

Visiting vessels/yachts starting to arrive in New Zealand for refit/service

1 September 2020

Background:

It has been eleven weeks, since mid-June, when we received advice from the **NZ Government**, in support of **NZ Marine's request**, that visiting commercial vessels, yachts and superyachts can gain exemption to New Zealand's closed borders.

The first applicants granted approval under this new Government order were a fishing vessel to enter NZ for refit/repairs in Nelson and for crew rotation of several superyachts in Auckland.

Unrelated to any of the above, during the following week, there were two returning New Zealanders who entered NZ via the air border who were inadvertently allowed to leave isolation early for a funeral and fell ill with COVID19. Cabinet, on the 22nd June then tightened the border controls and changed the above vessel/yacht border exemption rules to now requiring vessels seeking border exemption to firstly gain the approval of the Director General of Health and then Immigration NZ. At this point Immigration NZ also raised the bar with regards to allowing essential workers access to NZ which effectively meant that no crew rotation via the air border was permitted.

During July NZ Marine worked closely with New Zealand Trade & Enterprise, Maritime NZ, Ministry of Health, NZ Customs, Ministry of Business, Innovation & Employment, Immigration NZ and Ministry of Foreign Affairs & Trade so a process for applying for and processing vessel /yacht border exemption applications could be implemented. This was done over a couple of weeks and NZ Marine with Ministry of Health's approval released a summary check list of the application process and held a marine industry briefing meeting at NZ Marine/Zoom on Thursday 16th July where Ministry of Health, MBIE and Maritime NZ senior officials informed agents and boat yards of the new application process.

During late July the first 'test' case for all involved was for a superyacht application by Orams Marine. After significant and dedicated work by Richard Low and Craig Park of Orams we evolved and managed the process through all the involved government departments and the superyacht departed Tahiti with the crew roles approved by the NZ Government and with all crew providing evidence of pre departure negative COVID-19 tests, the yacht set sail to NZ.

On arrival the yacht cleared Customs at the newly set-up (and Ministry of Health and Ministry of Customs approved) Orams Marine quarantine marina berth in Auckland, where the crew isolated for 14 days before they could set foot on NZ soil Orams Marine and many contractors could start on the yacht's refit.

Current Situation:

During August there has been a foreign-flagged ferry approved for entry to Whangarei for refit and a couple more superyachts in Auckland. There are approximately ten cruising yachts and superyachts going through the application process as of 28th August and we

are advised that due to staff changes at Ministry of Health, the processing of these was delayed a couple of weeks but as of this week the processing is on track and they are clearing the backlog. We have a good working relationship with the Ministry of Health and compliment them for the way in which they are managing the border exemption applications for visiting vessels and yachts referred above.

We have sought and gained approval from Maritime NZ and the Auckland Harbourmaster for yachts to quarantine at anchor and are pleased that under the direction of the Auckland Harbourmaster, Andrew Hayton, yachts are gaining such approval. We are also aware of quarantine berths being set up at the Bay of Islands Marina and planning for other destinations as well.

In addition to the current applications we expect that an additional ten superyachts, six commercial vessels and twenty or so cruising yachts are likely to apply for exemptions to enter NZ over the period September to December 2020.

As an industry we will be pleased if this materialises as it was our initial goal to have sufficient visiting vessels/yachts to keep member companies in business and for them to retain skilled jobs/apprenticeships and for offshore yachts and vessels to still be able to come to NZ for their work, rather than going to another country and we start to lose our reputation as a major refit/service centre in the Southern Hemisphere.

What we did not envisage was the lack of provision to have crew rotation via the air border and this has been a handicap to achieve several refits and indeed put off some yachts coming to NZ for a refit/repairs. It has caused major disruption to the fishing industry where boats are now being laid up not able to go to sea due to lack of appropriate personnel allowed to join the vessel from offshore and has had a detrimental effect on potential new superyacht build contracts where the customer/owner has to be able to visit the build in progress.

As such NZ Marine has made strong representation to the NZ Government to allow essential crew to be able to join visiting yachts and fishing vessels via the air border. This has included letters to various Cabinet ministers, meeting by Business NZ, on our behalf, with Minister of Immigration Hon Kris Faafoi and my strong representation to senior government officials at five or six meetings over the last month.

We are pleased that during the past two weeks there have been several essential worker applications approved for captains to join the vessel via the air border but it appears very difficult for any other roles at this stage to get approval. We will continue to work on this, at least for other senior vessel roles such as first mate and engineer, but we have little hope that other roles will get a look in.

Tip for applying for setting up and for use of quarantine facilities

The Ministry of Health heavily rely on advice from NZ Customs in this regards and as such you may wish to contact Customs in the first instance at operationtakutaihq@customs.govt.nz

On Wednesday 26 August, the Ministry of Health issued a revised notice on their website in relation to new Cabinet orders of earlier that week. The changes do not affect any of the above referred processes - refer new web site - The Ministry of Health maritime webpage has been updated for vessels seeking entry to New Zealand for humanitarian reasons or other compelling needs: <https://www.health.govt.nz/our-work/diseases-and-conditions/covid-19-novel-coronavirus/covid-19-information-specific-audiences/covid-19-resources-border-sector/covid-19-maritime-sector>

Reminder of current application process and what is permitted.

Essential Crew:

“Essentially the New Zealand Government anticipates that there will be only extremely limited circumstances where it is appropriate for a person who is not a New Zealand citizen, permanent resident or person returning to New Zealand as a resident to travel to New Zealand. New Zealand’s borders remain closed to most people while COVID-19 poses a significant threat to New Zealand.”

<https://www.immigration.govt.nz/about-us/covid-19/covid-19-information-for-employers>

We understand that there are over 7,000 current critical/essential worker applications submitted from all industries nationwide, of which only approximately 700 have been processed. Many applications dating back to May 2020 are still awaiting advice with regards to approval or not.

The marine industry, in relation to visiting vessels/yachts, has out of approximately 90 individual applications, successfully had approximately 65 have approval to date - 55 for crew delivering vessels to NZ for refit/repairs and ten for crew rotation. Ten have been declined and others are in the system – many lodged within the last 3 weeks.

Vessels to undertake Refit/Repair:

Summary of Application process:

NZ Marine gained Government approval for foreign-flagged yachts with minimum NZ \$50,000 booked in refit/repair to be allowed into NZ - subject to a third party such as a Yacht Agent, Shipyard or boatbuilder applying on the yacht’s behalf. The application must first be approved by the Ministry of Health and then Immigration NZ before the yacht departs its last country prior to setting sail to NZ. The sponsoring ‘Agent’ is responsible for the quarantine arrangements for when the yacht arrives including the crew remaining on board for 14 days before setting foot on NZ soil and mandatory protocols including Covid tests. NZ Marine has prepared a check list covering all matters that the sponsoring party must complete to assist member company agents and boat yards.

In confirmation, no yachts can visit NZ unless they have been granted a border exemption.

Superyacht owners:

In discussions with the NZ Government we have demonstrated the economic opportunity for NZ if superyacht owners and their families could join their vessels in NZ for the America’s Cup and related regattas December 2020 to March 2021. In response we have been advised how the second Covid-19 wave was detrimental in Australia and as such the

NZ Government is standing firm on entry protocols which only allows the delivery crew of a superyacht for a refit/repair to enter NZ.

The Minister of Finance, Hon Grant Robertson, in an interview last week, said that **‘a health response is the best economic response’**

Final comment:

On the basis that New Zealand successfully attains the goal as described by Minister Grant Robinson above, then the future for vessel, yachts and superyacht visitation to NZ for refit/repairs and general touring complete with owners their families and friends will be positive as New Zealand will be a preferred place to visit. At some stage though the NZ Government will have to have confidence to open up our borders for these special visitors that provide so much gain to our economy. I have made representation to senior government officials that a visiting American poses no more risk than a returning New Zealander that has been living in the USA. With proper Covid-19 testing and controls, at the visitor’s expense, we believe that that this should happen soon not only for the benefit of workers and apprentices in the marine industry but the country as a whole.

As stewards of the New Zealand marine industry, thank you for your support and assistance in regards to the above and whilst we would like more let’s make the most of the opportunity that Cabinet has kindly given us in regards to visiting vessels, yachts and superyachts with booked in refits/repairs.

Kind regards

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