

When is it okay to tow another vessel?

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Guidance for MOSS Operators

When a vessel is in distress and there is immediate danger to people, the vessel, other vessels or the environment, then it is okay for you to tow the stricken vessel to safety. However, your safety is also important, so we have rules and guidance in place to make sure the towing operation is as safe as it can be.

Under the Maritime Transport Act 1994 you have a duty to assist persons in danger and to respond to distress calls (s.32). The Master also has the responsibility of notifying the Director of MNZ of any action taken to respond to an emergency that breaches the Act, regulations or the maritime rules (s.19(1)(d)).

Under Maritime Rules Part 19 you are required to have procedures in place for emergency preparedness as part of your operator plan. This sets out how you would respond to an emergency situation. It may include how you assist another vessel in distress. Towing another vessel beyond the terms of your operator plan might constitute a breach of the maritime rules. More importantly, it might be unsafe to you, your vessel, passengers and crew. Under the Act the Master is responsible for the safe operation of the ship and the safety of all passengers and crew (s. 19(1)(a)).

Assess the situation

Is there immediate danger?

- People – can the danger to people be reduced by removing them from the stricken vessel?
- Stricken vessel – if the stricken vessel is left where it is will it be a hazard to other vessels? Can it be secured in place to reduce the risk of debris and contaminants entering the water?
- Environment – is the vessel likely to discharge fuel or other hazardous substances that will harm the environment?
- Your vessel – does your vessel have the capability and capacity to undertake the tow? Does it have the correct safety equipment to make the tow?

If after assessing the situation you consider it both necessary and safe to tow the stricken vessel, go ahead. Report the incident to MNZ as soon as practical afterwards. If you are not able to tow the vessel, call for help. Use channel 16 on your VHF radio or phone RCCNZ (0508 4 RCCNZ or 0508 472 269) or the NZ Police (111).

The difference between towing to assist in an emergency situation and towing for a salvage operation

An emergency situation is where there is immediate danger to people, vessels or the environment.

Salvage applies when the vessel needs to be removed but is unlikely to cause danger immediately. Salvage is often used as a term to describe commercial efforts to recover vessels or goods for pay or reward.

Salvage operations

Commercial vessels that engage in towing and salvage operations will have this activity listed in their operator plan. Their operator plan will have the necessary safe operating procedures in place and comply with relevant maritime rules.