boat design standards to improve the safety of New Zealand's recreational maritime sector.⁵

Why is the Commission concerned?

The issue of whether to require some kind of licence for recreational boating has been long debated in New Zealand. The Commission's view is that the current system is flawed because it relies on users knowing the rules, regulations and bylaws, but does not require them to demonstrate such knowledge.

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.

References to reports and recommendations

¹ *MO-2009-201: collision: private jet-boat/private watercraft, Kawarau River, Queenstown, 5 January 2009*
[MO-2009-201 | TAIC](#)

² *MO-2009-201: collision: private jet-boat/private watercraft, Kawarau River, Queenstown, 5 January 2009*
[MO-2009-201 | TAIC](#)
Safety recommendation 004/11

³ *MO-2021-204: Recreational vessel, capsize and sinking with three fatalities, Manukau Harbour entrance, 16 October 2021*
[MO-2021-204 | TAIC](#)

⁴ *MO-2021-204: Recreational vessel, capsize and sinking with three fatalities, Manukau Harbour entrance, 16 October 2021*
[MO-2021-204 | TAIC](#)
Safety recommendation 002/23

⁵ *MO-2021-204: Recreational vessel, capsize and sinking with three fatalities, Manukau Harbour entrance, 16 October 2021*
[MO-2021-204 | TAIC](#)
Safety recommendation 003/23

This safety concern was first published as a Watchlist item in 2015.

Te Kōmihana Tirotiro Aituā Waka

Transport Accident Investigation Commission

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