

## Maritime NZ

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### SUBMISSION ON THE WEARING OF PFD'S

#### INTRODUCTION

Spearfishing NZ is pleased to take this opportunity to make a submission on the proposed required wearing of a PFD in boats under 6 metres. We do so after a) noting reports in the media by search and rescue personnel in different centres that there should be no discretion on the wearing of lifejackets, rather, every person in a boat of under 6m should be required to wear one and b) seeing the need for clarification and clear direction to local authorities from Maritime NZ stating wetsuits are regarded as equally suitable as PFD's as stated in Maritime Rules 40A, Appendix 8 11.12(b)

In this submission Spearfishing NZ does not dispute the value of a lifejacket. However, we want to ensure that a full wetsuit is more clearly identified as a recognised alternative.

Spearfishing NZ is the organisation that looks after the interests of around 5000 spearfishers, both men and women, in NZ. As such we represent their interests in recreational fishing matters, pursue on their behalf safety issues related to diving and spearfishing, and organise local and international spearfishing competitions. Our Newsletters and website [www.spearfishingnz.co.nz](http://www.spearfishingnz.co.nz) are read by hundreds of individuals in this country and a considerable number overseas.

(We indicate to you our role in diver safety with the Safety Sticker shown here currently being promoted to divers and boat users throughout NZ. The Australian Underwater Federation has recently asked to be included in our initiative and we have modified the sponsors to include Australian ones so they too can now print stickers and promote what will be a Trans Tasman safety message.)

#### DIVERS CONCERNS

For divers, there are a number of concerning elements in any proposal by well-intentioned individuals or organisations that seeks the wearing of lifejackets without considering what is already being worn by those divers while in boats under 6 metres.



- 1. It ignores what understanding we thought there was in NZ regarding the wearing of a wetsuit when in a boat out on the water.
- 2. Any decision not to exclude those wearing full wetsuits from also having to wear a lifejacket does not fit with the safety evidence available.
- 3. We do not want to see well meaning authorities subsequently writing their own regulations which ignore the suitability of wet suits as a PFD.

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## SURVEY DATA

As back-up to this submission, Spearfishing NZ sought first hand data on the efficacy of wet suits in protecting wearers when they unexpectedly found themselves in the ocean. We sent a brief survey of 6 questions to our email list. They were asked to reply to the following questions if they had ever had their boat, sink, capsize, or they had fallen overboard.

- A) When did it happen?
- B) Where did it happen?
- C) How many were in the water?
- D) For how long were they in the water?
- E) Any injuries?
- F) In such circumstances did they know of anyone who had drowned?

The answers to these 6 questions are for the most part shown as they have been received. Personal messages to the Committee of Spearfishing NZ have been removed. Some have not been recorded on the list because they were so often repeating what was already apparent in many replies, viz. many fall over the side of the boat when cleaning fish or bounce out when the boat hits a rough patch of water and are quickly assisted back into the boat. Neither situation seems to cause divers much concern because with a wet suit on, the circumstances are easily handled. There were many replies where people simply sent back “No” to all 6 questions.

Three of the replies are from commercial freedivers who have extensive knowledge and diving experience in other countries, often in very testing conditions. Of the other respondents, we know most of them as recreational spearfishers, some with a diving history that goes back 40 years of living and diving almost everywhere along NZ’s coast and offshore islands and reefs. Some replies relate to overseas circumstances. Together, their experiences while wearing wetsuits provides we believe a compelling view of a wetsuit’s effectiveness when a person unexpectedly finds him or herself in the water. We note that every reply to Q6 said they did not know of any person who had drowned on the surface while wearing a wet suit and had for whatever reason finished up in the water, although **KAR 2001** thought there might have been one where the person was knocked out and drowned, but is not sure. We have no other reference to that.

## DATA ANALYSIS

We acknowledge the validity of evidence of the numbers of people drowning when not wearing a PFD and their small boat is swamped or they have been tipped out/fallen overboard. However, we are unable to find examples that would justify any decision to make compulsory the wearing of a lifejacket over the top of a wetsuit.

We specially draw to your attention why people in wetsuits who finish up in the water do not appear to drown. There are a number of reasons including the following.

- 1. They are unlikely to have been partying and have alcohol in their system.



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- 2. They are generally reasonable swimmers.
  - 3. They are used to being in the water and being responsible for themselves in unpleasant conditions such as dirty or rough water and strong tidal flows, often coping with those conditions on a regular basis.
  - 4. Sudden or long immersion in cold water is much less of a problem for them. They remain relatively warm, the hood in particular, significantly retaining body heat that is lost when a life jacket only is worn and the person's head is exposed to water and wind chill.
  - 5. A wetsuit's buoyancy is the equal of or superior to, various life jackets approved for use by recreational boat users. Divers wear their wetsuit knowing that without a weight belt they cannot sink and they can propel themselves through the water.

It will be seen from respondent's replies that conditions in which they found themselves were often potentially life threatening, and in many cases almost certainly would have been if they were not wearing a wet suit. Specific examples reported include strong tides, big seas, very cold water, wind chill, long periods of immersion, long swims to extricate themselves. Others simply chose to comment on why they do not hold to any regulation that does not identify the equal or superior value of a wetsuit over a lifejacket.

### CONCLUSIONS

1. We believe the reply of **JV 2001** to be noteworthy in the context of this submission. The **French coastguard** would appear to **have determined the worth of wetsuits** relative to lifejackets **and made that determination clear**.
2. Further, Maritime NZ has previously identified the wearing of a "full body wetsuit" as suitable personal buoyancy and **we find no evidence to justify any re-litigating of this issue**.

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Chairman

On behalf of 'Spearfishing NZ Committee'

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## APPENDIX: SURVEY RESPONSES

**PS 1970 Kapiti.** I got tipped out. Two in the water for 10 minutes. No injuries.

**JL. 1970's. Karori Light, Autumn.** Current picked up and freediver unable to get back to boat. Buddy raised alarm but by then dark. Diver drifted overnight through Cook Strait. Found at daylight next morning as he was getting himself out of the water near Oteranga Bay.

**RC 1970's Easter at Stewart Island.** Boat bounced by the waves in windy conditions. Significant wind chill. Colder out of the water than in it. Unable to hold on and fell overboard. Absence noted shortly thereafter. Boat returned to pick up. Uninjured.

**SB+ 2 others 1976** Boat swamped while we were spearfishing 4 miles off the coast at **Seabird, Western Australia.** In the water 4 hours. Injuries, Nil. (One of the divers with me did the same thing a second time when he was lost while freeing snagged cray pots and again swam to shore with no adverse effects.)

**GC + 3 1980 Mangawhai Heads.** Leaving to dive at the Hen & Chicken Islands. Boat flipped on the bar. All 4 tossed into the water and swam ashore. No injuries. Boat subsequently salvaged

**RQ 1980's.** Sitting on the back of my 'tinny', calm day, mate took off too fast. I went straight overboard and it took approx 3 minutes for him to realise I was gone. He eventually noticed and returned and picked me up, with no injury.

**GrH + 3 1986 Hen and Chicken islands.** Hull split. Boat sank. Four of us in the water for 1 hour. Injuries: broke my heart to see my boat sink!

**JJ + 3. Dog Island, 1990's Foveaux Strait.** Boat overturned. Inexperienced skipper. Lost a lot of gear. All in the water for a considerable time before another boat arrived. Hypothermia would have caused us much more trouble without our wetsuits. One diver with injured back. Wetsuit made it easier to rescue him from the water.

**AD. 1995.** Coming into **the Moa Point** boat ramp on **Wgtns south coast.** One person in the water for ten minutes. No injuries. No deaths as far as i'm aware.

**DS. 1995 end of Coromandel peninsular.** Left behind by boat and had to swim in the dark for over an hour to get to safety

**RD. 1996** Rangatiaki river Bar (Thornton) Six in the water for 15 minutes. No injuries

**JR+2 1998. Great Barrier Is.** In there for 5 minutes. No injuries

**MB.1998 Hahei.** Our surf launch went wrong. Exactly the kind of incident that a wetsuit worn as intended (that is, not folded down around the waist!) did everything and more than a lifejacket could. No injuries. We need a common sense outcome. Perhaps something along the lines of “...



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such requirements shall not apply to any person wearing a full body wetsuit (covering arms, torso & legs) being of no less than 3mm thickness”

**RR 1999 Koautunu.** 3 tossed into water when boat flipped upside down by a set of huge breaking waves 200m from shore. One person briefly trapped under the boat as it was pushed first shoreward and then sucked back out to sea in foaming surf. Diver pulled himself out from under the boat. Had he been wearing a lifejacket as well he would have been pushed more firmly up under the overturned boat and likely found it more difficult to submerge and get out. All 3 swam/surfed safely to shore.

**JK 1999 Koautunu.** National champs, beach launch. 4 of us in the water for 3 minutes in big surf. No injuries. Know of none that have drowned but know plenty of survivors.

**JL Waimarama Beach. 2000.** Launching. Boat flipped. 3 in the water for 25 minutes. One had a bump on the head.

**KAr. 2001. Off Kiritihere NI West Coast** from a thundercat used for diving. One only overboard in water for 2 minutes. No injuries. I think there has been a case where a person was knocked unconscious and died but I can not recall details of time or place. Wet suits are of major benefit in keeping a person floating on the surface

**AB. 2001. Kaikoura.** 9-10 people in the water for 20-30 minutes. No injuries

**KAn.2001** I lost a diver out of my inflatable one day, Tauranga harbour entrance. Hit a big wave and he was bounced clean overboard.

He was in the water for 5-8 minutes by the time I could turn around and Pick him up (35-40kts and swell) No injuries. Don't know of anyone who has died while wearing a wetsuit.

**JV.2001 in Brittany, France.** I fell from a 5mtre inflatable. My dad let me soak for 10 minutes for my stupidity. Any injuries etc? none. Do not know of any deaths of persons in a wet suit when their boat has been swamped/sunk? Im from france obviously, and you are requiere to have lifejacket on the boat, one for each passenger, but you dont have to wear them, stupid I think. A wet suit it considered a lifejacket by the coastgard so when we go spearfishing we dont even bother with lifejacket.

**JW. 2004 3 emptied into the Shag River Mouth.** In the water for up to two hours. No injuries.

**BD.2007, Five Fingers Peninsular Fiordland.** One in the water for 10min. No injuries or problems. No deaths i know of.

**JL+1 2005. Wanganui Bar.** Boat overturned. Two of us picked up 15 minutes later. No injuries



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**PJ. 2007. Waitemata Harbour.** 1 overboard for 5 minutes. No injuries

**AR. 2007. Waikanae Beach.** Me only in the water for a few minutes. Only injury was to 'pride!'

**PS. 2008. Great Mercury Island.** 2 in the water for 15 minutes. No injuries

**EM 2009. Marlborough Sounds.** 1 in the water for 5 minutes. Any injuries etc? No (just my pride)

#### A SELECTION OF RELATED COMMENTS

**PR.** I have not fallen out of my boat at any time. Ask anyone with any water experience if they would rather be in their Effesub or Picasso 5mm suit or a lifejacket if they were tipped in the water. Only an idiot would opt for a lifejacket over their wetsuit  
Do you think Hewitt would have survived in a lifejacket or without a wetsuit?

**NS** In the last two years I have done 200hrs in my own boat which is 5.2m long. 8 trips to White Island which is a 110km round trip, including the Whakatane bar. Neither myself, nor my crew have fallen out of the boat. We are all wearing wetsuits from the ramp and have 4x life jackets stowed away.

**AC** In the early 80's, a good mate died of hypothermia (in a wet suit) when his jet ski ran out of fuel off the Mapua Bar, he was found the next day, he was also wearing a lifejacket. 26 years as a commercial diver I have never heard of a person drowning in a wet suit

**GS** It does not make sense for a lifejacket to be worn when going out for a day's diving and you are already wearing a wetsuit. You are wearing the wetsuit because you know it will double as your PFD for the day in whatever happens.

**GeH** I was involved in the "Wahine" rescue, where the value of divers in wetsuits, without weight belts, was amply demonstrated. While I know of divers who have drowned underwater, I know of none at all who have died on the surface> invariably wet-suits, and even partially inflated dry suits have supplied more than sufficient buoyancy to save lives. Indeed, I would strongly argue, as I did in the Wahine report, that a diver in a wetsuit is more buoyant than anybody in a lifejacket!