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Hi Simone,

Welcome to our spring maritime update.

### **In this edition:**

2017 has seen several regulatory changes in maritime law in New Zealand, a number of interesting international cases covering carriage of goods, freight forwarders liability, and charterparty issues, the rapid development in blockchain technology and cyber-security issues.

Hesketh Henry will be running seminars in 2017-2018 on these and other topics.

### **Summer Seminar Series**

Hesketh Henry will host the first of our summer maritime law seminars in November and December.

- 23 November 2017. ***Update on maritime law.*** Simon Cartwright and Richard

Belcher will provide an update on developments in maritime law (both in New Zealand and internationally). Topics will include New Zealand regulatory developments, commentary on leading English and Australian cases in 2017 and amendments to Bimco's standard form contracts / clauses.

- 14 December 2017. **Cyber and the marine industry.** Fast moving technological changes are impacting the marine industry. Hesketh Henry is one of the leading cyber-security law firms in New Zealand. We will review developments in blockchain technology and host a Q & A session on the issues and lessons learned from the cyber-security incidents we have advised on in 2017. Followed by Christmas drinks!

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## Maritime Law

Hesketh Henry has recently published the New Zealand maritime law chapter in [Getting the Deal Through: Shipping 2018](#). You can access the New Zealand chapter by clicking on the link [here](#).

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## Regulatory Developments

*Biofouling:* In advance of the new Craft Risk Management Standard on Biofouling (coming in to force on 1 May 2018), MPI has responded in several instances of biofouling present on vessels entering New Zealand in 2017. Of particular note was the MV DL Marigold which was ordered out of New Zealand part way through discharge, and subsequently denied entry into other Pacific ports, forcing hull cleaning in international waters. See our article on bio-fouling regulations for the Charterers P & I Club at [E-Bulletin July 2017 - New Zealand Biofouling](#).

*Ballast Water:* On 8 September 2017, new regulations came into force for commercial and recreational vessels that undertake international voyages and carry non-permanent ballast water. A vessel is now required to either treat or exchange its ballast water and have a ballast water management plan to avoid introducing harmful aquatic organisms into New Zealand's marine environment. More information can be found here: [Maritime NZ - Ballast water management guidelines](#).

*Cartels Amendment Act 2017:* The primary purpose of the new Act is to introduce criminal sanctions for serious cartel behaviour (and other changes to jurisdiction and penalties). Cartel behaviour is an agreement or association between two or more business houses for, amongst other things, regulating output and fixing prices. The Act also introduces a new targeted exception for specified international liner shipping activities, such as vessel sharing, that improve the services supplied to importers and exporters. More information can be found here: [MBIE - Cartel Reform](#).

*Health and Safety:* The proposed Maritime Transport Amendment Bill 2016 seeks, among other things, to manage the risks associated with alcohol and drug use in the commercial maritime sector by requiring maritime operators to have drug and alcohol management plans. More information can be found here: [Bills Digest - Digest No. 2500](#).

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## MLAANZ

Partner Simon Cartwright recently attended the MLAANZ (Maritime Law Association of Australia and New Zealand) annual conference in Melbourne, making an impromptu appearance in the session “Establishing an Arbitration Practice”: [MLAANZ 2017](#).

Simon retains both New Zealand and English practising certificates and continues to handle LMAA arbitrations from New Zealand, as well as giving advice on English law charterparties and other shipping contracts: [Simon Cartwright Profile](#).



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