



International Federation of  
Shipmasters' Associations  
202 Lambeth Road  
LONDON SE1 7JY  
Tel: +44 20 7261 0450  
Fax: +44 20 7928 9030  
Email: HQ@ifsma.org  
Web Site: "http://www.ifsma.org"

Editor: Paul Owen  
Circulation: 600

Newsletter No. 37  
December 2002

## **I F S M A - NEWSLETTER**

### **The International Shipmasters Link**

---

---

---

#### **INSIDE THIS ISSUE:**

**Some thoughts from your Secretary General** p.2

**P & I Insurance - Chapter 1** p.4

**The COLREGS - Are They Working?** p.9

**IFSMA and the ISM Code** p.11

**Revised Athens Convention** p.12

**IMO - What Is It?** p.17

**Mixed Nationality Ships Work Surprisingly Well** p.23

**News from the World Ship Trust** p.25

**Photo Gallery** p.26

Captain Arne Rinnan

New President for Irish Institute of Master Mariners

An explosive fire

**Busy Schedule for IMO MSC** p.27

Five pages of information

**Typical Loading/Unloading Sequences for Bulk Carriers** p.31

**IFSMA Register of Technical Consultants and Maritime Experts  
(RTCME) now Available on the Internet at "www.ifsma.org"**

**Coming soon - The IFSMA Register of ISM Auditors**

An Electronic Version (pdf) of this Newsletter is available at "www.ifsma.org"

---

## Some thoughts from your Secretary General

---

As I write the tanker *'Prestige'* is just settling down to its watery grave in deep water offshore Spain with most of its cargo of about 70,000 tonnes of diesel oil. Fortunately it seems that none of the ship's crew were lost or injured. The world watches the scene of a polluted coastline and hears the anguish of the fishermen whose livelihood is now threatened. Immediately we reflect on three key issues that IFSMA is repeatedly raising with the industry.

- Substandard ships
- Ports of refuge
- The Criminalisation of the Shipmaster

It is still too early to accurately decide on what happened in this case, but the ship did seek a port of refuge and was declined by both Spain and Portugal. The fact the ageing hull stayed afloat for six days after being severely damaged would suggest that a more prudent course of action would have been to allow the ship shelter. This would have allowed the remaining cargo to be salvaged and the oil that leaked would have been easier to contain. Of course it is easy in hindsight to see this and Spain and Portugal have only followed the decisions that many other coastal states have done when faced with a similar problem.

What really concerns us now is the fate of the Shipmaster. Once again the Shipmaster has been taken into custody as the scapegoat for an incident that was beyond his control. Our thoughts are with Captain Apostolos Mangouras and as in the remarkably similar case concerning Captain Mathur of the *'Erika'* incident, IFSMA will continue to protest to the authorities concerned for his safe release. I should remind readers that in spite of

many of us in the industry writing to the Canadian and the USA Governments, Captain Vladimir Ivanov, and his two crew members Dmitry Bogdanov, and Mikhail Gerasmenko, are still being detained in Newfoundland. The criminalisation of the Shipmaster will be a key subject of debate at the 2003 Command Seminar in May 2003.

The Command Seminar for 2003 will be held in London on the 22nd and 23rd May at the Trinity House. Please put these dates in your diary as your attendance would be most welcome and valuable. Other themes for discussion at the conference will include Training for Command, Changes in ILO conventions and employment practices, and the Security, Piracy and Refugee issues.

With regard to the latter, we have all been made aware of the attack on the French oil tanker *'Lindberg'*. What surprised many of us here was the slowness of both the US and Yemeni governments to attribute the explosion to a terrorist attack. This was in spite of US transportation security information which reported that an al Qa'eda detainee had mentioned their plans to attack the global petroleum sector by conducting sea-based attacks on large oil tankers. This is vital intelligence for our Shipmasters. It seems there are few defensive measures available to ships that are navigating in the restricted waters when approaching port. Good reliable intelligence and conveying that intelligence to Shipmasters is of paramount importance for maritime safety. IFSMA will continue to endeavour to convey this message to all concerned. In December we have the important Maritime Safety Committee meeting with the Diplomatic Conference on Security at IMO. I am sure it will be fully covered by the media but we will report on its outcome in the next newsletter.

On a happier note I am pleased to tell you that my wife and I were honoured to be

invited to celebrate at the Annual General Assembly of the Irish Institute of Master Mariners at Limerick on November 2nd. We were both made to feel so welcome and it was great to feel at home among a large number of Shipmasters. Apart from the most enjoyable evening, the theme was very much close to my heart. Education, particularly maritime education is being given high prominence in Ireland. They are about to build a brand new Maritime Academy in Cork to serve all the nautical disciplines as well as both merchant and military navies. The Irish Minister for Education was the honoured guest at this Reception and gave an excellent speech. Her speech was very positive about the maritime industry and she praised the work that the Irish Institute of Master Mariners had done to promote the industry at the highest levels in the Irish Parliament. It was an evening to feel proud of our profession. See photograph on page 26.

Finally may I wish all our members and their families a peaceful end to 2002, a joyous festive season and best wishes for a fruitful New Year.

**Editors Note:** Although there is much interest in the 'Prestige' sinking and the fate of the master, events are occurring and the situation changing much too fast to make a meaningful report in this edition of the Newsletter. Updates will be placed on the IFSMA Website from time to time.

---

## Security Update

---

United States Senate sees international security standards as critical in recent letter to IMO Secretary-General

The United States Senate views the adoption of a robust, uniform and predictable set of international security standards as critical to meeting the increased need for global maritime security, the United States Senate Committee on Commerce, Science and Transportation states in a let-

ter to IMO Secretary-General Mr. William A. O'Neil.

The letter, signed by the Senate Committee on Commerce, Science and Transportation Chairman Ernest F. Hollings (South Carolina) and Ranking Republican John McCain (Arizona), followed a visit to Washington by Mr. Tom Allan, Chairman of IMO's Maritime Safety Committee (MSC).

The letter refers to IMO's work on maritime security in the preparation of amendments to the International Convention for the Safety of Life at Sea and an International Ship and Port Facility Security Code, both to be adopted by an International Conference to be held at IMO Headquarters from 9 to 13 December 2002.

The letter concludes that the United States Senate views "the adoption of a robust, uniform and predictable set of international security standards as critical to meeting the increased need for global maritime security". It therefore feels it is in the best interests of the United States to have such international instruments in place. The passage of domestic legislation will implement many of the international standards and the United States expects that additional maritime security legislation will be considered during the next session of the United States Congress.

Mr. O'Neil welcomed this development and stated that he was confident of the successful outcome of the forthcoming Conference.

---

## A few Thoughts

---

Learn from the mistakes of others. You can't live long enough to make them all yourself!

By the time you can make ends meet, they move the ends.

Junk is something you've kept for years and throw away three weeks before you need it.

---

## P & I Insurance - Chapter 1

---

by Capt. Christof F. Lueddeke, FNI,MM,  
Dipl. Eng.(grad.) Individual Member.

*If you find this article useful please let us know and we will publish more extracts from Capt. Lieddeke's book.*

### 1.1 Introduction

The principle of distributing a risk over a large number of ships and voyages was first applied in fifteenth century Venice and the sixteenth century Italian city states. It is believed that Norwegian shipowners practised forms of mutual insurance as early as Viking times. In 1734 London city underwriters and businessmen had developed a perceptive expertise in marine insurance under the stimulus of a favourable institutional and political milieu.

Today complaints about maritime losses are continual but we should not forget that Lloyd's records for 1846 to 1850 show no fewer than 12,363 sailing vessels involved in disasters, driven ashore, wrecked, foundered, abandoned or lost without trace. Every year 60 ships had sailed to oblivion, never to be heard of again. The increasing number of steamers brought increasing numbers of collisions, which in 1876 numbered 775, 116 more than in the previous year.

In 1846 the British Parliament passed the Fatal Accidents Act, better known as Lord Campbell's Act, giving important new rights to the dependants of persons who lost their life as a result of the wrongful act of others. In 1854 the first Merchant Shipping Act was passed. One year later in 1855 the first mutual club, the Shipowners' Mutual Protecting Society was created by Peter Tindall. In 1876 it came under the umbrella of the Britannia (now managed by Tindall, Riley & Co.) formed in 1871 as a mutual hull club. In

1855 another club, the Shipowners' Protection Association, now the West of England, was formed by John Holman. Initially the clubs were meant to be a loophole for the shipowners to circumvent the effect of the law that permitted only the Royal Exchange Assurance and the London Assurance to insure them against marine risks but had no legal objection to shipowners insuring each others' ships. They were for the local shipowners and covered hull losses. Some of the names of clubs still indicate their origins. The Newcastle (created in 1886), The Liverpool and London (created in 1881), The North of England (created in 1860), The London (created in 1866). They were concerned with protection, rather than the indemnity aspect. The latter became necessary in 1870 with the sinking of the *Westenhope*, after a geographical deviation and loss of the cargo. The cargo owners successfully recovered their loss in an ensuing court action. As a result the first indemnity club, the Steam-Ship Owners' Mutual Protection and Indemnity Association, was formed in 1874 in Newcastle by Stanley Mitcalfe, providing liability cover for loss of or damage to cargo and other third-party liabilities. In 1886 it amalgamated with the North of England P & I Association.

The clubs respond to a wider variety of claims, not limited by constraints such as the value of a vessel or her cargo. The function of any mutual liability underwriter is primarily to provide cover to its members, not to make profits. This enables the member to trade worldwide without his business being at risk from catastrophic liability claims.

Shipowners' mutual insurance associations, or P & I clubs for short, offer protection and indemnity cover to shipowners for a variety of risks, mainly third-party liabilities. They operate on the principle of a mutual non-profit making basis. In some clubs the shipowning

members themselves control the operation directly. In the majority of the clubs the day to day running of the club is delegated to a firm of professional managers who are answerable to a committee drawn from the shipowning members themselves. Thus the shipowner could be said to be both the insurer and the assured. This places an additional responsibility on the shipowner to ensure that he is operating in a truly mutual manner to the ultimate benefit of all the membership.

### **1.2 Limits Of Cover: Reinsurance And The "Pool"**

Until recently the P & I clubs offered unlimited liability of cover for all insured risks, with the exception of oil pollution, which was limited to USD 500 million. However, from 20 February 1996 all the P & I clubs in the International Group of P & I Clubs introduced a limit of liability of US\$ 20 billion on any one risk. (Not all the clubs in the International Group are in agreement with this new limit and an alternative limit of US\$ 2-3 billion is currently under review.) The clubs are able to afford this extensive cover because of reinsurance arrangements. The major P & I clubs have formed a group known as the International Group for the provision of a "first layer" reinsurance for all the members of the "Pool" as it is called. All the members of a club contribute to claims made on the Pool in the ratio of the loss record and tonnage entered with that club to the entered tonnage of the other clubs which make up the membership of the Pool. Claims exceeding the upper limit of the International Group Pool are covered by a second layer of insurance on the open market afforded by Lloyd's and the companies. This is one of the biggest reinsurance risks to be placed on the open market and the increasing cost of this layer of reinsurance has a marked effect on the premiums or "calls" of the members of the individual P & I clubs. If the claim exceeds the limit of the open market cover,

then the balance reverts to the P & I club whose member brought the claim. The limits of the Pool and open market reinsurance are regularly reviewed and adjusted. Thus the principle of mutuality extends well into the reinsurance field and gives the clubs their strength.

Another feature of the International Group of P & I Clubs is their regular consultation and review of the rules and cover for their members to ensure conformity and adequacy to meet the constantly changing shipping scene and new legislation brought in by governments worldwide, which affect the operation of shipping. Special committees have been formed who review the change in the maritime industry.

### **1.3 Claims Record, Premiums (Calls)**

The P & I insurance year commences on 20 February which traditionally was the day when trading was resumed in the Baltic because the ports again became accessible after the ice had melted. The premiums or calls of each individual member will have been assessed by the underwriting department of the club after reviewing the member's claims record. This is reviewed over at least a five-year period in order to determine a general trend, rather than to penalise a member on the basis of a single large claim, such as a wreck removal expense. Even a member with a good claims record may have to accept an increased premium which will in part be due to inflation and also to the increasing cost of reinsurance. A member with a consistently poor claims record will almost certainly face an increased premium. He may have to bear more of the claims himself by taking a "deductible". This means that he would have to bear, for example, the first US\$ 5,000 of any claim for cargo damage on each voyage, assuming that this was the area that showed up badly on the claims

record. "Each single voyage" means that the voyage is divided in two, the outgoing and the returning voyages are counted as two. It would be carrying mutuality beyond the limits of fairness if members with a consistently good claims record were having to support those that had not.

A shipowner with a fleet can enter them with one or more clubs for full P & I cover. The shipowner can cover only certain risks or can have limited cover. For example, he may wish to exclude cover for crew liabilities. A charterer, provided he was also a shipowner, could enter a vessel and would only require cover for cargo liabilities, since the shipowner from whom the vessel had been chartered would have full P & I cover. There is, however, one club that specialises in cover for chartered tonnage even though the charterer may have no owned ships.

The shipowner will be charged an Estimated Total Call (ETC) which is the yearly premium. Of this a certain percentage is levied, referred to as the "Advance Call". He may then also be charged with one additional call to make up to 100 per cent. of the ETC, or more supplementary calls, stated as a percentage of the advance call. This is to take account of the claims experienced by the members and to balance the books.

### 1.3.1 Release calls

A member or former member of a club is always liable to pay calls to the club and cannot be released from such liability without the written agreement of the managers.

Following the termination of a member's cover the managers of the club will usually, but are not obliged to, assess a release call based on an estimate of the member's past and future liabilities to pay claims and supplementary calls excluding overspill calls. On receipt of such assessment the

former member has usually one month to either:

- pay the release call, in which case he will be discharged from all further liability to the association; or
- elect to pay future supplementary calls, in which case he has to establish a bank guarantee.

The latter option is not always offered so that in most cases when a shipowner leaves a club the payment of the release call has become obligatory.

### 1.4 Claims Payment: "Pay To Be Paid"

A very important feature of the P & I clubs' rules is that, before a member can claim under the policy of insurance, he shall first have paid the claim. This is known as the "pay to be paid" rule and protects the P & I club from the effects of the Third Parties Rights against Insurers Act 1930,<sup>1</sup> in cases where a member has become insolvent, has not, or is unable to pay his calls and where as a consequence his cover has been terminated, but he still has outstanding claims.

Another important rule is that the member must notify the club of any claim within one year of first being notified himself. This is in order to protect the club and its members for claims for which no reserve has been made.

The club will make a reserve for all notified claims and adjust the supplementary call accordingly. Another reserve is made in most clubs for the incurred but not reported claims (IBNR). The club invests the premium income in order to offset the effects of inflation and as another source of income to avoid the effect of possible wrong estimation of claims that have been incurred but were not reported,<sup>2</sup> so that they can underwrite

“at cost”, that is, not to make a profit or a loss.

The handling of claims incurred, although the responsibility of the member, is controlled to a large extent by the club which reserves the right to appoint lawyers and surveyors on the member’s behalf and to direct the handling of any claim. Furthermore, a member is not permitted to settle, or admit liability for any claim for which he is covered by the club, without the prior written consent of the club.

One of the privileges of being a member is that, with certain pre-conditions, the club will provide bail or security on behalf of a member whose vessel is threatened with arrest by a claimant. This is, however, within the club manager’s sole discretion and is a privilege afforded to a member rather than a “right”.

### **1.5 Classification**

A most important requirement of entry into a P & I club is that the vessel shall be fully in-class<sup>3</sup> throughout the period of entry with an approved classification society and that the owners must comply with all the society’s recommendations within the specified time. They must also report to the society any casualty in respect of which the society might be expected to make a recommendation as to repair, or otherwise affecting the vessel’s class.

### **1.6 Main Risks Covered By A P & I Club**

- Injury, illness and death of persons other than seamen, e.g., visitors to the ship, stevedores, etc.
- Injury, illness and death of seamen, also repatriation and substitute costs, the cost of diverting the vessel to secure

treatment or awaiting a substitute or for landing stowaways or refugees.

- Injury, illness and repatriation of wives and children of seamen on board an entered ship.
- Liabilities to stowaways, deserters, refugees and persons saved at sea and also life salvage costs.
- Loss of personal effects of crew and passengers.
- Liability to passengers under terms of passage contract.
- Quarantine and disinfection expenses resulting from an outbreak of an infectious disease on board the ship.
- Collision with other vessels and raising or lighting of the wreck or cargo.
- Damage to any property not on board the vessel, e.g., fixed or floating objects such as piers, wharves, jetties, cranes or buoys, etc.
- Pollution of land, sea or air by any discharge from the ship or caused by the ship.
- Towage contract liabilities.
- Liabilities arising from indemnities and contracts for other services to the entered ship under previously approved terms.
- Removal of the wreck of the entered ship.
- Cargo liabilities, e.g., loss, damage, shortage, etc., carried under approved contracts of carriage.
- Cargoes proportion of general average, irrecoverable from cargo interests due to a breach of the contract of carriage by the member’s vessel.

- The ship's proportion of general average where the vessel is assessed for contribution based on a valuation in excess of the insured value in the hull policy.
- Property, other than cargo, on board, e.g., containers (but not those owned or leased by the member), equipment, bunkers, etc.
- Containers, owned or leased by the member, intended for carriage on board an entered ship and deemed to be an extension of the entered ship (even when away from the ship), but on previously agreed terms. (N.B. This rule covers through-transport contracts.)
- Fines for breach of regulations relating to safe working conditions and practices, immigration, smuggling, ship or cargo documentation and pollution.
- Confiscation of the ship for breach of any customs law or regulations.
- Sue and labour and legal costs incurred in minimising any insured liability.

### **1.6.1 "Omnibus" rule**

A so-called "omnibus rule" is included in the cover of all P & I clubs as a "catch-all" provision which covers any other cost or liability or expense arising out of shipowning, managing or operating, provided it is not covered elsewhere in the rules. Recovery under this rule is solely at the discretion of the P & I club's committee. In general, however, there will be no recovery from the association in respect of liabilities, costs or expenses and no recovery can be made for claims not covered by the rules unless and to the extent that the directors in their discretion otherwise decide.

## **1.7 Limitations On Cover**

The above list mentions only the main items of cover. There are a number of provisos, limitations on cover and exclusion clauses which are beyond the scope of this book. It takes many years of experience to be thoroughly familiar with all the rules which are constantly reviewed and changed to meet the ever-increasing liabilities involved in the business of shipowning and operating. Members are advised always to carefully read the rule book and to consult the club with any questions concerning their cover.

## **1.8 Through Transport Mutual Insurance Association**

Through-transport operators can be insured for their cargo liabilities arising both on land and at sea, for door to door transport by the Through Transport Mutual Insurance Association.

The Through Transport Mutual Insurance Association, also known as the TT Club, is a mutual insurer similar in many respects to a ship operators' P & I club, except that it insures different risks. While the club is jointly managed by Thomas R. Miller, Charles Taylor and the West of England, the daily servicing is performed by its exclusive agents in London, Hong Kong, New York, San Francisco and Sydney, who are supported by a global network of correspondents. The London agents, Through Transport Mutual Services, also manage the European subsidiary and use the same network of exclusive agents and correspondents.

The TT Club covers a ship operator's containers and trailers for loss, damage, fines, general average and salvage contributions and complements his P & I club cover by insuring third-party liabilities and fines during the land stage of the carriage. Also, the TT Club is the P

& I and equipment insurer for container lessors, stevedores, terminal and depot operators, port authorities, freight forwarders and other non-shipowning transport operators (NVOCC)<sup>4</sup> such as hauliers. While many of these operators insured by the TT Club have no connection with companies operating ships a number of ship operators are also covered by the TT Club for their non-shipowning cargo handling and carriage activities.

1. See *The Fanti and The Padre Island* [1990] 2 Lloyd's Rep. 191 (H.L.).
2. Referred to in the statistics of nearly all clubs as "IBNR".
3. See also para. 2.23 (Classification Societies, Surveys).
4. See Chapter 8.

---

## Regulations For The Prevention Of Collisions At Sea - Are they working?

---

by Captain A.P. Starling Lark, FNI, FRIN, FVI, Chairman Sea Safety Group

### **Background**

It is within memory of many who are now approaching the final years of their seagoing career, of sailing world-wide without the benefit of radar, VHF radio, GPS, automatic steering and indeed the gyro compass. With the exception of one ship, I was Second Mate before first sailing with Radar or VHF and had been sailing as Master for some years before seeing the first early version of GPS in the form of "Satellite Navigator".

Ships were safely navigated the world over by use of the sextant, Norrie's Tables, magnetic compass, years of experience and the 'Collision Regulations'. When a young 'would be' navigating officer completed his sea time as cadet and presented himself

to the examiners for Masters and Mates, he was not only expected to know the content of the regulations – he was expected to be word perfect in his knowledge of them. The examination rooms at Dock Street regularly echoed with the examiners shout of 'Get out and don't present yourself here again until you know your Collision Regulations properly!'

Thankfully it did not happen to me, but my wife who spent many hours listening to my repeated recitals, can still quote word for word many of the regulations that I learned by rote. In those days, they were learnable. Sadly, the latest 1972 regulations are not, and it is clear that safety of life at sea has definitely been the loser in this.

### **Accidents Increasing**

When first implemented, traffic routing schemes, technology and codes such as ISM, brought great improvements to the safety of life at sea. Accidents, collisions and incidents in most cases declined after their implementation. However, the number of recorded collisions and serious incidents are increasing again. The majority of those recorded, show the cause to lie in actions taken by watchkeepers' in contravention to the very Collision Regulations that lie at the foundation of the safe navigation of all vessels. Regulations that should be so well known, that obedience of them would be the automatic response to any situation that will be met whilst navigating a craft of any size or type.

### **Cause for concern**

Since 1972, it has not been a requirement to 'know the rules'. The requirement is for all candidates to have a knowledge of their content and be able to demonstrate that they are understood well enough to be applied when sitting for certificate of deck officers. This has clearly allowed

standards to slip to an alarming level, where only a very basic knowledge is held of what used to be, and still should be, known as the sailors' creed.

Rear Admiral J.S. Lang, Chief Inspector of the MAIB, stated in his annual report for 2000: *"I am concerned by an apparent decline in bridge watchkeeping standards. Too many apparently qualified officers of the watch appear to have forgotten the basics of keeping an effective lookout, or show a suspicious lack of understanding of the Regulations for Preventing Collisions at Sea. Others become preoccupied with other tasks, or rely too much on technology, and fail to fulfil their prime objective to be responsible watchkeepers."*

A sad indictment indeed, but one that the majority of responsible mariners fully endorse. It was interesting to note that a conference set up by the Nautical Institute entitled 'Should the Col Regs be re-written?' many and varied responses were forthcoming, but when it came to the vote, a marked division became very clear – All serving seafarers present, voted 'NO' and all college lecturers and academics, voted 'YES'. This was a very clear message to the authorities and colleges from the working side of the industry; the mariners are after all the ones that use the regulations day in and day out.

Every time essential and important basic ground rules are completely re-written in any industry – especially in the bureaucratic language that the 1972 Collision regulations are couched – they become less revered as the 'holy grail' of the industry. It is clear that personal interpretation is now the norm, both at sea, in the courts and by the authorities depending on the issue in question. The need to gain the winning side for the prosecution or defence after a situation or an accident has occurred being paramount.

### ***Need for simplification***

The rules as they stand therefore do not need to be changed in content. They need to be shortened, simplified and clarified to enable them to be learned fully and properly, with the possible addition of a simple new rule to cover the reliance on technology. They must be written in totally unambiguous language that loses nothing in translation to other languages and the wording tightened up to ensure that personal interpretation cannot be applied. The annexes should be separated, put in understandable layman's terms, and not required to be learned by rote as the rules should be, by all candidates for examination.

Technology is a wonderful thing and has proved to be of great advantage to the mariner as an '*aid to safe navigation – not the foundation of safe navigation*', that is the role of the Collision Regulations and the compass. However, just because technology is available, it should not mean it has to be fitted. Information overload can be just as dangerous as no information at all. The basis of keeping a safe navigational watch is full awareness of the situation around the vessel, understanding and a full knowledge and application of the Collision Regulations, total concentration on the job in hand, together with sensible use of the technologies available.

The STCW code (Standards of Training, Certification and Watchkeeping) should have brought a vast improvement in both training standards and general safety throughout the industry across the world, but sadly is being ignored by many of its signatories. This in turn has brought a marked increase in variations of training standards and the resulting knowledge of watchkeepers, from good to appalling, from country to country where certificates are issued.

## **The Medicine**

The damage was done when the 1972 regulations became accepted. It would be difficult, but if we are to reduce accidents and make the sea a safer place, the Collision Rules must again be recognised by all and not just the majority, as the only basis for keeping a safe navigational watch. For this to happen they must be made learnable and be returned to a sensible number with a single form of wording and structure than can, and indeed must, be learned thoroughly by all who present themselves for examination.

It is an undisputable fact that watchkeeping carries with it serious responsibility for the safety of life, safety of the vessel and cargo as well as safety of the marine environment. What ever the size or type of vessel, that responsibility remains.

---

## **IFSMA and the ISM Code**

---

We have had a positive response from our individual members who wish to be involved in the IFSMA Register of ISM Auditors. We will now endeavour to offer this opportunity to all members of our Associations.

However to gain full recognition and the respect of the industry and to gain the status as a Recognised Organisation within the International Maritime Organisation IFSMA will have to implement a high standard of competence and transparency amongst its Auditors. There would therefore need to be a minimum qualification to meet the standards.

Having completed the application form the following effective training procedures will have to be followed for every Auditor before forming part of the IFSMA Auditing team

## **Training Procedures**

To ensure consistency and uniformity within IFSMA all trainee Auditors will be required to complete all five (5) modules of theoretical training.

### Training Course Modules

- a Auditing Practice
- b Rules & Regulations
- c Application of the ISM Code
- d Operational Practice
- e IFSMA Auditing Procedures

Every trainee Auditor will be required to complete each of the relevant modules by distance learning.

Upon completion the trainee will be required to attend a 5 day course where at the end of each day there will be an examination on the following subjects.

	<b>Pass</b>
Day 1 Auditing Practice	70%
Day 2 Rules & Regulations	70%
Day 3 Application of the ISM Code	80%
Day 4 Operational Practices	70%
Day 5 IFSMA Auditing Procedures	80%

This five day course and examinations will be held at various locations around the world to reduce costs to the individual. The trainee will have to confirm that the distance learning has been completed before attending. It will not be possible to pass the examinations by attendance of the 5 day course only. The reason behind the precision and security for these courses is to present to flag administrations a professional organisation. The reason for the standard of marking to pass is to ensure that the trainee is able to show his ability in the ISM Code, not just traditional seafaring. If the auditor does not know the "Application of the ISM Code" and the "IFSMA Auditing Procedures" then they should not be auditing.

Records will be kept in the central location of IFSMA's Headquarters and all exam papers will be kept for a period of 5 years to show any interested parties.

The standard that IFSMA sets in the training of ISM Auditors will be open to all interested parties to inspect. There must be nothing to hide and nothing that is weak or else the established audit bodies will ridicule IFSMA for attempting to enter a new position in the marine industry.

### ***Advanced training for Lead Auditor Managers.***

Because IFSMA is the new boy on the block, it must be seen to be better than what already exists and must set new standards. This will apply to everything connected to the ISM Code not just the training modules. To support the system of auditing certain individuals will be required to undergo advanced training. This will be more to do with the administration of the system under their area of influence and will be to raise them to the position of Lead Auditor Manager.

The training will make them able to control and assist Auditors at a local level and liaise with HQ on other concerns relating to the ISM Code. To assist the membership in becoming ISM Lead Auditors and to reduce costs the establishment of a syllabus for learning and education will be through distance learning, plus a five day course with examinations similar to the outline above.

Any comments, ideas or suggestions on the above would be most helpful.

---

### **Another Thought**

---

Experience is a wonderful thing. It enables you to recognize a mistake when you make it again.

---

## **Revised Athens Convention**

---

The International Conference on the revision of the Athens Convention Relating to the Carriage of Passengers and their Luggage by Sea, 1974: was held at IMO Headquarters from 21 October to 1 November 2002.

Compulsory insurance to cover passengers on ships will become international law and limits of liability will be raised under amendments to the Athens Convention Relating to the Carriage of Passengers and their Luggage by Sea, 1974, was adopted at the diplomatic conference. The amendments to the Convention are contained in a Protocol to the Athens Convention.

IMO Secretary General Mr. William A. O'Neil said that the 2002 Protocol, when it comes into force, would provide a much-needed update to the 1974 Convention and he urged Governments to ratify the Protocol as soon as possible.

He said, "For some time now it has been recognized that the limits of liability in the 1974 Convention are no longer adequate to meet the needs of the international community. The 1990 Protocol, in the eyes of many States, suffered from the same defect. Therefore it never entered into force. It goes without saying, however, that compensation, in adequate measure, must be provided for loss of human life and physical injury for all passengers travelling by sea."

The new instrument will provide for adequate compensation for death and personal injury claims and claims for loss of or damage to luggage and vehicles.

"As with all IMO conventions, the aim of the Organization has been to create an internationally accepted regime so that the shipping industry does not become subject to a variety of individual national

schemes. I am hopeful that with these new elements, this Protocol will be widely accepted and quickly brought into force," Mr. O'Neil added.

More than 70 States, many of which held differing views on what constitutes adequate compensation, attended the Conference. Some delegations had proposed even higher limits. However, the Conference was able to achieve a compromise and a consensus on the final package of measures adopted, balancing the concerns of commercial insurance with the need to ensure adequate protection.

The slow rate of acceptance of the 1974 Convention (it has been ratified by 28 States) has been largely attributed to the low level of the limits of liability set in the original Convention and in its 1990 Protocol (which raised the limits but never entered into force).

As well as raising limits of liability for passenger claims, the Protocol also introduces other mechanisms to assist passengers in obtaining compensation, based on well-accepted principles applied in existing liability and compensation regimes dealing with environmental pollution. These include replacing the fault-based liability system with a strict liability system for shipping related incidents, backed by the requirement that the carrier take out compulsory insurance to cover these potential claims.

The limits contained in the Protocol set a maximum limit, empowering - but not obliging - national courts to compensate for death, injury or damage up to these limits.

The Protocol also includes an "opt-out" clause, enabling State Parties to retain or introduce higher limits of liability (or unlimited liability) in the case of carriers who are subject to the jurisdiction of their courts.

## ***Entry into force***

The 2002 Protocol will enter into force 12 months after being accepted by 10 States.

## ***Compulsory insurance***

A new Article 4bis of the Convention requires carriers to maintain insurance or other financial security, such as the guarantee of a bank or similar financial institution, to cover the limits for strict liability under the Convention in respect of the death of and personal injury to passengers.

The limit of the compulsory insurance or other financial security shall not be less than 250,000 Special Drawing Rights (SDR) (about US\$325,000) per passenger on each distinct occasion. Ships are to be issued with a certificate attesting that insurance or other financial security is in force and a model certificate is attached to the Protocol in an Annex.

## ***Limits of liability***

The limits of liability have been raised significantly under the Protocol, to reflect present day conditions and the mechanism for raising limits in the future has been made easier.

The liability of the carrier for the death of or personal injury to a passenger is limited to 250,000 SDR (about US\$325,000) per passenger on each distinct occasion.

The carrier is liable, unless the carrier proves that the incident resulted from an act of war, hostilities, civil war, insurrection or a natural phenomenon of an exceptional, inevitable and irresistible character; or was wholly caused by an act or omission done with the intent to cause the incident by a third party.

If the loss exceeds the limit, the carrier is further liable - up to a limit of 400,000

SDR (about US\$524,000) per passenger on each distinct occasion - unless the carrier proves that the incident which caused the loss occurred without the fault or neglect of the carrier.

For the loss suffered as a result of the death of or personal injury to a passenger not caused by a shipping incident, the carrier is liable if the incident which caused the loss was due to the fault or neglect of the carrier. The burden of proving fault or neglect lies with the claimant.

The liability of the carrier only includes loss arising from incidents that occurred in the course of the carriage. The burden of proving that the incident which caused the loss occurred in the course of the carriage, and the extent of the loss, lies with the claimant.

### **“Opt-out” Clause**

The Protocol allows a State Party to regulate by specific provisions of national law the limit of liability for personal injury and death, provided that the national limit of liability, if any, is not lower than that prescribed in the Protocol. A State Party, which makes use of this option is obliged to inform the IMO Secretary General of the limit of liability adopted or of the fact that there is none.

Loss of or damage to luggage and vehicles  
 - The liability of the carrier for the loss of or damage to cabin luggage is limited to 2,250 SDR (about US\$2,925) per passenger, per carriage.

- liability of the carrier for the loss of or damage to vehicles including all luggage carried in or on the vehicle is limited to 12,700 SDR (about US\$16,250) per vehicle, per carriage.
- liability of the carrier for the loss of or damage to other luggage is limited to

3,375 SDR (about US\$4,390) per passenger, per carriage.

- The carrier and the passenger may agree that the liability of the carrier shall be subject to a deductible not exceeding 330 SDR in the case of damage to a vehicle and not exceeding 149 (about US\$220) SDR per passenger in the case of loss of or damage to other luggage, such sum to be deducted from the loss or damage.

### **Amendment of limits**

The Protocol introduces a new procedure for amending the limits of liability under the Convention, so that any future raises in limits can be achieved more readily. Under the 1974 Convention, limits can only be raised by adopting amendments to the Convention which require a specified number of States' acceptances to bring the amendments into force. This has meant, for example, that the 1990 Protocol, which was intended to raise the limits, has not yet entered into force and indeed is being superseded by the 2002 Protocol.

The 2002 Protocol therefore introduces a tacit acceptance procedure for raising the limits of liability. A proposal to amend the limits, as requested by at least one-half of the Parties to the Protocol, would be circulated to all IMO Member States and all States Parties and would then be discussed in the IMO Legal Committee. Amendments would be adopted by a two-thirds majority of the States Parties to the Convention as amended by the Protocol present and voting in the Legal Committee, and amendments would enter into force 18 months after its deemed acceptance date. The deemed acceptance date would be 18 months after adoption, unless within that period not less than one fourth of the States that were States Parties at the time of the adoption of the amendment have communicated to the

IMO Secretary-General that they do not accept the amendment.

### ***Regional Economic Integration Organizations***

For the first time in an IMO Convention, a regional economic integration organization may sign up to the Protocol. An article in the Protocol states that a Regional Economic Integration Organization, which is constituted by sovereign States that have transferred competence over certain matters governed by this Protocol to that Organization, may sign, ratify, accept, approve or accede to the Protocol. A Regional Economic Integration Organization which is a Party to this Protocol shall have the rights and obligations of a State Party, to the extent that the Regional Economic Integration Organization has competence over matters governed by this Protocol.

#### ***Title of Convention***

The Protocol states that Articles 1 to 22 of the Convention, as revised by the Protocol, together with Articles 17 to 25 of the Protocol and the Annex thereto, shall constitute and be called the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 2002.

States who ratify the 2002 Protocol are required to denounce the 1974 Convention and its 1976 and 1990 Protocols, if they are Party to the 1974 Convention and those Protocols.

#### ***Conference Resolutions***

The Conference adopted the following resolutions:

#### **Conference Resolution 1 - Regional Economic Integration Organizations**

The resolution notes that the 2002 Protocol to the Athens Convention allows Regional Economic Integration Organizations and their sovereign Member States to become parties to the Protocol and recognizes that States may, in the future, establish or become Members to various forms of regional economic integration organizations to which they may opt to transfer competencies or functions governed by treaties and exercise these in a shared manner. The resolution requests IMO to carry out a study of the issue, and, if found necessary, to develop appropriate provisions which may be considered in new treaties it may develop, or in amendments to existing treaties, when there will be a need for such provisions to be included so as to enable present and future regional economic integration organizations and their Member States to become parties to such treaties.

#### **Conference Resolution 2 - Certificates of insurance or other financial security and ships flying the flag of a State under the terms of a bareboat charter registration**

The resolution addresses the fact that a number of States allow ships to fly their flag under the terms of bareboat charter, through which the bareboat charterer assumes all the duties and responsibilities of the owner for the operation of the ship whilst the ownership and encumbrances remain registered in another State which suspends the right of the ship to fly its flag. The resolution requests IMO to carry out a study of the issuing of certificates of insurance or financial security in these cases and, if found necessary, to develop appropriate guidelines.

### **Conference Resolution 3 - Framework of Good Practice with respect to carriers' Liabilities**

The resolution requests IMO to develop appropriate guidelines on the provision of insurance or financial security for compensation for claims for death of or personal injury to passengers which will establish an appropriate framework of good practice to ensure that all carriers take steps to maintain full insurance or financial security to meet their full level of liability provided for in the Protocol.

#### **Attendance**

Representatives of 71 States participated in the Conference. One State attended as an observer and one Associate Member of IMO sent observers. Three intergovernmental and 18 non-governmental organizations attended the conference as observers.

#### **Elected officers**

The following were elected by the Conference:

##### President

His Excellency Dr. Ra Jong-Yil, Ambassador Extraordinary and Plenipotentiary of the Republic of Korea

##### Vice Presidents

His Excellency Senhor Antonio DaCosta Fernandez, Ambassador Extraordinary and Plenipotentiary and Permanent Representative of Angola

His Excellency Mr Basil G. O'Brien, CMG, High Commissioner and Permanent Representative of the Bahamas

Ms Margit Markus, Head, Department of Marine Transport, Ministry of Transport, Estonia

Mr Evangelos Tsantzalos, Lieutenant Commander of the Hellenic Coastguard, Greece

His Excellency Mr J. Mortada, Ambassador Extraordinary and Plenipotentiary, Lebanon.

#### **Chairman, Committee of the Whole**

Mr Gaute Sivertsen, Norway

#### **Vice-Chairmen of the Committee of the Whole**

Dr G. Beate Czerwenka, Germany

Captain Pedro San Miguel, Venezuela

#### **Notes:**

The Athens Convention of 1974 was designed to consolidate and harmonize two earlier Brussels Conventions dealing with passengers and their luggage and adopted in 1961 and 1967, respectively.

The Convention established a regime of liability for damage suffered by passengers carried on a seagoing vessel. It declared a carrier liable for damage or loss suffered by a passenger if the incident causing the damage occurred in the course of the carriage and was due to the fault or neglect of the carrier.

However, unless the carrier acted with intent to cause such damage, or recklessly and with knowledge that such damage would probably result, he can limit his liability. For the death of, or personal injury to, a passenger, this limit of liability was set at 46,666 Special Drawing Rights (SDR) (about US\$61,100) per carriage.

As far as loss of or damage to luggage is concerned, the carrier's limit of liability varies, depending on whether the loss or damage occurred in respect of cabin luggage, of a vehicle and/or luggage carried in or on it, or in respect of other luggage.

The Convention has been in force since 1987. At present, 28 States are party to it.

---

## IMO - What It Is

---

Because of the international nature of the shipping industry, it had long been recognized that action to improve safety in maritime operations would be more effective if carried out at an international level rather than by individual countries acting unilaterally and without co-ordination with orders.

It was against this background that a conference held by the United Nations in 1948 adopted a convention establishing the International Maritime Organization (IMO) as the first ever international body devoted exclusively to maritime matters. Until 1982 the Organization was called the Inter-Governmental Maritime Consultative Organization (IMCO).

In the 10-year period between the adoption of the convention and its entry into force in 1958, other problems related to safety but requiring slightly different emphases had attracted international attention. One of the most important of these was the threat of marine pollution from ships, particularly pollution by oil carried in tankers. An international convention on this subject was actually adopted in 1954, and responsibility for administering and promoting it was assumed by IMO in January 1959. From the very beginning, the improvement of maritime safety and the prevention of marine pollution have been IMO's most important objectives.

The Organization is the only United Nations specialized agency to have its headquarters in the United Kingdom. Its governing body, the Assembly, meets once every two years. Between sessions, the Council, elected by the Assembly, acts as IMO's governing body.

IMO is a technical organization and most of its work is carried out in a number of committees and subcommittees. The

Maritime Safety Committee (MSC) is the most senior of these.

The Marine Environment Protection Committee (MEPC) was established by the Assembly in November 1973. It is responsible for co-ordinating the Organization's activities in the prevention and control of pollution of the marine environment from ships.

There are a number of sub-committees whose titles indicate the subjects they deal with: Safety of Navigation (NAV); Radiocommunications and Search and Rescue (COMSAR); Training and Watchkeeping (STW); Carriage of Dangerous Goods, Solid Cargoes and Containers (DSC); Ship Design and Equipment (DE); Fire Protection (FP); Stability and Load Lines and Fishing Vessel Safety (SLF); Flag State Implementation (FSI); and Bulk Liquids and Gases (BLG).

The Legal Committee was originally established to deal with the legal problems arising from the *Torrey Canyon* accident of 1967, but it was subsequently made a permanent committee. It is responsible for considering any legal matters within the scope of the Organization.

The Technical Co-operation Committee is responsible for co-ordinating the work of the Organization in the provision of technical assistance in the maritime field, in particular to developing countries.

The Facilitation Committee is responsible for IMO's activities and functions relating to the facilitation of international maritime traffic. These are aimed at reducing the formalities and simplifying the documentation required of ships when entering or leaving ports or other terminals.

All the committees of IMO are open to participation by all Member Governments on an equal basis.

The IMO Secretariat is headed by the Secretary-General, who is assisted by a staff of some 300 international civil servants. The Secretary-General is appointed by Council, with the approval of the Assembly.

## WHAT IT DOES

IMO has promoted the adoption of some 40 conventions and protocols and adopted well over 800 codes and recommendations concerning maritime safety, the prevention of pollution and related matters.

### Safety

The first conference organized by IMO in 1960 was, appropriately enough concerned with maritime safety. That conference adopted the International Convention on Safety of Life at Sea (SOLAS), which came into force in 1965, replacing a version adopted in 1948. The 1960 SOLAS Convention covered a wide range of measures designed to improve the safety of shipping. They included subdivision and stability; machinery and electrical installations; fire protection, detection and extinction; life-saving appliances; radiotelegraphy and radiotelephony; safety of navigation; carriage of grain; carriage of dangerous goods; and nuclear ships.

IMO adopted a new version of SOLAS in 1974. This incorporated amendments to the 1960 Convention as well as other changes, including an improved amendment procedure under which amendments adopted by the MSC would enter into force on a predetermined date unless they were objected to by a specific number of States. The 1974 SOLAS Convention entered into force on 25 May 1980 and has since been modified on a number of occasions, to take account of technical advances and changes in the industry.

Other safety-related conventions adopted by IMO include the **International Convention on Load Lines, 1966** (an update of a previous, 1930, convention); the **International Convention on Tonnage Measurement of Ships, 1969**; the **Convention on International Regulations for Preventing Collisions at Sea (COLREG), 1972**, which made traffic separation schemes adopted by IMO mandatory and considerably reduced the number of collisions in many areas; and the **International Convention on Maritime Search and Rescue, 1979**.

In 1976 IMO adopted the **Convention on the International Maritime Satellite Organization (Inmarsat) and its Operating Agreement**. The Convention came into force in July 1979 and resulted in the establishment of the Inmarsat Organization, which, like IMO, is based in London.

Fishing is so different from other forms of maritime activity that hardly any of the conventions of IMO could be made directly applicable to fishing vessels. The **1977 Torremolinos International Convention for the Safety of Fishing Vessels** was intended to remedy some of these problems, but technical difficulties meant that the Convention never entered into force. It was modified by protocol in 1993.

IMO has always attached the utmost importance to the training of ships' personnel. In 1978 the Organization convened a conference which adopted the first ever **International Convention on Standards of Training, Certificate and Watchkeeping for Seafarers**. The Convention entered into force in April 1984. It established, for the first time, internationally acceptance minimum standards for crews. It was revised in 1995, giving IMO the power to audit the administrative, training and certification procedures of Parties to the Convention,

The amendments entered into force in 1997.

### ***Preventing pollution...providing compensation***

Although the **1954 Oil Pollution Convention** was amended in 1962, the wreck of the *Torrey Canyon* in 1967 resulted in a series of conventions and other instruments, including further amendments to the 1954 Convention which were adopted in 1969.

The **International Convention relating to Intervention on the High Seas in cases of Oil Pollution Casualties, 1969**, which established the right of coastal States to intervene in incidents on the high seas which are likely to result in oil pollution, entered into force in 1975. The **International Convention on Civil Liability for Oil Pollution Damage, 1969**, and the **International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971**, together established a regime to provide compensation to victims of oil pollution.

In 1971 the 1954 Oil Pollution Convention was amended again, but it was generally felt that a completely new instrument was required to control pollution of the seas from ships, and in 1973 IMO convened a major conference to discuss the whole problem of marine pollution from ships. It resulted in the adoption of the first ever comprehensive anti-pollution convention, the **International Convention for the Prevention of Pollution from Ships (MARPOL)**.

The MARPOL Convention deals not only with pollution by oil, but also pollution from chemicals, other harmful substances, garbage and sewage. It greatly reduces the amount of oil which may be discharged

into the sea by ships, and bans such discharges completely in certain areas.

In 1978, IMO convened the Conference on Tanker Safety and Pollution Prevention, which adopted a protocol to the 1973 MARPOL Convention introducing further measures, including requirements for certain operational techniques and a number of modified constructional requirements. The protocol of 1978 relating to the 1973 MARPOL Convention in effect absorbs the parent Convention with modifications. This combined instrument is commonly referred to as MARPOL 73/78 and entered into force in October 1983. The Convention has been amended on several occasions since then.

In 1990 IMO adopted the **International Convention on Oil Pollution Preparedness, Response and Co-operation (OPRC)**. It is designed to improve the ability of nations to cope with a sudden emergency. It entered into force in May 1995.

In 1996 IMO adopted the **International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea**. The Convention establishes a two-tier system for providing compensation up to a total of around £250 million. It covers not only pollution aspects but other risks such as fire and explosion.

IMO carries out Secretariat functions in connection with the **Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 (London Convention)**. It entered into force in 1975. The Convention prohibits the disposal of certain substances which are known to be particularly harmful and contains specific regulations concerning the dumping of several other materials which may present a risk to the marine environment and human health.

## **Other matters**

In 1965 IMO adopted the **Convention on Facilitation of International Traffic**. Its primary objectives are to prevent unnecessary delays in maritime traffic, to aid co-operation between Governments, and to secure the highest practicable degree of uniformity in formalities and procedures in connection with the arrival, stay and departure of ships at ports. The Convention came into force in 1967.

In 1971 IMO, in association with the International Atomic Energy Agency and the European Nuclear Agency of the Organization for Economic Co-operation and Development, convened a conference which adopted the **Convention relating to Civil Liability in the Field of Maritime Carriage of Nuclear Material**.

In 1974 IMO adopted the **Athens Convention relating to the Carriage of Passengers and their Luggage by Sea**, which established a regime of liability for damage suffered by passengers carried on seagoing vessels. This is currently under revision.

The general question of the liability of owners of ships was dealt with in a convention adopted in 1957. In 1976 IMO adopted a new **Convention on Limitation of Liability for Maritime Claims**, which raised the limits, in some cases by 300%. Limits are specified for two types of claim – those for loss of life or personal injury and property claims, such as damage to ships, property or harbour works.

In 1988 the **Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation** was adopted. It is intended to improve measures for dealing with incidents such as terrorist attacks on commercial shipping. It entered into force in March 1992.

For most of the century, salvage at sea has been based on a formula known as “no cure, no pay”. While it has been successful in most cases, the formula does not take pollution into account: a salvor who prevents massive pollution damage but does not save the ship and its cargo can expect no compensation. The **1989 International Convention on Salvage** was adopted to remedy this defect. It entered into force in July 1996.

## **IMO'S codes & recommendations**

In addition to conventions and other formal treaty instruments, IMO has adopted several hundred recommendations dealing with a wide range of subjects.

Some of these constitute codes, guidelines or recommended practices on important matters not considered suitable for regulation by formal treaty instruments. Although recommendations – whether in the form of codes or otherwise – are not usually binding on Governments, they provide guidance in framing national regulations and requirements. Many Governments do in fact apply the provisions of the recommendations by incorporating them, in whole or in part, into national legislation or regulations. In some cases, important codes have been made mandatory by including appropriate references in a convention.

In appropriate cases, the recommendations may incorporate further requirements, which have been found to be useful or necessary in the light of experience gained in the application of the previous provisions. In other cases the recommendations clarify various questions which arise in connection with specific measure and thereby ensure their uniform interpretation and application in all countries.

Examples of the principal recommendations, codes, etc., adopted over the years are:

International Maritime Dangerous Goods Code (IMDG Code – first adopted in 1965); Code of Safe Practice for Solid Bulk Cargoes (BC Code – 1965); International Code of Signals (all functions in respect of the Code were assumed by the Organization in 1965); Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (BCH Code – 1971); Code of Safe Practice for Ships Carrying Timber Deck Cargoes (1973); Code of Safety for Fisherman and Fishing Vessels (1974); Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (1975); Code of Safety for Dynamically Supported Craft (1977); Code for the Construction and Equipment of Mobile Offshore Drilling Units (MODU Code – 1979); Code on Noise Levels on Board Ships (1981); Code of Safety for Nuclear Merchant Ships (1981); Code of Safety for Special Purpose Ships (1983); International Gas Carrier Code (IGC Code – 1983); International Bulk Chemicals Code (IBC Code – 1983); Code of Safety for Diving Systems (1983); International Code for the Safe Carriage of Grain in Bulk (International Grain Code – 1971); International Safety Management Code (ISM Code – 1993); International Code of Safety for High-Speed Craft (HSC Code – 1994 and 2000); International Life-Saving Appliance Code (LSA Code – 1996); International Code for Application of Fire test Procedures (FTP Code – 1996); Technical Code on Control of Emission of Nitrogen Oxides from Marine Diesel Engines (NO<sub>x</sub> Technical Code – 1997).

Other important recommendations have dealt with such matters as traffic separation schemes (which separate ships moving in opposite directions by creating a central prohibited area); the adoption of technical manuals such as the Standard

Marine Navigation Vocabulary, the International Aeronautical and Maritime Search and Rescue Manual (jointly with the International Civil Aviation Organization) and the Manual on Oil Pollution; crew training; performance standards for shipborne equipment; and many other matters. There are also guidelines to help the implementation of particular conventions and instruments.

### ***Technical assistance***

The purpose of the technical assistance programme is to help States, many of them developing countries, to ratify IMO conventions and to reach the standards contained in the SOLAS Convention and other instruments. As part of the programme, a number of advisors and consultants are employed by IMO to give advice to Governments, and each year the Organization arranges or participates in numerous seminars, workshops and other events which are designed to assist in the implementation of IMO measures. Some are held at IMO headquarters or in developed countries, others in the developing countries themselves.

In 1977, recognizing how important it was to secure better implantation of the instruments it adopted, the Organization took steps to institutionalize its Technical Co-operation Committee – the first United Nations body to do so.

A key element of the technical assistance programme is training. IMO measures can only be implemented effectively if those responsible are fully trained, and IMO has helped to develop or improve maritime training academies in many countries around the world. Some of them cater purely for national needs. Others have been developed to deal with the requirements of a region- a very useful approach where the demand for trained personnel in individual countries is not sufficient to justify the considerable

financial outlay needed to establish such institutions. IMO has also developed a series of model course for use in training academies.

While IMO supplies the expertise for these projects, the finance comes from various sources. The United Nations Development Programmes (UNDP) is the most important of these, with other international bodies such as the United Nations Environment Programme (UNEP) contributing in some cases. Individual countries also provide generous funds or help in other ways - for example, by providing training opportunities for cadets and other personnel from developing countries. This has enabled IMO to build up a successful fellowship programme which, over the years, has helped to train many thousands of people.

The most ambitious of all IMO's technical assistance projects is the World Maritime University in Malmo, Sweden, which opened in 1983. Its objective is to provide high-level training facilities for people from developing countries who have already reached a relatively high standard in their own countries but who would benefit from further intensive training. The University can train about 200 students at a time on one- or two- year courses.

The other maritime training centres associated with the Organization's technical assistance programme are the IMO Maritime Law Institute, in Malta, and the International Maritime Academy, in Italy.

### ***How It Works***

IMO works through a number of specialist committees and sub-committees. All of these bodies are composed of representatives of Member States. Formal arrangements for co-operation have been established with more than 30 inter-governmental organizations, while nearly

50 non-governmental international organizations have been granted consultative status to participate in the work of various bodies in an observer capacity. These organizations represent a wide spectrum of maritime, legal and environmental interests and they contribute to the work of the various organs and committees through the provision of information, documentation and expert advice. However, none of these organizations has a vote.

The initial work on a convention is normally done by a committee or sub-committee; a draft instrument is produced, which is submitted to a conference to which delegations from all States within the United Nations system – including States which may not be IMO Members – are invited. The conference adopts a final text, which is submitted to Governments for ratification.

An instrument so adopted comes into force after fulfilling certain requirements, which always include ratification by a specified number of countries. Generally speaking, the more important the convention the more stringent are the requirements for entry into force. Implementation of the requirements of a convention is mandatory on countries which are parties to it. Codes and recommendations which are adopted by the IMO Assembly are not binding on Governments; however, their contents can be just as important, and in many cases they are implemented by Governments through incorporation into domestic legislation.

The texts of IMO conventions and other instruments, as well as publications on other subjects and electronic publications may be obtained from the Publishing Service, IMO, 4 Albert Embankment, London SE1 7SR, United Kingdom. A current catalogue will be sent on request and may also be found in IMO's website: [www.imo.org](http://www.imo.org)

---

## Mixed Nationality Ships Work 'Surprisingly Well' (Though Speaking English Means Fewer Jokes)

---

Regular contact between different nationalities at sea works surprisingly well, and is reducing racial stereotyping among crews, according to a major study to be presented at a conference later this week. Researchers at Cardiff University found that the greater the number of nationalities on board, the more they work together.

But while crews increasingly turn to English as a common language, traditional joke-telling is also declining because of fear of causing offence or being misunderstood.

The findings of the study of transnational seafarer communities are to be presented at a major London conference, People Without Frontiers on Friday 25 October, together with other studies of global communities and migration.

The research, funded by the Economic and Social Research Council, shows that almost two-thirds of the world merchant fleet have adopted multinational crews. One in ten ships operates with crews composed of five or more nationalities.

Between them Erol Kahveci, Tony Lane and Helen Sampson interviewed over 380 seafarers for their study, together with crewing managers across the world and seafarers' families in India and the Philippines. The researchers lived and worked on board cargo vessels and alongside crews for periods of up to six weeks. They also spoke to members of transient seafarer communities in Northern Germany and Rotterdam, in an effort to fully understand the lives of such groups and the extent to which they can be characterised as 'transnationals'.

Some of the research findings were surprising. Contrary to the expectations of many in the industry, crews of multinational ships were found to work together effectively given the right conditions and company support. There was no indication that nationality correlated with leadership or initiative, challenging the popular stereotype held by many within and beyond the industry.

"There are many positive aspects to the new melting pot at sea," says report author Professor Tony Lane. "Mixed nationality ships seem to enjoy good relationships between different ethnic groups. They work surprisingly well."

The main problem identified by seafarers working with multinational crews related to communication and particularly to the social aspects of communication.

"There is a lot of story telling and fun among crews," adds Professor Lane. "But if you don't speak the ship language fluently, it's often easier to avoid telling jokes all together. While that can mean less offence being caused to those who used to be the butt of such jokes, the reduction in such banter and badinage can cause loneliness and isolation on board."

Whilst many companies had originally introduced mixed nationality crews to cut costs and stay competitive, such strategies had unexpected benefits, particularly in relation to teamwork. Employers were generally found to be pleasantly surprised by the performance of multi-national crews and compared these favourably with their previous experiences of single nationality complements. However, there were sometimes problems where there were only two or three nationalities on board. In such circumstances crews seemed to be divided more strongly on the lines of nationality and sometimes occupational hierarchies were re-aligned on board to coincide with nationality rather than rank.

“Seafarers overwhelmingly said they preferred working with genuinely mixed nationality crews,” adds Professor Lane. “And we were surprised to find little evidence of discrimination against particular nationalities, although there were disturbing exceptions. Aboard one ship, ratings collected and marked their cutlery prior to the arrival of new crew members of different nationality. Once their new ship mates had arrived, they kept ‘their’ cutlery in their cabins and expressed fears about contracting HIV from the new crew members who were ‘required’ to eat their meals at a separate table.”

The authors recommend that in order to facilitate the safe operation of vessels companies should ensure that there are high levels of fluency in the working language of the ship amongst their employees. They also urge that anti-discrimination policies should be adopted aboard ship, and that the circulation of material reinforcing national stereotypes should be avoided.

For further information, contact: Professor Tony Lane or Helen Sampson on +(44) 2920 874620 email: lanead@cf.ac.uk or sampsonh@cf.ac.uk

Or Iain Stewart or Lesley Lilley, ESRC External Relations, telephone +(44) 1793 413032/413119

Or Dr Steve Vertovec, Director of the Transnational Communities Research Programme on +(44) 1865 274711 or visit the website at <http://www.transcomm.ox.ac.uk>

## Notes

1. Copies of the report, *Transnational Seafarers Communities*, by Erol Kahveci, Tony Lane and Helen Sampson are available from the Seafarers International research Centre, Cardiff University, PO Box 907, Cardiff CF10 3YP. Telephone +(44) 2920 874620. Website: [www.sirc.cf.ac.uk](http://www.sirc.cf.ac.uk)

2. The study by the Seafarers International Research Centre at Cardiff University was conducted from 1999 to 2001. It was funded by the Economic and Social Research Council as part of a major project on transnational communities. It focused on fourteen ships and involved interviews with 242 seafarers aboard these vessels, together with crewing managers in ten companies, 141 seafarers in North Germany and Holland, and 131 interviews with seafarers’ families in India and the Philippines.

3. The ESRC is the UK’s largest funding agency for research and postgraduate training relating to social and economic issues. It has a track record of providing high-quality, relevant research to business, the public sector and Government. The ESRC invests more than £53 million every year in social science research. At any time, its range of funding schemes may be supporting 2,000 researchers within academic institutions and research policy institutes. It also funds postgraduate training within the social sciences, thereby nurturing the researchers of tomorrow. The ESRC website address is: <http://www.esrc.ac.uk>

4. REGARD is the ESRC’s database of research. It provides a key source of information on ESRC social science research awards and all associated publications and products. The website can be found at <http://www.regard.ac.uk>.

---

## What Children Say

---

What do fish say when they hit a concrete wall? Dam!

What do you call a Boomerang that doesn’t work? A stick.

Where do you find a dog with no legs? Right where you left him.

Why do Gorillas have big nostrils? Because they have big fingers.

---

## News From THE WORLD SHIP TRUST

---

### WORLD SHIP TRUST AWARDS

At a meeting in London on 14<sup>th</sup> October the Trustees of the World Ship Trust approved recommendations for the following World Ship Trust Awards:

#### Special Award

- *HQS Wellington*, Headquarters Ship of the Honourable Company of Master Mariners, built in Devonport in 1934 as a Grimsby Class sloop for the Royal Navy and now at Temple Stairs, Victoria Embankment, London.

#### Maritime Heritage Awards

- *Pommern*, built in Glasgow in 1903 as the *Mneme* and now displayed at Mariehamn in the Aland Islands, Finland.
- *Marité*, the last French Grand Banks fishing schooner extant, built Fécamp in 1923, and currently based at Stockholm.
- *HMS Victory*, built 1765 at Chatham, the oldest warship in the world in continuous commission, the flagship of Admiral Sir John Jervis at St Vincent in 1797 and of Admiral Viscount Nelson at Trafalgar in 1805. Presently preserved in No. 2 Dock Portsmouth and flagship of Vice Admiral Sir Peter Spencer KCB ADC, Second Sea Lord and Commander-in-Chief Naval Home Command.

#### Individual Awards

- Göte Sundberg, largely responsible for the retention and preservation in her original state of *Pommern* (see above).
- Robert Albert, AO RFD RD, for his significant and exemplary rôle in providing significant support to the *James Craig* restoration and operation project

as well as to numerous other maritime heritage causes. Mr Albert has also been appointed as a Vice-President of the World Ship Trust.

- Gordon Lawrence, Shipwright by training and involved in the preservation and restoration of *HMS Victory* since 1970. Currently Project Manager responsible for all restoration and maintenance work on board.
- Jacques Chauveau, OBE, Chairman of the World Ship Trust, for his unstinting efforts over many years in the cause of world-wide maritime preservation and for overseeing the current partnership between the World Ship Trust and the UNESCO programme, *La Navigation du Savoir*, a project to research and increase knowledge of the historic dockyards of the Mediterranean.

The World Ship Trust works to advance the preservation and display of historic ships around the world and over more than 20 years has made in the region of 50 Maritime Heritage Awards, Awards for Individual Achievement and Special Awards to vessels and individuals in the field of ship preservation and the display of maritime artefacts.

The World Ship Trust publishes *The International Register of Historic Ships*, an outstanding reference work containing details of around 2,000 historic ships in 72 countries. Details of the Register, the Trust's journal *World Ship Review* and membership can be obtained from:

World Ship Trust  
202 Lambeth Road  
London  
SE1 7JW  
Great Britain  
Telephone/Fax: +44 7385 4267  
E-mail:  
worldship@lynnmallet.demon.co.uk  
Web site: <http://www.worldshiptrust.org>

## Photo Gallery



Captain of the Year 2001, Captain Arne Rinnan (nominated by IFSMA) - being presented with an IFSMA Plaque at a meeting held in Tønsberg Sjømannsforening, Norway, on 15th November, where the good captain told his story of everything that happened on the Tampa off the Australian Coast. The presentation was made by Captain Finn Tronstad, former Deputy President of IFSMA. On the left of the current Chairman of the local club Captain Nils Arnesen and on the right the current Chairman Captain Finn Aage.



**Fire !  
But if that wasn't bad enough...**



**Fireworks!!  
50 containers had fireworks inside.**



**The 'Handover' at the Irish Institute of Master Mariners AGA. Outgoing President Kevin Cribbin welcomes the new President Kieran O'Higgins.**

---

## **Busy Schedule for IMO MSC**

---

The Maritime Safety Committee - 76th session: meets from 2-13 December 2002

Maritime security issues and bulk carrier safety are high on the agenda of IMO's Maritime Safety Committee (MSC), which meets for its 76th session from 2 to 13 December, concurrently with a Diplomatic Conference on Maritime Security.

The MSC meeting will take place at IMO Headquarters in London from 2 to 13 December 2002, under the chairmanship of Mr Tom Allan from the United Kingdom, with the Diplomatic Conference on Maritime Security opening on Monday 9 December and running alongside the MSC, with both meetings scheduled to finish on Friday 13 December.

### **Maritime security**

The MSC is expected to establish a Working group on Maritime Security which will consider proposed draft amendments to SOLAS chapters V and XI; a proposed draft International Ship and Port Facility Security (ISPS) Code; and proposed draft Conference resolutions. The results of the discussions, together with consideration of submissions from Member Governments and international organizations, will be put forward to the Committee itself and to the Conference on Maritime Security.

### **Piracy and armed robbery against ships**

The MSC will be invited to consider issues relating to piracy and armed robbery at sea, in the context of discussions relating to maritime security in general. The latest statistical data including reports of incidents of armed robbery and piracy at sea are expected to be reviewed as well as the report of the third assessment mission and regional meeting on piracy and armed robbery against ships for Central and West

African countries (Accra, Ghana, 25 and 26 March 2002). Progress on convening regional meetings to promote the case of regional co-operation to tackle piracy and armed robbery will be reviewed, including an update on the United Nations open-ended Informal Consultative Process on Oceans and the Law of the Sea

### **Bulk carrier safety**

The Committee is expected to establish a working group to review submissions by Governments and international organizations on the various formal safety assessment (FSA) studies on bulk carrier safety which are now completed. The Committee will also consider new SOLAS regulations for adoption.

### **Bulk carrier safety - FSA studies outcome**

The Committee is expected to review the preliminary list of 25 recommendations for decision-making established at the last session on the basis of FSA studies to date, with a view to drawing up a definitive list of recommendations for decision-making which will then be referred to the appropriate sub-committees for preparing the necessary regulatory action.

The recommendations for decision making include those issues which merit further consideration and the results of a cost-effectiveness assessment emanating from an international collaborative FSA study. The items for consideration have been grouped under a number of headings:

### **Hull envelope**

Includes issues such as double hull and side-skin construction, improved coatings, steel repair standards, corrosion margins of hold frames, forecastles, bulwark/breakwater structures, ballast system capacity, protection of foredeck fittings, strength and corrosion control of hold frames, coating of internal side skins.

**Closing appliances**

Includes hatch cover re-design and/or re-reinforcement, fore deck fittings, hatch cover access/closed indicators.

**Evacuation**

Includes water ingress alarms, provision of immersion suits, lifeboats.

**Operational**

Includes terminal interface improvement, risk based ESP (Enhanced Survey Programme) targeting, PSC (Port State Control) training, weather routing, improved loading/stability information, making the BC Code mandatory and incorporating a Bulk Carrier Endorsement for officers' qualifications, early implementation of SOLAS Chapter XII.

**Bulk carrier safety - SOLAS amendments**

The Committee will also consider for adoption draft amendments to chapter XII (Additional Safety Measures for Bulk Carriers) of the International Convention for the Safety of Life at Sea (SOLAS), 1974, as amended to require the fitting of high level alarms and level monitoring systems on all bulk carriers, in order to detect abnormal water ingress. The recommendation for the fitting of such alarms was first highlighted during the meeting of the Working Group on Bulk Carrier Safety held during the MSC's 74th session in December 2001, following on from recommendations of the United Kingdom Report of the re-opened formal investigation into the loss of the mv Derbyshire.

The proposed new draft regulation 12 on Hold, ballast and dry space water ingress alarms would require the fitting of such alarms on all bulk carriers regardless of their date of construction.

In addition, a proposed new regulation 13 on Availability of pumping systems would

require the means for draining and pumping dry space bilges and ballast tanks any part of which is located forward of the collision bulkhead to be capable of being brought into operation from a readily accessible enclosed space.

**Bulk carrier safety - Load Lines revision**

The Committee and Bulk Carrier Safety Working Group are expected to discuss the outcome of the work on the revision of the technical regulations of the 1966 Load Lines Convention by the Sub-Committee on Stability and Load Lines and on Fishing Vessels Safety (SLF).

A number of issues under the Load Lines revision have particular relevance for bulk carrier safety, for inclusion in Annex B to the 1998 Load Line Protocol, including those relating to hatch cover design environmental criteria in a proposed regulation 16-1 (Hatch covers) and a proposed new bow height formula.

**Amendments to SOLAS**

The expanded Committee will consider, for adoption, draft amendments to the International Convention for the Safety of Life at Sea (SOLAS), 1974, as amended, to chapters II-1, II-2, III and XII and to the INF Code.

Access to spaces in cargo areas of oil tankers and bulk carriers - the draft revised regulation 12-2 in SOLAS chapter II-1 (Construction - structure, subdivision and stability, machinery and electrical installations), Part B (Subdivision and stability), is intended to ensure that vessels can be properly inspected throughout their lifespan, by designing and building the ship to provide suitable means for access. Without adequate access, the structural condition of the vessel can deteriorate undetected and major structural failure can arise. The regulation would require each space within the cargo area to be pro-

vided with an appropriate means of access to enable, throughout the life of a ship, overall and close-up inspections and thickness measurements of the ship's structures to be carried out by the Administration, the Company, as defined in regulation IX/1 and the ship's personnel and others as necessary. Associated draft Technical provisions for means of access for inspections have been prepared and these would be mandatory under the new regulation.

**Machinery control - automation systems** - The proposed draft amendment to SOLAS chapter II-1 (Construction - structure, subdivision and stability, machinery and electrical installations), would add a new paragraph to Regulation 31 - Machinery control to require automation systems to be designed in a manner which ensures that threshold warning of impending or imminent slowdown or shutdown of the propulsion system is given to the officer in charge of the navigational watch in time to assess navigational circumstances in an emergency.

**Chapter II-2 (Fire protection, fire detection and fire extinction)** - The amendments concern references to the IMDG Code and reflect amendments to SOLAS chapter VII (Carriage of Dangerous Goods) adopted in May 2002 which make the International Maritime Dangerous Goods Code (IMDG Code) mandatory.

**Chapter III - Life-saving appliances and arrangements** - The proposed draft amendments to Regulation 26 - Additional requirements for ro-ro passenger ships, requires liferafts carried on ro-ro passenger ships to be fitted with a radar transponder in the ratio of one transponder for every four liferafts. The regulation will be made applicable to existing ships as well as new ships.

**Water ingress alarms for bulk carriers** - the proposed draft new regulations in SOLAS chapter XII - (Additional Safety

Measures for Bulk Carriers) are draft regulation 12 on Hold, ballast and dry space water ingress alarms and a new proposed regulation 13 on Availability of pumping systems (see Bulk Carrier safety above).

**Amendments to the International Code for the Safe Carriage of Packaged Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Wastes on board Ships (INF code)** - The amendments in the sections on definitions and application reflect amendments to SOLAS chapter VII (Carriage of Dangerous Goods) adopted in May 2002 which make the IMDG Code mandatory.

### **Places of refuge**

The Committee will be invited to note the progress report on the draft Guidelines on places of refuge for ships in need of assistance. Two draft resolutions prepared by the Sub-Committee on Safety of Navigation (NAV) will be put forward for submission to the 23rd IMO Assembly scheduled to be held in November 2003, pending further work by the NAV Sub-Committee at its 49th session next year.

The draft Assembly resolutions include a set of Guidelines which state clearly what actions should be taken by ships' Masters, coastal States and Flag States in cases where ships are in need of assistance. They also recommend the establishment by coastal States of Maritime Assistance Services (MAS) to be mobilized in relevant cases. They have been designed to provide a framework by which Governments will be able to assess each case on its merits and make the most appropriate decisions.

IMO's work on places of refuge followed the aftermath of the incident involving the fully laden tanker *Castor* which, in December 2000, developed a structural problem in the Mediterranean Sea. Following the incident, IMO Secretary-General William O'Neil suggested that the time

had come for the Organization to undertake, as a matter of priority, a global consideration of the problem of places of refuge for disabled vessels and adopt any measures required to ensure that, in the interests of safety of life at sea and environmental protection, coastal States reviewed their contingency arrangements so that such ships are provided with assistance and facilities as might be required in the circumstances.

The recent sinking of the Prestige has further highlighted the issue.

### **Large passenger ship safety**

The Committee will review ongoing work in a number of Sub-Committees relating to the safety of large passenger ships. The Committee is undertaking a global consideration of safety issues pertaining to these ships.

### **Implementation of the revised STCW Convention**

The list of Parties deemed to be giving full and complete effect to the provisions of the revised Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) 1978, as amended, is set to be updated when IMO Secretary-General William O'Neil submits his report on those countries whose evaluations have been completed since the previous MSC meeting.

The MSC will be invited to publish the names of any countries that now qualify to be added to the list.

### **Casualty investigations - new draft guidelines set for approval**

The Committee will consider new draft guidelines to help improve co-operation between flag States and other substantially interested States in marine casualty investigation. The draft guidelines were drafted by the Sub-Committee on Flag

State Implementation (FSI) during its 10th session.

Accident investigation reports are a crucial element in any legislative action to enhance safety and environmental protection and in identifying a "compelling need" for new legislation as established in resolution A.500(XII).

The draft Interim Guidelines to assist flag States and other substantially interested States to establish and maintain an effective framework for consultation and co-operation in marine casualty investigations stress the responsibility of States to co-operate in carrying out casualty investigations and take into account specific provisions of the Code for the Investigation of Marine Casualties and Incidents (Assembly resolution A.849(20) as amended by resolution A.884(21)) as a basis for a global framework of consultation and effective co-operation.

The proposed guidelines include basic recommendations for a functioning authority for casualty investigation which is prepared to co-operate with authorities of other substantially interested States and stress the responsibility of flag States to conduct casualty investigations as required by International Law (references: UNCLOS article 94; SOLAS 74 regulation I/21; MARPOL 73/78 articles 4, 8 and 12; Load Line Convention article 23).

### **New and amended ships routing measures and mandatory ship reporting systems**

The MSC will be invited to consider the adoption of the following new and amended ships routing measures which were agreed by the Sub-Committee on Safety of Navigation (NAV) at its 48th session in July 2002 (with entry into force six months after adoption, except as mentioned below):

## **New Traffic Separation Schemes (TSSs)**

New traffic separation schemes (TSSs) in the southern Red Sea, Off Cape La Nao and Off Cape Palos.

Amendments to existing Traffic Separation Schemes (TSSs)

Amendments to the existing TSSs "In the Gulf of Finland", "Bay of Fundy and Approaches" and "In the Strait of Bab-el Mandeb"

## **Routing measures other than TSSs**

Recommended routes Off the Mediterranean coast of Egypt, including recommended tracks and a precautionary area for the Southern Red Sea.

Amendments to the Recommendation on navigation through the entrances to the Baltic Sea (to be implemented on 1 December 2003), including the proposed new recommendation on navigation through the Gulf of Finland traffic.

## **Mandatory ship reporting systems**

Two mandatory ship-reporting systems in the Baltic Sea (Gulf of Finland) and in the Adriatic Sea. The new mandatory ship reporting in the Gulf of Finland will be implemented on 1 July 2004.

---

## **Typical Loading/Unloading Sequences for Bulk Carriers**

---

It has for several years been an IACS requirement (UR S1A) that new bulk carriers of 150 metres in length and above be provided in their loading manuals with "Typical Loading/ Unloading Sequences". The purpose of this requirement is to give guidance to inexperienced officers to ensure that vessels are loaded safely.

I have now examined four such sets of "typical" sequences and have found that,

whilst they do appear to avoid excessive stresses and excessive drafts, they ignore other operational and commercial requirements. Any inexperienced master who attempted to follow one of the programmes given in these manuals would find himself in serious trouble. The faults vary from manual to manual and from ship to ship but include requiring the ship to go substantially by the head whilst loading and deballasting, filling a hold in a single pour, omitting any provision for trimming pours, making the final pour into a midship hold and giving two loaders very different quantities to load so that one loader will stand idle for hours.

It seems obvious that these "typical" sequences have been prepared by builders' staff without any input or checking from mariners. The problem appears to be widespread. The ships in question fly several flags, are classed by four different IACS members, were built in three different Japanese and one Taiwanese shipyard and are owned by four different owners.

When errors of this sort are discovered during the ship's guarantee period, as they should be, it is reasonable for owners to demand that they are corrected by the shipyard. As superintendents, shipmasters and surveyors we should be ensuring that these errors are detected and corrected. As mariners we should, I suggest, be ensuring that our voices are heard and that we are consulted when "typical" loading and unloading sequences are devised.

Captain Jack Isbester, ExC FNI MCMS Director, Eagle Lyon Pope Limited. Individual Member.

---

## **Tail Enders**

---

Giving money and power to government is like giving whiskey and car keys to teenage boys. --P.J. O'Rourke

A government which robs Peter to pay Paul can always depend on the support of Paul. --George Bernard Shaw