

SIGNALS

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THE 'RIGHT CREW'

Employing the Right Crew is vital for shipowners both now and in the future

CYBER RISKS

Time to act on potential threats at sea

BALLAST WATER TREATMENT SYSTEMS

Check your Charterparty

SUPPORTING CREW THROUGH THE LOSS OF A COLLEAGUE

With the help and support of AoS and Seafarer help

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VIEW FROM THE BRIDGE

WELCOME TO THE SUMMER 2017 EDITION OF SIGNALS. REGULAR READERS WILL HAVE NOTICED A FRESH NEW LOOK AND FEEL SINCE OUR SPRING EDITION. WE HOPE YOU LIKE THE NEW LAYOUT AND FIND THE ARTICLES INFORMATIVE. PLEASE TELL US WHAT YOU THINK BY GETTING IN TOUCH WITH US AT SIGNALS@NEPIA.COM

THE PRIMARY PURPOSE OF SIGNALS REMAINS THE SAME - TO PROVIDE TOPICAL LOSS PREVENTION INFORMATION ALONG WITH INTERESTING NEWS ARTICLES RELEVANT TO THOSE IN THE COMMERCIAL SHIPPING BUSINESS, PARTICULARLY NORTH'S MEMBERS AND THEIR EMPLOYEES, BOTH ASHORE AND AFLOAT.

WINDS OF CHANGE - COMMERCIAL SHIPPING

It is clear that the winds of change are blowing hard for the global commercial shipping sector. Market forces continue to drive mergers and acquisitions across all sectors, most notably in the container sector. Technology is being used to drive efficiencies. Autonomous vessels are likely to become a reality in the next few years. Environmental concerns bring ever greater pressures and regulation to reduce emissions of all kinds. Striving to improve environmental performance may fundamentally change how ships are powered and operated in the future. As always shipping will rise to the challenges presented by these changes.

WINDS OF CHANGE - CREW

Amidst these drivers of change some things remain central to effective operations. One of these, and one with which North is much concerned, is the human element. Indeed, the 1896 edition of North's loss prevention publication, in those days called 'Suggestions', reported on the launch of a new ship. During the launch, a local dignitary commented, "a new ship is not a good ship unless it has the right crew". Those wise words are as true today as they were 121 years ago, and will continue to hold true for many years to come.

Recruiting and retaining 'the right crew' remains fundamental to the safe and effective operation of ships. Set against the background of a widely predicted officer shortage over the next decade the competition between shipping companies for 'the right crew' will be fierce.

North's 'Right Crew' initiative helps our Members and their employees ensure that they have the 'right crew' in place for their operations both now and in the future. Our 'Right Crew' initiative covers the many different aspects of employing crew around the world and in this edition we look at some of the issues affecting the mental wellbeing of seafarers. A topic that until very recently was not a widely discussed subject in shipping.

Our article suggests some practical and up to date guidance on how seafarers can support one another. Charitable organisations can also play an important role in providing support to seafarers and a practical example of this valuable support in action is discussed.

Companies that demonstrate that they care about the wellbeing of seafarers through their actions will find it easier to recruit and retain the 'right crew'. Similarly crew who show support to their shipmates demonstrate that they are 'right crew' material and more than suitable for employment and / or promotion. The mental wellbeing of seafarers is important for everyone in shipping. The 'right crew' will show the resilience, support and care that is the essential component in a safe, efficient and happy ship.

You can read more about the 'Right Crew' on the Insights area of our website: www.nepia.com



Colin Gillespie, Deputy Director (Loss Prevention)

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HOW HAVE WE DONE

Let us know what you think of the new edition. Contact us at signals@nepia.com

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RAZOR WIRE - A THORNY ISSUE



IN THIS ARTICLE JAMES WILKES, MANAGING DIRECTOR OF GRAY PAGE, DISCUSSES THE PROBLEMS THAT RAZOR WIRE FITTED FOR ANTI-PIRACY PURPOSES CAN POSE FOR VESSEL OPERATIONS AND A POSSIBLE SOLUTION USING BARRIERS MADE OF HIGH DENSITY POLYURETHANE (HDPE) PLASTIC MATERIAL.

Piracy in its many forms is a persistent threat to ships operating in many areas of the world.

Each successful piracy attack demonstrates the susceptibility of ships to being boarded unlawfully from over the side and highlights, in particular, the security vulnerability created by the presence of their safety rails.

Pirates target ships' safety rails because, undefended, they provide a frame onto which light-weight ladders and bamboo climbing poles can be hooked, quickly and easily.

Over the years there have been various ideas suggested to make the safety rails harder for pirates to exploit, from creating a wall of water spray using fire hoses to installing electric fencing.

Since the creation of Best Management Practises to Deter Piracy [off the Coast of Somalia and in the Arabian Sea Area] (BMP), razor wire has become the most commonly used material for constructing a seaward-facing barrier for the purposes of making the safety rails more difficult for pirates to get over.

Razor wire (also known as barbed tape), is designed to rip and grab onto clothing and flesh for the purpose of preventing humans passing through or over it easily. And concertina razor wire, which is recommended in BMP, is manufactured under tension in order to make it coil, meaning it will unfurl

and whip out if precautions are not taken to prevent that while cutting it.

However, the properties which make razor wire a hazard to potential aggressors also make handling and fitting it inherently dangerous for crew. And the personal protection equipment (PPE) recommended for the safe handling of razor wire – a face shield, arm-length leather gauntlets, leather aprons and leg guards - make fitting it more difficult. So, the recommended PPE is rarely used and injuries happen.

Razor wire is ill-suited for use on ships for other reasons as well.

Until you are alongside a ship fitted with razor wire, it is not particularly visible; it's more air than solid material. Consequently, it is not a conspicuous deterrent at distance.

Furthermore, razor wire is not a dynamic security measure; it is not designed to be rigged and de-rigged frequently. But, as most ports and terminal will not permit entry to a ship with razor wire barriers in place, that is what is happening and crews are spending days constructing and de-constructing them.

The corollary of this is that thousands of linear metres of used razor wire is being scrapped regularly, much of it being tossed overboard into the sea.

However, there is now an effective alternative to razor wire: anti-piracy barrier systems manufactured from high density polyurethane (HDPE) plastic.

There are three obvious benefits that plastic security barriers have over razor wire.

Firstly, they are safe to handle for anyone fitting them. Secondly, in the right colours, they are highly visible and therefore provide a conspicuous deterrent to potential attackers. And thirdly, they do not rust and corrode, so they last in good condition considerably longer than razor wire.

Earlier this year Gray Page launched a barrier system, called DFENCE www.graypage.com/DFENCE. Based on two years of research and development, it is designed to deter, delay and deny over-the-rail boarding, as well as being safe to handle, easy to fit (un-fit and re-fit) and convenient to store when not in use.

The introduction of plastic anti-piracy security barriers is a positive and timely contribution towards hardening the security posture of ships against the threat of piracy. And there is nothing for shipowners to lose by exploring the products that are now in the market.

Gray Page is not alone in developing these barriers, at least 2 other companies manufacture and market plastic anti-piracy barrier systems: ARX ABaC www.arxdefence.com and Guardian www.guardian-maritime.com

THE BENEFITS OF PLASTIC SECURITY WIRES:

ONE

they are safe to handle for anyone fitting them

TWO

in the right colours, they are highly visible and therefore provide a conspicuous deterrent to potential attackers.

THREE

they do not rust and corrode, so they last in good condition considerably longer than razor wire.

THE RIGHT TOOLS FOR THE JOB - AVOIDING DANGEROUS SHORTCUTS



A recent incident involving a grinding disc.

IN THIS ARTICLE WE LOOK AT A SPECIFIC INCIDENT INVOLVING A GRINDING DISC THAT BREAKS UP DURING USE. ALTHOUGH THE REPORT IS SPECIFIC TO A GRINDING DISC INCIDENT, THE LESSONS LEARNED ARE RELEVANT TO MANY ACCIDENTS OR NEAR MISSES EXPERIENCED ON BOARD.

This incident reported in the UK Marine Accident Investigation Branch (MAIB) safety digest 1/2017, involved a grinding disc which disintegrated and penetrated a protective safety mask and caused an injury to the second engineer. He was lucky that his injuries were not more serious.

WHAT HAPPENED?

The engineers on a large container vessel were overhauling a slow speed 2- stroke main engine cylinder liner and piston. The first part of this process was to safely remove the cylinder head and piston. The next step was to calibrate the liner which involved taking measurements to determine the amount of wear to the liner.

Before calibrating the liner and before putting a new piston into the engine it is important to remove the wear ridge. A wear ridge is formed at the point where the piston rings do not reach, towards the top of liner. Most engine makers will recommend that the ridge is removed at every overhaul. Therefore the correct tools for the job should always be kept on board.

The second engineer realised very quickly that the grinding disc normally used for this task was worn too much. On searching the second engineer found another disc to use but the hole was larger. Having nothing more suitable to hand and wishing to progress the maintenance he fabricated a washer to allow use of the disc with the larger hole.

The second engineer then entered the liner to remove the ridge. As soon as grinding started the disc shattered. One piece smashed through his mask hitting his head above his left eye. This was enough for him to lose consciousness and he needed to be lifted out of the liner.

WHY CORNERS ARE CUT AND WHAT ARE THE REASONS BEHIND THIS?

There may have been time pressure to complete the main engine piston overhaul within a certain time frame and allow the vessel to depart on time. Pressure is placed on crew to complete work in time and prevent delays to the vessel departure. Time is money and commercial pressure can be high. The shortcut in this instance was to use another type of grinding disc not fit for purpose.

The second engineer may have only realised that the grinding wheel was worn too much just before he started the grinding job on the ridge. This may have left very little time to find the correct tools.

The grinding disc which was used unsafely may have been the only available grinding disc at the time.

He may not have been aware of the speed rating of the new grinding disc in relation to the speed rating of the grinder. The grinder used had a maximum speed rating of 22,000 RPM, but there was nothing to suggest that the grinding disc used was rated above 15,000 RPM.

There was no washer used normally with this grinder but the second engineer may have thought this was the quickest way to get the job done without considering the consequences.

He may have used the protective mask because it was the only type available on board or he thought that it was suitable for grinding. But the mask may only be suitable for chemical protection.

Human nature. Crew will always be tempted to look for the easiest answer to a problem. But this may not be the most efficient. Time, effort and most importantly safety may be compromised if shortcuts are taken.

WHAT LESSONS CAN BE LEARNED?

The correct equipment should always be used for the task in hand. In the above example the correctly rated grinding disc and protective mask should have been used for this work and available. This applies to all tools and equipment on board a vessel because using the wrong equipment may be dangerous. If you're unsure of a tool's

suitability for the job then don't do the job until checks can be made. Always carry out a risk assessment.

It is important to educate the crew about the dangers of shortcuts. This may require further guidance from the ship management office.

Ensuring crew understand the importance of equipment rating and correct usage. Planning is essential! If maintenance is planned then are tools and equipment present and correct to complete the job? If there is a shortfall then ordering may be required in advance of work. Safety should not be compromised because of missing equipment.

Crew should ensure that personal protection equipment is suitable for the work they are undertaking. For example masks to prevent chemical damage to eyes may not be enough to prevent objects with a high momentum.

With thanks to Queensland Government for permission to use the images in this article.

EXAMPLES OF THE CORRECT AND INCORRECT TOOLS TO USE



Worn down disc should not be used to carry out a task.



Fabricated washer used on a disc.



A new disc to carry out the job correctly.

BALLAST WATER TREATMENT SYSTEMS: CHECK YOUR CHARTERPARTY



INTERCARGO HAS HIGHLIGHTED THE RISK OF REDUCED BALLASTING TRANSFER RATES AFTER FITTING BALLAST WATER TREATMENT SYSTEMS. WE CONSIDER THE IMPACT ON CHARTERPARTIES.

The forthcoming entry into force of the IMO Ballast Water Convention and the US regulations already in place, will require many vessels to have ballast water treatment systems installed. INTERCARGO has recently raised awareness on the impact these systems may have on a vessel's performance. North considers how this affects charterparties and in particular, warranties given in the vessel description clause.

In their submission to IMO (MEPC 71/INF.20), INTERCARGO discusses a number of areas where the retrofitting of a ballast water treatment system can affect a vessel's operation. These include ballast transfer performance and bringing increased power demands. With this in mind, North encourages shipowners to check their charterparties to make sure they reflect any changes in performance.

EFFECT ON BALLASTING TRANSFER RATES

INTERCARGO highlights the probable reduction in a vessel's ballasting capacity when retrofitting a ballast water treatment system. This drop in performance may be due to the unavailability of treatment systems that can match the throughput of the vessel's ballast pumps as well as the filters introducing additional pressure drops in the system.

If a vessel's ballasting/deballasting performance is reduced following the retrofit of a ballast water treatment system, then we recommend the vessel's description (and any associated warranties) is amended accordingly. If the charterparty remains unamended, a shipowner may be exposed to a charterer's allegations of breach of warranty if delays are experienced as a result of the longer time needed for ballasting/deballasting.

MEETING NEW POWER DEMANDS

INTERCARGO also raises the possibility of a vessel being unable to meet the greater power demands of a treatment system. Electro-chlorination and UV systems require significant levels of power. For existing vessels, this demand would not have been factored in at the design stage.

North reminds shipowners of the importance of assessing whether or not the vessel has the electrical capacity to power the cargo gear at the same time as the ballast water treatment plant. If the vessel's power generation capacity prevents the operation of all of its cargo handling equipment (for example cranes or cargo transfer pumps) when the treatment plant is in-line, this can result in delays to the cargo operations and lead to disputes.

REVIEW THE VESSEL DESCRIPTION CLAUSE

When installing a ballast water treatment system on an existing vessel, North stresses the importance of thinking about the potential impact on charterparty warranties. The vessel description/warranties may need to be amended to reflect any change in the vessel's performance.

FIND OUT MORE:

For more information on Ballast Water Management, visit our dedicated Insights area: www.nepia.com/BWM



CALIFORNIA - BALLAST WATER UPDATE



THE STATE OF CALIFORNIA ADOPTED NEW LEGISLATION ON BALLAST WATER MANAGEMENT, FROM 1 JULY 2017. THESE RULES CODIFY ENFORCEMENT OF THE CALIFORNIAN MARINE INVASIVE SPECIES ACT (MISA).

THE STATE RULES APPLY TO VESSELS OVER 300GT THAT ARE CAPABLE OF CARRYING BALLAST WATER. THE BALLAST WATER MANAGEMENT REQUIREMENTS ADDRESS VESSELS ARRIVING IN CALIFORNIA WATERS FROM OUTSIDE THE PACIFIC COAST REGION AND THOSE OPERATING WITHIN.

The Pacific Coast Region (PCR) comprises the waters within 200nm of land on the Pacific Coast of North America east of 154°W longitude and north of 25°N latitude, excluding the Gulf of California.

The options on methods of compliance are as follows:

- ⚠ Retain all ballast (no discharge).
- ⚠ Exchange ballast by either the empty refill method (100% volumetric replacement) or flow through method (300% volumetric replacement):
 - Vessels arriving from outside the Pacific Coast Region ('mid-ocean') - exchange to be carried out more than 200nm from land at least 2,000m deep.
 - Vessels arriving from within the Pacific Coast Region, with ballast water from the Pacific Coast Region ('near-coastal') - exchange to be carried out more than 50nm from land at least 200m deep.
- ⚠ Discharge ballast water at the same location where the ballast water originated.
- ⚠ Use an alternative, environmentally sound method of treatment approved by either the California State Lands Commission (SLC) or US Coast Guard.
- ⚠ Discharge to an approved reception facility (none currently exist).
- ⚠ Under extraordinary circumstances, perform a ballast water exchange within an area agreed to in advance by the SLC.
- ⚠ The California MISA does not provide for an exemption for vessel deviation, whereas federal (USCG) rules may allow this.

Image Source: Keesal, Young and Logan

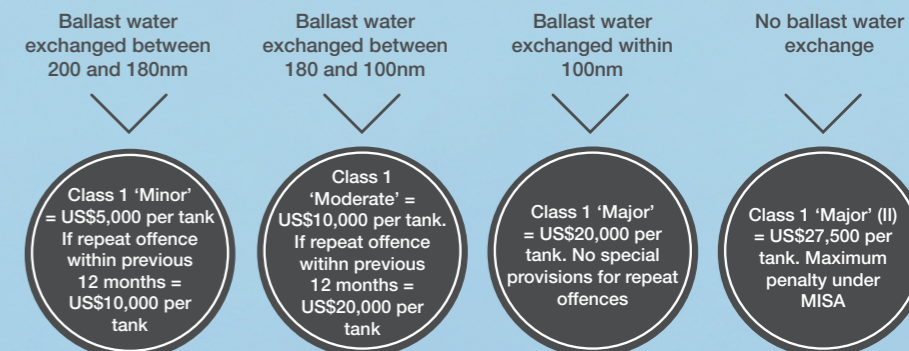
PENALTIES FOR MISA VIOLATIONS

Civil penalties can reach up to US\$27,500 per violation. The violations can be categorised as:

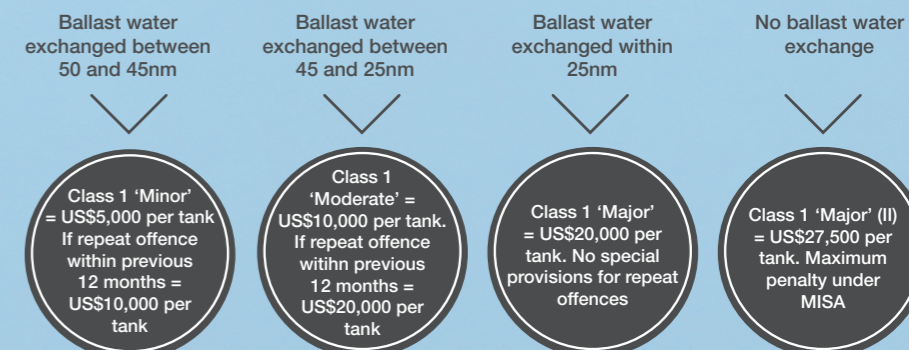
Civil Penalties for Improper Ballast Water Exchanges

The following classes of penalty apply for vessels that discharge ballast in Californian water and failed to carry out a ballast water exchange in accordance with MISA:

VOYAGES BEGINNING OUTSIDE PCR



VOYAGES BEGINNING INSIDE PCR



Civil Penalties for Improper Ballast Water Recordkeeping and Reporting

The regulations require vessels maintain on board ballast water management plans and records. The following penalties apply for violations of ballast water recordkeeping and reporting requirements - but remember that the falsification of records and reports is punishable by up to one year in jail.

RECORDKEEPING VIOLATIONS

Class 2 Violation
First violation: Letter of non-compliance
Subsequent violations of same type: US\$10,000

REPORTING VIOLATIONS

Class 3 Violation
First violation: Letter of non-compliance
Subsequent violations of same type: US\$1,000
Every 30 days of outstanding reporting is a new and separate violation

BALLAST TREATMENT PERFORMANCE STANDARDS - 2020 AND 2030

In 2020, the Californian MISA will begin to introduce strict - and quite possibly technically unachievable - ballast water treatment performance standards. These 'interim standards' are significantly more stringent than the USCG Final Rule and IMO International Ballast Water Management Convention. The 'Final' performance standard of zero detectable living organisms for all organism size classes is scheduled to be implemented in 2030.

PILOT LADDERS



SAFE MEANS OF ACCESS OR STAIRWAY TO HEAVEN?

PILOTS PLAY A VITAL ROLE IN KEEPING VESSELS SAFE AND ENSURING EFFICIENT PORT OPERATIONS. THEIR ROLE ON BOARD IS TO ASSIST AND ADVISE THE BRIDGE TEAM AND THEIR ASSISTANCE CAN BE INVALUABLE – IN SHORT THEY ARE ON BOARD TO HELP. CLEARLY THEY ARE A RESOURCE THAT SHOULD BE RESPECTED, AND MORE IMPORTANTLY, PROTECTED BY THE VESSEL.

There are often serious incidents and fatalities to pilots caused during boarding operations. Boarding operations via a pilot ladder are hazardous at the best of times. Even when the weather is fine and all equipment is correctly maintained and deployed it is no easy task boarding by this means. But a study by pilots shows that vessels are not always maintaining and deploying the access arrangements in accordance with best practice. Obviously this may increase the risk of an incident.

Towards the end of 2016 The International Maritime Pilots Association (IMPA) conducted its annual pilot ladder safety survey. The aim of the survey was to monitor compliance levels and to investigate and highlight standards of pilot ladders and associated equipment.

The results indicated that despite many initiatives, designed to improve safety and

awareness, the level of non-compliance has remained unchanged over the last few years and remains steady at between 15% and 20%.

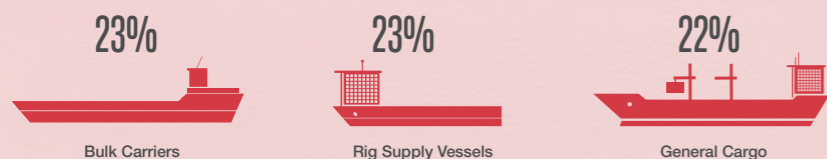
Out of the 2709 survey responses bulk carriers were highlighted as one of the ship types with the highest non-compliance levels with over 23% non-compliant boarding arrangements reported. These were closely followed by rig supply vessels (23%) and general cargo vessels (22%). Car carriers had the most positive results with only 8.24% non-compliance reported.

The top two pilot ladder defects noted related to steps not being horizontal and the ladders not resting against the ship's hull. When a combination access was required nearly a third of all defects arose from the ladders not being secured to the vessels side.

The report notes that deteriorating standards of seamanship are concerning and result in access arrangements not being properly secured. The use of deck tongues and shackles is highlighted as a worrying trend that results in the integrity of the boarding arrangements being reliant on weak single step fittings rather than the stronger side ropes.

Remember that the pilot is important to the vessels safety and efficiency – the least you can offer in return is to respect them by helping to protect their lives. Always ensure that the pilot ladder access arrangements comply with recognised best practice.

SHIP TYPES WITH THE HIGHEST NON-COMPLIANCE LEVELS: 2709 SURVEY RESPONSES



FIND OUT MORE

North's Loss Prevention Hot-Spot on pilot ladders offers practical hints and tips on what to look for when rigging access for a pilot. This should be read in conjunction with the information contained within chapter 22 of the Code of Safe Working Practices for Merchant Seafarers and the IMO approved pilot boarding posters which are available for download in English, Spanish, French and Chinese:

www.impahq.org/downloads.php

www.nepia.com/media/72826/Hot-Spots-Pilot-Ladder.PDF

Details of the full IMPA survey results may be downloaded directly from the IMPA website or by following the link below www.impahq.org/admin/resources/impasafety-broch2016v4lo.pdf

ECDIS



WITH ECDIS ROLL OUT NOW ENTERING ITS FINAL PHASES NORTH HAS PRODUCED A SERIES OF PUBLICATIONS, INCLUDING PREVIOUS ADVICE, WHICH OUTLINE ECDIS BEST PRACTICE.

The briefings and hot-spot cover topics such as training, information display, chart accuracy and voyage planning on ECDIS.

Failure to properly plan voyages, interrogate displayed information effectively and setup safety parameters significantly increases the risk of a grounding occurring. These factors have been identified as contributing to groundings.

The use of ECDIS as a primary means of navigation is becoming more prevalent and so it is more important than ever that good practices in the use of ECIDS are understood and followed.

Our briefings and hot-spots can be accessed at: www.nepia.com/lp-publications

SUPPORTING CREW AFTER THE LOSS OF A COLLEAGUE



NORTH HAS PREVIOUSLY PROVIDED ADVICE TO MEMBERS IN RELATION TO THE PRACTICAL PROCEDURES WHICH SHOULD BE FOLLOWED FOLLOWING A DEATH ON BOARD A VESSEL. THIS ARTICLE PROVIDES SUGGESTIONS FOR DEALING WITH THE EMOTIONAL AND PASTORAL NEEDS OF THE CREW FOLLOWING A TRAUMATIC INCIDENT OR LOSS OF A COLLEAGUE.

Faced with a traumatic event such as the death or serious illness or injury to a crew member on board a vessel the shipowner and Master of a vessel can be confronted with many challenges. These include dealing with the local authorities and the police to the more practical matters of returning the remains and personal possessions of the deceased seafarer to the family as quickly as possible.

When faced with these competing issues, it is not surprising that acknowledging the loss felt by the crew may be overlooked. This article seeks to provide the Master with practicable ideas to support fellow crew members during the grieving process and to assist those affected by the loss of their colleague/co-worker/friend. Support may be particularly helpful where the death was due to an accident and for those members of the crew who may have witnessed the death.

Following a sudden death, we all process the event, our thoughts and also the reality of the loss internally. Each of us have different coping mechanisms and for some support may not be necessary. It is important that the Master acknowledges that it is ok for crew not to feel 100% following a death on board.

At one time it was believed that the best strategy was to encourage people to talk about the loss although, this is now thought to be intrusive. Instead, those affected by the death should be allowed time to come to terms with it, assess what happened and their own feelings. The Master should allow the crew time to discuss their feelings, either as a group or on an individual basis but not insisting that they openly discuss their feelings in front of others. Allowing crew to talk about the loss of their colleague assists the grieving process and allows the seafarer to come to terms with the loss of a colleague. In most cases the Master need only provide the opportunity to talk, provide empathy and listen. Talking may allow a seafarer to process their thoughts and feelings more quickly and come to terms with the loss.

Some seafarers may not wish to talk about the death and their decision should be respected. Others may wish to talk about the death perhaps on more than one occasion, the Master should allow time to listen.

Depending on the predominant religion of the crew on board, as a practicable way of addressing the spiritual needs of the crew the Master may wish to, for example, arrange for a priest to carry out a service on board in memory of the seafarer or alternatively a re-blessing of the vessel. Many charities will be able to assist with this. For example, Apostleship of the Sea is a worldwide organisation who operate in 60 countries covering 260 ports and who offer pastoral support through ship visits as well as carrying out blessings of a vessel following a request received by the shipowner or Master.

For a short time after the incident, the Master should also be aware of any changes in mood or behaviour of individual crew as this may indicate that additional support may be required, such as therapy ashore. This may be particularly true for those crew who continue to talk about the loss well after others have come to terms with it or perhaps witnessed the traumatic event

leading to the death or serious injury to a crew member. The vast majority of crew will likely return to normal after a short period of time.

Some crew members may wish to access support ashore rather than discuss their feelings on board. An organisation called SeafarerHelp offers a free, confidential, multilingual helpline for seafarers and their families, available 24 hours a day, 365 days per year. The service includes the provision of emotional support on board the vessel as well as onshore counselling at the home port following an assessment of needs.

Supporting crew after a death on board may also help raise morale following a tragic event and minimise the emotional impact on the crew.

In brief, after a death or other traumatic event on board:-

- ▲ Acknowledge that it is ok not to be 100%.
- ▲ Provide opportunities for the crew to discuss the loss of their colleague, but do not insist.
- ▲ Allow individual crew to discuss their feelings and on a number of occasions, if necessary.
- ▲ Be alert to changes in crew behaviour.
- ▲ Consider a religious service/re-blessing of the vessel.
- ▲ Remember, there is no specific treatment for dealing with loss. Advice for dealing with such a tragic event may change over time.

FIND OUT MORE

For more information on SeafarerHelp can be found at www.seafarerhelp.org

More information on AoS can be found at www.apostleshipofthesea.org.uk

Earlier guidance can be found at: Looking after the Dead and Dying in *Signals 94* www.nepia.com/lp-publications

SHORE SUPPORT IN ACTION

A bulk carrier arrived during May 2017 and the crew immediately set about their duties – just as they normally did at every port of call. But things soon took an unexpected turn. A couple of hours later a crew member was found unconscious on deck. He had sustained serious injuries and was rushed to hospital but died later that night.

The remaining 18 seafarers on board were shocked and saddened by the tragic death of their colleague. The mostly Catholic crew were also desperate to have the ship blessed and wanted to be able to attend Mass.

Their faith and pastoral needs were supported by seafarers' charity Apostleship of the Sea (AoS) which had a port chaplain in the port.

He met the crew and arranged for another AoS port chaplain, who is a priest, to go on board the ship the next day. The AoS team held Mass, blessed the ship, spoke with the crew and listened to their concerns, offering pastoral support.

As they left the ship, the captain thanked the AoS, saying the crew were relieved and now ready to face the rest of their voyage. Through AoS' global network, the local team were able to contact their colleagues in Manila, Philippines, who in turn were able to support the deceased seafarer's family.

There are a range of charities supporting seafarers across the world.

ABOUT APOSTLESHIP OF THE SEA

It deploys
OVER 200
port chaplains

Covers
260 PORTS IN 60 COUNTRIES

AoS visited
10,035 SHIPS
820 North club vessels, and assisted 200,701 seafarers



Bishop Paul Mason, AoS Bishop Promoter for England & Wales, visits Tilbury port and went on board a ship to meet seafarers. Photo: Maria Brosnan

YOUR MIND MATTERS



NORTH'S SERIES OF ARTICLES ABOUT CREW HEALTH AND FITNESS HAVE SO FAR LOOKED AT MEASURING AND MAINTAINING FITNESS LEVELS, PREVENTING BACK PROBLEMS, EXERCISING TO AVOID OBESITY AND HEALTHY EATING. THIS ARTICLE LOOKS AT THE VITALLY IMPORTANT SUBJECT OF SEAFARER MENTAL HEALTH.

Mental health problems, which can be something that is not widely discussed among 'tough' seafarers, may occur for many reasons. The lifestyle of modern seafarers means they are potentially subject to many forms of mental stress.

CAUSES AND RISKS

Being away from home, working long hours, having little opportunity for time away from the ship due to security restrictions, remoteness of ports or fast turnaround, the feeling of isolation that can occur on board due to being part of a multinational crew or through lack of opportunities for socialising – these are just some of the factors that can affect the mental health of seafarers.

Recognising mental health problems is important for the welfare of the seafarer, their families and shipmates but also for the organisation for which they work.

Mental health problems can cost employers in terms of reduced performance by the affected individuals as well as introduce unnecessary risks to vessels, other crew members and to the individuals themselves.

SPOTTING THE SIGNS

The early identification of potential mental-health problems on board is vital. Quite often the first sign of a problem may be poor performance in the job and, where a seafarer's performance takes a noticeable dip, there may be an underlying problem that could also give rise to mental-health issues.

Changes in mood, people becoming withdrawn, minor physical ailments, sleep problems and disruptive behaviour are all signs that may indicate problems. Very often when the signs are picked up the problems can be dealt with in the early stages and more serious problems will not develop.

AVOIDING PROBLEMS

Perhaps the best ways of avoiding serious problems developing are:

- ▲ to encourage awareness of mental health issues among seafarers at safety meetings and on other appropriate occasions.
- ▲ to encourage communication between crew members.
- ▲ to enhance the social aspect of life on board ships.

Having a crew that is close knit and of high morale helps to keep mental health problems at bay. It means that problems are more likely to be spotted early if they do occur, thus helping to maintain the smooth and cost-efficient running of the vessel.

Remember that if someone seems out of sorts, there is usually a reason for it.

KEY INFORMATION:

The International Committee on Seafarers' Welfare has produced a useful publication about care of seafarer's mental health entitled Guidelines for Mental Care Onboard Merchant Ships, which can be downloaded from its website: www.seafarerswelfare.org/ship-shop/good-mental-health-guide

International Committee on Seafarers' Welfare, Gresham House, 53 Clarendon Road, Watford WD17 1LA United Kingdom.
Tel: +44 1923 222 653.
Email: icsw@icsw.org.uk
Website: www.seafarershealth.org



MENTAL HEALTH SYMPTOMS TO LOOK OUT FOR:

- Changes in mood
- Becoming withdrawn
- Minor physical ailments
- Sleep problems
- Disruptive behaviour



Lesvos, Greece February 02, 2016: Refugees arriving in Greece in dinghy boat from Turkey

MIGRANTS SEASON

WITH THE IMPROVED SEASONAL WEATHER THE INCIDENCE OF MIGRANTS TRYING TO CROSS THE MEDITERRANEAN, THE LARGEST MARITIME MIGRATION ROUTE IN THE WORLD, IS ON THE RISE ONCE AGAIN.

The number of migrants attempting the crossing increases when the weather improves and all vessels should exercise vigilance when passing through the Mediterranean during the summer months.

In the event that you do happen to be involved in a rescue at sea mission we suggest that you follow the International Maritime Organization and the UNHCR guidelines on treatment of people rescued at sea.

FIND OUT MORE:

Further information on migrant routes, the legal framework, and practical considerations of rescuing migrants can be found in our loss prevention briefing on Migrants at Sea. www.nepia.com/lp-briefings

MALAYSIA: CABOTAGE RELAXED ON EAST/WEST TRADE



THE MALAYSIAN PRIME MINISTER ANNOUNCED THAT IT WOULD BE EXEMPTING THE STATES OF SABAH AND SARAWAK IN EAST MALAYSIA AS WELL AS THE FEDERAL TERRITORY OF LABUAN. THE CHANGES FOLLOW CALLS FROM THE LEADERS OF BOTH SABAH IN THE NORTH AND SARAWAK IN THE WEST OF BORNEO.

The cabotage law has been blamed for high shipping costs between east and west Malaysian ports and the move is designed to reduce these costs.

The exemption applies to the trans-shipment of goods from the Malaysian peninsula to the island of Borneo, but not the trans-shipment of goods within the two states and the eastern federal territory.

A QUICKER RESPONSE WITH RESPONSECON

THIS MONTH BIMCO AND ISCO (INTERNATIONAL SPILL CONTROL ORGANISATION) HAVE LAUNCHED TWO NEW AGREEMENTS WHICH SHOULD MAKE IT EASIER FOR MEMBERS TO ARRANGE FOR CLEAN-UP SERVICES IN THE EVENT OF AN EMERGENCY SPILL INCIDENT.

The contracts are RESPONSECON, for international use, and RESPONSECON US, for use in the United States of America, and they have been produced in collaboration with; the International Group of P&I Clubs, the International Salvage Union (ISU) and the Spill Control Association of America. Both agreements are accompanied by detailed Explanatory Notes which set out the reasoning behind, and the intended operation of, the various clauses.

It is the first time that an industry standard set of terms will be available and the fact they have been produced by representatives of both shipowners and spill responders means that they should offer a fair set of terms which can be signed up to quickly without the need for protracted negotiation. They also contain provisions so that response efforts can be mobilised whilst rates and charges are agreed; this should save critical time at the outset of an incident with the result that pollution damage is kept to a minimum.

BACKGROUND

Prior to their development an adapted LOF agreement was often used for clean-up however LOF is not suited to spill response requirements as salvage and clean-up are very different operations. When an incident, for example a collision or grounding, which gives rise to a spill, occurs, salvors are appointed to undertake the salvage operations to save property and prevent damage to the marine environment. Clean up is a different operation and until now contractors have produced their own agreements and every company will have very different terms meaning that negotiations can be protracted and cause delay to the clean-up action required. It was recognised that a standard set of terms to be used for spill response would be hugely beneficial to the industry and following a suggestion made by the ISU, ISCO approached BIMCO for assistance in developing an industry standard contract for the deployment of spill response equipment and personnel.

RESPONSECON

The terms of the agreements follow the already established IG Guidelines for Vessel Response Plan Contracts; however, their application is not limited to shipping incidents or shipowner counterparties. The party which requires the response services is defined as "the Requesting party" to allow for a range of potential client users and also to avoid confusion with the US concept of the "Responsible Party" under the US Oil Pollution Act 1990. Possible Requesting Parties envisaged which extend beyond the traditional maritime setting are: pipeline operators, oil companies and regional and national government authorities. The party providing the response services is defined as "the Contractor".

The agreement is a framework which covers the essential components of the parties' relationship and is based on the Contractor providing equipment and personnel to the required onsite location to carry out the clean-up operations. It is recognised that mobilisation should occur without delay and therefore this can be done before rates are agreed. The Contractor's need for cash-flow is also protected and there is a provision for 80% of estimated mobilisations charges to be paid within three working days from the start of mobilisation. Although less likely to occur, there is a provision allowing for the hire of equipment only which can be changed to include personnel too if the need arises.

Consideration is also given to the need for control over information provided to the media and in this regard the contract requires all media and press communications be channelled through the Requesting Party.

The option of London or Singapore is provided for in the dispute resolution clause, so the contracting parties can determine between themselves which forum would be best suited for their arrangement.

RESPONSECON US

Since legislation in the US requires shipowners to maintain pre-agreed contracts with approved Oil Spill Removal Organisations (OSROs) when trading to the US, shipowners should already have a contract in place to enable spill response action to be taken. RESPONSECON US therefore has been developed for a situation where further resources are required by local contractors; so in the US it would be used as a contract of necessary and not an OSRO contract. Many of the provisions are similar in both RESPONSECON and US RESPONSECON; an obvious difference is the dispute resolution clause and the US contract provides for New York jurisdiction which should be better suited to disputes arising out of operations in US waters.

As stated above, the agreements are a framework and parties remain free to make amendments as they see fit. However, given that so much time and effort has gone into their production, extensive amendments should not be required – as they provide a good level playing field for both contractual counterparts. Members are advised to check with the Club should they be considering entering the agreement with variations to ensure the contract remains within the scope of International Group Guidelines.

FIND OUT MORE

RESPONSECON and RESPONSECON US and their Explanatory Notes are available to BIMCO Members PDFs available here www.bimco.org/contracts-and-clauses/ideal/free-contracts/responsecon www.bimco.org/contracts-and-clauses/ideal/free-contracts/us-responsecon

For more information please contact Catherine Doyle or a member of North's Pollution Enquiry Group PollutionEnquiryGroup@nepia.com

North has published a circular on RESPONSECON www.nepia.com/circulars



1 JANUARY 2021
Cyber Risks in Safety Management System

CYBER RISK INCLUDED IN TMSA ELEMENTS 7 & 13

CYBER RISKS - TIME TO ACT



BARELY A MONTH GOES BY WITHOUT NEWS OF A MAJOR CYBER ATTACK AFFECTING A LARGE OR HIGH PROFILE COMMERCIAL OR GOVERNMENT ENTITY. CYBERCRIME IS A RAPIDLY GROWING GLOBAL THREAT IN ALL INDUSTRIES AND THE MARITIME SUPPLY CHAIN IS NOT IMMUNE, AS THE RECENT PROBLEMS AT APM TERMINALS HAVE DEMONSTRATED.

Cyber threats are real and can seriously disrupt shipping operations. Shipping companies must take steps to improve their cyber security as two recent developments demonstrate.

CYBER RISKS AND ISM CODE

The IMO's Maritime Safety Committee (MSC) has confirmed that cyber risks should be managed under the ISM Code.

The authorities in many countries have been concerned over the vulnerability of shipping to cyber risks for some time and have been encouraging voluntary adoption of cyber risk management practices. This latest development leaves shipowners with

no option but to address cyber risks through their safety management systems.

Resolution MSC.428(98) affirms that an approved safety management system should take into account cyber risk management and encourages administrations to ensure that cyber risks are appropriately addressed in safety management systems no later than the first annual verification of the company's Document of Compliance after 1 January 2021.

TMSA 3

Cyber risk management has been included in the third version of Tanker Management and Self Assessment (TMSA 3) under elements 7 Management of Change and 13 Maritime Security.

KPI 7.3.3 includes cyber security as an assigned responsibility for software management in the best practice guidelines. Under element 13 cyber security is specifically identified as a security threat to be managed.

It seems clear that the oil industry has recognised the need for action from tanker owners and is encouraging action through commercial pressure via TMSA 3. For tanker operators the time to act is now.

A DAUNTING TASK?

The prospect of dealing with cyber security will be daunting for many shipping companies. It's new, involves things that may not be fully understood, and most of us are not likely to have received any formal training in such risks. What is a definite plus is that shipping companies will be very familiar with the risk management framework suggested by the **IMO Guidelines on Cyber Risk Management** and industry **Guidelines on Cyber Security Onboard Ships**. We can also use the experience gained in other sectors of industry who have already put cyber security systems in place.

2021 is not far away. Cyber risks can affect almost every part of a shipping company. There will be lots to do to identify risks and vulnerabilities and to take steps to prepare for, and respond to, cyber threats. It's time for us all to act.

Don't delay – act now.

FIND OUT MORE

North has been raising awareness about cyber risks for some time – you can find out more at our *Insights* area.

For more information visit: www.nepia.com/cyber-risk

NEW ARBITRATION CENTRE OPENS IN DUBAI

The Emirates Maritime Arbitration Centre (EMAC) has opened in Dubai. Members may find that in future fixture negotiations, owners / charterers propose arbitration in Dubai using EMAC Rules.

EMAC is an addition to the already established arbitration organisations in the UAE, namely the Dubai International Arbitration Centre (DIAC), the Abu Dhabi Commercial Conciliation & Arbitration Centre (ADCCAC) and the DIFC-LCIA Arbitration Centre.

Omar Omar, partner at Al Tamimi & Company, a law firm which assisted in setting up EMAC, claims that the rules governing EMAC are "the first of... [their] kind in the Middle East and Africa" and "provide a comprehensive set of procedural rules that are tailor-made for the maritime industry".

Omar Omar advises that "the EMAC Rules aim to combine the effective features of ad-hoc arbitration with institutional arbitration and thus require a light-touch of administrative support by EMAC".

Key aspects that are said to be unique to EMAC are that:

- Δ the Dubai International Financial Centre (DIFC) will be the default seat of arbitration;
- Δ filing for the arbitration may be done electronically, so as to reduce time and cost;
- Δ the Rules set out proceedings for appointing emergency arbitrators where there are extenuating circumstances;
- Δ the Rules provide flexibility for deviation if there is a need for fast-track arbitration or the arbitrator is deciding on small-value claims;
- Δ and, the Rules also require that the costs of arbitration be reasonable.

Ince & Co, Dubai are of the view that EMAC could, once it has become better known and used within the industry, become a regional hub for maritime disputes, especially for parties based within the Middle East and UAE region.

Currently the Club has no experience of the EMAC Rules in operation. If Members require any further assistance, please contact your usual FD&D case-handler.

With thanks to: Al Tamimi & Company and Ince & Co, Dubai who contributed towards this article.



OCIMF – NEW TMSA PUBLISHED



THE THIRD EDITION OF OCIMF'S TANKER MANAGEMENT AND SELF-ASSESSMENT – A BEST PRACTICE GUIDE (TMSA 3) WAS LAUNCHED RECENTLY.

The OCIMF Tanker Management and Self-Assessment programme was originally introduced in 2004 as a tool to help companies assess, measure and improve their management systems.

The new updated and revised third edition of TMSA reflects current legislation, emerging issues and incorporates feedback from shipping companies worldwide.

According to OCIMF's newsletter and *Fast-Facts* guide, the key changes include:

- Δ Expanded best practice guidance to complement the KPIs.
- Δ Revised and enhanced best practice guidance to remove ambiguity and duplication.
- Δ Additional requirements for HSSE strategic planning, Key Performance Indicators (KPI) setting and performance monitoring, review and improvement.
- Δ Streamlining and merging of elements to improve consistency and make conducting the self-assessment easier.
- Δ Enhanced guidelines for risk assessment, auditing and review ashore and on board along with guidance for all related tools to be employed.
- Δ Introduction of updated industry legislative requirements, including latest STCW, MLC, BWMC & Polar Code issues.

- Δ Extensively Revised Element 6 and 6A – Cargo, Ballast, Tank Cleaning, Bunkering, Mooring and Anchoring Operations, with additional KPIs and best practice guidance.
- Δ Extensively Revised Element 10 – Environmental and Energy Management (previously Environmental Management) incorporates the OCIMF Energy Efficiency and Fuel Management paper that was a supplement to the TMSA 2.
- Δ A New element: Element 13 – Maritime Security.
- Δ Cyber risks are incorporated in both elements 7 and 13.

The latest edition has been updated to provide clarity of wording, improve consistency of language and make conducting the self-assessment much easier.

FIND OUT MORE

More information including a set of Frequently Asked Questions (FAQ's) can be found on OCIMF's dedicated TMSA webpage at: www.ocimf.org/sire/resources/

North's newly updated Loss Prevention briefing entitled Tanker Management Self-Assessment can be found on our website at: www.nepia.com/media/756203/LP-Briefing-Tanker-Management-Self-Assessment-May-2017.PDF

TMSA3 - A Best Practice Guide is published by Witherby Seamanship International website: www.witherbyseamanship.com

RESIDENTIAL TRAINING COURSE



North's 25th UK Residential Training Course in P&I Insurance and Loss Prevention held during June 2017 was a great success, with over 40 delegates from many sectors of the maritime industry enjoying a valuable training and networking experience.

Details of the 2018 course will be released shortly. For more information visit: www.nepia.com/RTC

NORTH'S LOSS PREVENTION SERVICE

PROVIDES MEMBERS WITH INFORMATION, PUBLICATIONS, TRAINING AND DIRECT SUPPORT UPON WHICH THEY CAN BASE THEIR OWN LOSS PREVENTION AND SAFETY PROGRAMMES. OUR DEDICATED AND EXPERIENCED TEAM RECEIVE AND ANSWER OVER 2,500 ENQUIRIES EVERY YEAR ON SUBJECTS RANGING FROM CARGO INFORMATION, TRADING AREA RISKS AND PROVIDING A MARINER'S EXPERT PERSPECTIVE.

DEDICATED TEAM:



REGIONAL OFFICES:

BASED IN THE UK AND SINGAPORE



ENQUIRIES:



EXPERIENCE:



PROFESSIONAL INSTITUTES:

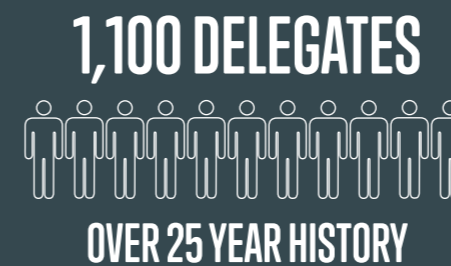
MEMBERS OF THE NAUTICAL INSTITUTE (NI), INSTITUTE OF MARINE ENGINEERING, SCIENCE AND TECHNOLOGY (IMAREST), CHARTERED INSURANCE INSTITUTE (CII), ROYAL INSTITUTE OF NAVIGATION, INSTITUTE OF CHARTERED SHIPBROKERS.

PUBLICATIONS AND GUIDANCE:



EDUCATION & TRAINING

OUR UK AND SINGAPORE RESIDENTIAL TRAINING COURSES HAVE TRAINED:



'HOT-SPOTS' FACT SHEETS

QUARTERLY SIGNALS NEWSLETTER

UPCOMING LP EVENTS & CONFERENCES 2017

OCTOBER

4 OCT COLIN GILLESPIE - SAFETY4SEA CONFERENCE & AWARDS 2017

NOVEMBER

5-10 NOV NORTH SINGAPORE RESIDENTIAL TRAINING COURSE IN P&I & LOSS PREVENTION

For further information or updates on upcoming events visit www.nepia.com/loss-prevention

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Current articles from *Signals* can be found online at www.nepia.com/insights and back issues of *Signals* are available online at www.nepia.com/signals

Disclaimer

In this publication all references to the masculine gender are for convenience only and are also intended as a reference to the female gender. Unless the contrary is indicated, all articles are written with reference to English Law. However it should be noted that the content of this publication does not constitute legal advice and should not be construed as such. Members with appropriate cover should contact the North's FD&D department for legal advice on particular matters.

The purpose of this publication is to provide information which is additional to that available to the maritime industry from regulatory, advisory, and consultative organisations. Whilst care is taken to ensure the accuracy of any information made available (whether orally or in writing and whether in the nature of guidance, advice, or direction) no warranty of accuracy is given and users of the information contained herein are expected to satisfy themselves that it is relevant and suitable for the purposes to which it is applied or intended to be applied. No responsibility is accepted by North or by any person, firm, corporation or organisation who or which has been in any way concerned with the furnishing of data, the development, compilation or publication thereof, for the accuracy of any information or advice given herein or for any omission herefrom, or for any consequences whatsoever resulting directly or indirectly from, reliance upon or adoption of guidance contained herein.