

SIGNALS

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the worldwide newsletter for nepia members

The P&I course goes CBT!

For those who may be unfamiliar with some of the modern 'jargon' – CBT stands for 'Computer Based Training' – this is the way learning will take place in the future and North of England P&I is leading the way in the maritime sector.

The Association, in conjunction with South Tyneside College, have been running a unique distance learning course in P&I insurance and loss prevention for the last 12 years or so. This has been extremely successful and remains the only course of its type in the world. The fourth edition of the course will be launched on 20 February 2002 which has involved a major rewrite of the study notes and a complete restructuring of the method of presentation to embrace modern technology and training ideas. Further details and a few 'samples' from the CBT lessons can be found on the accompanying pamphlet and 'mini CD ROM disk.*

The course provides not only an introduction to the fascinating subject of marine liability insurance but also lays an excellent foundation to many aspects of maritime law as well as loss prevention ideas. A student can decide to take the whole course or only part of the course at any one time. The course comprises of not only the electronic lessons on CD Rom, with accompanying study notes, but also a large collection of reference books,

videos and electronic documents and support material.

The course will be of interest to staff working in different departments of a ship operators office as well as Masters and officers on board ship. It will also be popular and of considerable use to P&I correspondents, surveyors, lawyers and anyone else in related industries or professions who are involved in the operation or insurance of merchant ships. Preferential rates are available to shore based and seagoing staff of Members of North of England P&I Association.

The course is recognised by the University of Northumbria in Newcastle and students who successfully complete the P&I course can continue their studies by distance learning in the University post graduate programme leading to a Master of Laws – LLM qualification in International Trade Law.

Registration forms can be downloaded from the 'mini CD ROM' disk or obtained from the loss prevention department of the Association. Completed forms, along with the appropriate



fee, should be sent to South Tyneside College. The first study packs will be despatched on the 20 February.

*Further copies of the flier and CD ROM disk can be obtained from the loss prevention department at the Association – as well as additional information or advice about the course.

Understanding dry time charterparties

The North of England P&I club has published a practical new loss prevention guide entitled *A mariner's guide to dry time charterparties*. Members and entered ships will find a complimentary copy of the book enclosed with this issue of Signals.

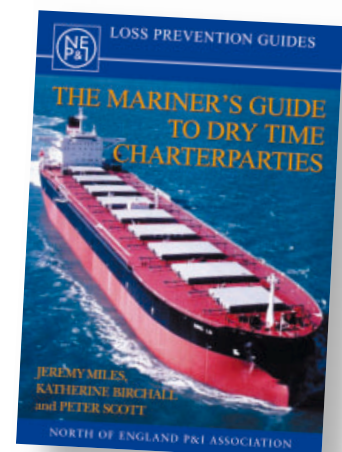
Utilising what is probably the most frequently used form – the 1946 New York Produce Exchange (NYPE) – as the primary example of a dry time charterparty – the book addresses many of the problems faced by masters and ship operators. In addition to numerous obligations to the charterer concerning the condition and operation of the vessel, there is often confusion over exactly what the charterer can and cannot order the master to do. Furthermore, the already complex contract is often supplemented by dozens of rider clauses reflecting the particular contractual arrangements agreed between the owner and charterer.

The club has thus commissioned three of its in-house charterparty experts – Jeremy Miles,

Katherine Birchall and Peter Scott – to produce a simple yet comprehensive introduction to the subject. It has been written as a ready-to-use practical guide that masters, other officers and the owner's managers can refer to in times of need.

Concentrating mainly on the obligations of the ship owner, the guide aims to assist ships' officers to understand as fully as possible the nature of the dry time charterparty. It explains the legal implications of the most common of the owner's obligations, highlights potential problem areas and refers to steps masters should take in collecting evidence in the event of potential disputes arising.

The guide includes the text of the 1946 NYPE time charterparty, the Hague Rules and the Hague-Visby Rules. This latest volume will provide an excellent companion to another book in the club's loss prevention guide series on *Bills of Lading*.



Additional copies of 'The mariner's guide to dry time charterparties' can be ordered from the club's loss prevention department, Members price £10 – non-members price £30.

INSIDE:

Page 2	Page 3	Page 4	Page 5	Page 6	Page 7
Medical treatment of crew members	Rejection of cargo by Master	Terrorism-shipowners responsibilities	Migrants at sea	Escape routes	Residential Course 2002



NORTH OF ENGLAND

Shore leave in Singapore

In October 2001, new laws were introduced in Singapore requiring certain nationalities of crew to have valid visas in addition to a seaman's book before being allowed to leave the vessel for either shore leave or repatriation at Singapore. The visa applications must be accompanied by a photo-copy of the front page of the crewmembers passport. Apparently the Singaporean immigration authority requires two weeks notice before issuing such a visa.

The nationalities are Afghanistan, Algeria, Egypt, Iraq, Iran, Jordan, Lebanon, Libya, Palestine, Saudi Arabia, Sudan, Syria, Tunisia, Yemen.

Indian, Myanmar and Bangladesh crew also require a valid visa to enter Singapore although these can be processed in four days. Those crewmembers will require two sets of photographs and Myanmar and Bangladeshi crew will also require a copy of the front page of their passport whereas Indian crew will require a photocopy of the entire passport.

It is understood that the visas will be valid for a period of two weeks.

The Singaporean authorities have not yet indicated whether these restrictions may be lifted in the future, and if so when.

Brazil - beware!

In previous issues of Signals Members have been reminded of the importance of complying with numerous Brazilian requirements in relation to the documents and certificates carried on board ship, all of which must be complete and fully in order.

It would appear that shipowners have now been put on notice of possible fines for simply having out of date tinned and dried foodstuffs on board! Although these fines are not immediately quantified, they can be as high as US\$20,000. As a result some local agents are requesting a cash deposit in this amount from owners in order to protect themselves against the possibility of a fine being imposed.

The Club has been advised that Members should not succumb to such requests as legally, agents are not entitled to these advance funds.

However, in order to avoid these problems and any subsequent fine, Members should ensure that all paperwork satisfies local requirements, and discuss what these are with vessels agents in advance of entering Brazilian waters.

Medical treatment of crewmembers

When crewmembers have to be landed and hospitalised ashore for medical treatment, Members clearly want to ensure that they are properly cared for; it is important though to notify the Club immediately. It has been consistently found that in the United States of America, subsequent hospital expenses have been exaggerated, but where it is possible to instruct a correspondent early on to monitor fees, substantial savings can be made.

ARM International – a commercial organisation whose area of expertise is the care and repatriation of crew members and the repatriation of stowaways – have highlighted a similar problem in South Africa.

Three classifications of healthcare are available in South Africa, BHF (Board of Health Funders) covers those South African

they recommend intervention as the most economic course of action.

The procedures followed by doctors, hospital staff and all other service providers should be closely audited to ensure that shipowners medical bills are relevant and reasonable. Further, as found in America, this 'watchdog' approach often minimises or even prevents the unnecessary over servicing of crewmembers. Another increasingly common practice is the tendency to have both general practitioners and specialist physicians involved simultaneously with the associated additional cost involved. It has also been noted that on occasion general practitioners charge the same rate as specialists. Where costs have been audited, as much as half of the amount involved has sometimes been



citizens who contribute to a medical insurance plan. IOD (Injured on Duty) is charged to employers for matters arising out of the work place and is approximately 25% higher than the BHF rate. Remaining health care is provided under SAMA (South African Medical Association), however this is approximately 50% more expensive than BHF.

Historically seafarers have been considered and treated as foreigners and charged exorbitant rates, in some cases up to 800% of the standard SAMA rate for equivalent treatment. Whilst ARM International are making efforts to bring fees charged for foreign nationals down to the SAMA level,

recovered. This auditing process can also be applied to medical repatriations to ensure that the correct medical escort is secured for the specific job involved.

ARM International have also advised that their medical division has been able to secure an agreement between themselves and most of the major hospital management groups and medical practitioners, in order to guarantee shipowners substantially reduced rates.

Members are urged therefore to advise the Club immediately of crewmembers requiring medical treatment who are to be landed in South Africa.

Stowaways: Caribbean and Gulf of Mexico

Unfortunately there has been an increase in reported occurrences of stowaways hiding in rudder trunks, particularly on vessels calling at Caribbean and Gulf of Mexico ports prior to sailing to US Gulf ports. These cases typically involve vessels in ballast.

It has been reported that the stowaway will look for a vessel in a light condition and proceed to board by means of swimming alongside the vessel, climbing the rudder and subsequently concealing themselves within the rudder trunk. Typically, the crew can only access the rudder trunk via a manhole cover fitted in the after peak tank, however, as this tank is normally in ballast and/or filled with fresh water,

examination of the rudder trunk during a pre-departure stowaway search is not always practical. If access to the rudder trunk cannot be gained via the after peak tank, the Club would recommend that the crew utilise a small boat, in order to check those areas. Clearly this method of concealment is highly dangerous and it is possible that various stowaway attempts have ended in loss of life during the voyage.

It is very important therefore that the master and crew of vessels engaged in voyages from the Caribbean and central America, to the US Gulf of Mexico, take all available steps to identify the presence of stowaways prior to the commencement of the voyage.

Rejection of cargo by the master

The Club has been involved in two cases recently involving a charterparty obligation that the Master is to ensure that only 'clean cargo' is loaded so that clean mates receipts and bills of lading can be issued. This issue has also been the subject of an arbitration award recently reported in the maritime legal press.

Whilst the shipowners and Master must provide a seaworthy vessel, unless it stipulates otherwise, the only obligation under an NYPE time charterparty on the Master is to ensure that the cargo is stowed in such a way that it does not pose a hazard to the crew or his ship. However, it may be amended to require that the Master is to issue only clean cargo documents and, in order to do this, gives the Master either the right or the obligation to reject unclean cargo. The effect is the same. Where this is provided in a charterparty, the Master must be notified of the requirement or obligation by the owner's office.

It is also a good idea to notify the Association so that a surveyor can be appointed to assist the Master. As this would be an anticipatory



survey the cost would have to be met by the Member unless a dispute did arise, in which case the Association would meet the cost. In most cases, the cost is not great and certainly a small price to pay for peace of mind and the avoidance of off-hire or the interruption of lay-time.

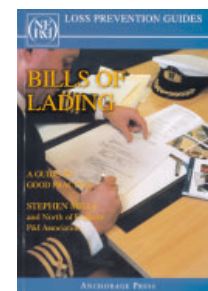
With such a charterparty provision, whether or not a surveyor is appointed, the Master must be sure before he lets any cargo on board, that it is in apparent good order and condition. If it is not, he must reject it before it is loaded. If this is not possible, for instance if the cargo is loaded at night, the Master must inspect it at the first available opportunity and, if it is not clean, stop further loading, reject it and demand that it be discharged. The owners will be in breach of the charterparty if the Master seeks to reject a cargo sometime after it has been loaded. Once the cargo has been loaded and has been retained on board after the first available opportunity for off loading, it is deemed to be clean and the shipper/charterer has a right to demand clean documents. The owner will be in breach, and will be liable for the breach, if the Master refuses to issue clean documents.

Signing bills of lading (again)

Bills of lading and their contents are, possibly, the single element of shipping most likely to give rise to disputes. The Association was recently involved in an incident in which a ship was delayed for about 5 days while the owner, the sub charterer and the shipper argued over whether the date of a charterparty should be inserted in the bill of lading and, if so, which charterparty.

The importance of referring to the date of a charterparty on the face of the Congenbill form of bill of lading cannot be over emphasized. By the terms of the Congenbill, the terms of the named charterparty are incorporated into the terms of the contract of carriage. This can be sometimes the only way in which owners can ensure that claims against them by cargo interests are brought in by un-biased jurisdictions. Whilst some jurisdictions do not accept the incorporation of the terms of a charterparty into bills of lading unless the charterparty is physically attached to the bills of lading, other jurisdictions will only accept the incorporation of charterparty terms if the date of the charterparty is specified.

The easiest way for an owner to protect himself is to instruct the Master to ensure that the date of the charterparty, normally but not always the head charterparty, is inserted on the face of the Congenbill form. If the charterer or shipper wishes to insert the date of another charterparty, not the head charterparty, the owner should accept this only if provided with a copy of the other charterparty and he satisfies himself that the



terms of that charterparty, especially as regards law and jurisdiction, are acceptable. If the Master is required to authorise the agent to sign on his behalf, the letter of authorisation issued by the Master should be conditional upon the agent inserting the date of the head charterparty or, if the owner has agreed, to another charterparty on it. Members are referred to the recommended standard letter of authority set out on page 89 of the Association's publication '*Bills of Lading: A Guide to Good Practice*'; a copy of which has been issued to all Members and every entered ship.

Members should not be confused by the charterparty requirement that the Master is to sign bills of lading as presented. This does not require the Master to sign a bill of lading without a charterparty date being inserted or with the date of an unknown charterparty being inserted. The Master is not required to sign a bill of lading which is manifestly inconsistent with the charterparty and having no date or an unknown date inserted may lead to such results.

Encouraging noises from the Yemen

Most Members will be aware that Yemeni ports have a reputation for producing spurious cargo claims, unreasonable receivers and long delays.

The Association has been advised that the Yemen Port Authority recently called a meeting in Aden of ship agents, consignees, stevedore company representatives, trade union representatives, P&I correspondents and local lawyers. The purpose of the meeting was to discuss the issue of vessel detentions at the port of Aden and the negative impact it was having on Aden's image in the shipping world. It would appear that central government in Aden has instructed the local authorities to do everything possible to improve Aden's tarnished image in the world shipping community.

The governor of the province of Aden advised that local lawyers were perceived to be part of the problem and that severe penalties would be imposed on those lawyers if found guilty of taking advantage of the legal system to pursue groundless claims.

The importance of P&I Clubs and their letters of indemnity was also remarked upon and it is

hoped that this will lead to local receivers and courts being more willing to accept them in the place of unreasonable demands for immediate cash settlement.

One slightly sour note from the meeting would seem to be that the stevedores injured on board ships in Aden feel that they are unfairly treated by local employers and port officials and are unable to rely upon an insurance scheme which is supposed to reimburse them for medical costs incurred. Consequently, they say they are left with little alternative but to spend legal fees of approximately US\$1 to arrest the vessel as a means of obtaining security for their claims.

P&I Club correspondents are actively engaged in trying to build solid working relationships with local authorities and interest groups with a view to easing shipowners burdens in calling at Yemeni ports. They will be following up on the encouraging start made during the meeting.

The meeting indicates that there is cause for hope in Aden and that a similar improvement in relations also occurs in Hodeidah.

Terrorism - a ship operator's responsibilities

Money laundering

The events of September 2001 in New York and their aftermath have brought into sharper focus than ever before the need for constant vigilance to guard against terrorism and other illegal activities. These include money laundering, in particular in so far as it may be connected with terrorism or terrorist organisations. This has also led to a swathe of new legislation in various countries. For example in the United Kingdom parliament has enacted the Terrorism Act 2000 and is presently considering a new Proceeds of Crime Bill. These aim to regulate the funding of the terrorists and to punish severely organisations or individuals involved in such funding activities. Such legislation applies to those knowingly involved but will also affect those who might otherwise be innocent but, for

example, may have doubts or suspicions about the legality of certain activities and nevertheless turn a blind eye to them and take no action.

Precisely what impact these new laws are likely to have on those involved in the shipping industry, particularly owners, operators and charterers, is presently unclear. Nevertheless what is clear is that such legislation will have an impact and will apply to those involved in shipping. Members should therefore be aware that what might otherwise appear to be normal shipping activities and operations could in fact be used by those connected with terrorism and other illegal activities for the purposes of money laundering. Members should therefore be vigilant, be aware of the possibilities and act accordingly, reporting any suspicions that they may have to their relevant

national authorities. Failure to do so could expose Members to severe penalties.

Know your crew

Similarly it is not clear as to what extent Members could face liabilities for any terrorist or other acts carried out by their crews or other employees. However Members should bear in mind that they could face liabilities, in particular if they cannot demonstrate that they have acted reasonably in employing the relevant individuals and have acted appropriately in the light of any reasonable doubts or suspicions that they might have. Members may wish to consider reviewing their employment policies, practices and procedures and consider the need for further vetting. Members are encouraged to know their crews!

Hold cleaning between ports in Australia: DIY but do it carefully

The position adopted by local unionised waterfront labour, that 'when a ship is in port for loading or unloading, shore-based labour is to be used to clean or prepare cargo holds', was dealt a fatal blow in a recent Federal case, (*ACCC v Maritime Union of Australia* [2001] FCA 1549).

The country's competition watch-dog the Australian Competition & Consumer Council, argued successfully that the Maritime Union of Australia ("MUA") had used 'undue harassment' to unlawfully coerce two foreign vessels into using local union labour to clean their holds while in port after completing discharge and preparing to move to another Australian port to load.

The Court found that the MUA was in breach of the Trade Practices Act in relation to the two incidents, and imposed an order that had been agreed between the parties, that the MUA pay fines of \$150,000, together with costs of \$60,000. It is significant to note that the Court indicated that it felt this to be at the lower end of the scale, hinting that if it was left to the Court to decide, the level of fines were likely to have been significantly higher.

The court held that the MUA had used undue harassment or coercion to delay the vessels, which was in breach of section 60 of the Act. Mr. Justice Hill found that the coercion was deliberate and MUA policy. The MUA and the ACCC entered into consent orders with the MUA admitting it had engaged in secondary boycotts in breach of the Trade Practices Act, and consenting to fines for these offences.

Of significance to bulk vessel operators is the fact that the Court imposed permanent injunctions restraining the MUA from engaging in undue harassment or coercion regarding the supply of hold cleaning services to ship owners, charterers or their agents, should those operators wish to use their crew to clean the holds.

Operators stand to be warned that the MUA made much of their concerns for the environment in their objections to hold cleaning by ship's crews. It therefore follows that those who do undertake to clean their own holds should be vigilant that absolute environmental integrity is maintained. The MUA will be watching.

Extension of writ search to Australia

Members will be aware that as part of the FD&D cover for MOA risks the Association has arranged maritime lien insurance that provides cover for Members who face claims for maritime liens that arose against the ship before they purchased it. As part of that cover the Association has arranged a writ search facility with Ince & Co in London, Singapore and Hong Kong and with Garlicke and Bousfield in Durban. Searches are carried out in these jurisdictions before the ship is delivered to identify whether any claims may already have been lodged against the ship.

The Association is pleased to announce that this writ search facility has now been extended to cover courts in Australia and New Zealand. Arrangements have been made with the Sydney based firm, Norton White, to carry out searches in both the Federal and State Courts in Australia, and in the High Court on New Zealand.

If Members require further information they should contact the FD&D department at the Association.



"Fatigue may catch up with your crew whilst carrying out routine tasks"

Migrants at sea

The Association published a Signals Special in September 2001 on the subject of migrants at sea. This raised the important question as to what assistance is available to masters who go to the assistance of persons in distress and then find that the governments involved may be unwilling to allow the rescued persons ashore because they are migrants.

In the following letter Dr M K Reith, of Orion Schiffahrts-Gesellschaft Reith & Co Gmbh &

Co, asks all shipowners and other concerned parties to lobby the United Nations High Commissioner for Refugees (UNHCR) and the International Maritime Organization (IMO) to take steps to introduce international guidelines and assistance for shipowners and masters who find themselves in this unfortunate predicament.

IMDG Code – 2000 Edition

Members are reminded that the one year transition period for the IMDG Code expired on 31st December 2001. The IMDG Code – 2000 Edition – should now have replaced all previous versions of the Code on Members' ships.

Dear Ladies and Gentlemen,

I am writing about an important humanitarian matter. In the 70's/80's/90's, tens of thousands of boat people in the South China Sea were rescued by merchant and naval ships. Now this kind of emergency is occurring frequently in other areas.

I refer to the recent "Signals Special" from the North of England P&I Club and would be very grateful if you could distribute this special publication within your organisation, your fleet, amongst your colleagues, and to any other contacts whom you may think reasonable.

The acuteness and urgency of the situation was demonstrated by the "TAMPA" case near Australia. This case clearly shows that international, reliable regulations have to be agreed upon for disembarkation of those rescued without delay in order to enable the shipping industry to comply with our humanitarian responsibility. For this purpose, it is necessary that international organisations should undertake three actions:

1 Without delay

Correct the widespread negative publicity in the media arising from the "TAMPA" incident, which reduces the readiness of vessels to carry out the rescue of persons in distress.

Explain positively, how the international community and organisations can support this preparedness of seafarers and shipowners carry out rescues.

2 Medium-term

Publish an updated form or the so called "Guidelines" as they were published regarding the Vietnamese Boat People in the 80's including a warranty of disembarkation of the rescued without delay and if possible a guarantee for costs.

3 Long-term

Formulate an international convention to warranty the handling of all future cases without problems.

The United Nations High Commissioner for Refugees (UNHCR) in Genève and the International Maritime Organization (IMO) in London are the most appropriate organisations to take the lead in dealing with this humanitarian issue. Although the UNHCR only deals, in theory, with persons who have been designated as refugees, this formal distinction is irrelevant when a master is asked to rescue a boat full of persons in distress. Such large organisations also need the industry to keep them advised of current concerns. Against this background I would be grateful if you could write to the UNHCR and IMO as soon as possible outlining the need for them to take the lead in taking action in this matter and indicate the necessity of the realisation of the three above mentioned items.

Please give this matter your kind and urgent attention and support because it is an intolerable situation that masters and owners are obliged by humanitarian and legal obligations to rescue migrants/refugees at sea but may afterwards encounter problems to disembark them. The negative experiences such as those experienced by the "TAMPA" may have terrible consequences if masters do not want to become involved with the same problems and therefore prefer to ignore people in distress at sea. The consequences will be tragic loss of life. Such diabolical results were reported on numerous occasions in the past in relation to migrants from Vietnam. The awkward and unacceptable situation is described in the article of Lloyds Ship Manager Oct 2001.

Owners and seafarers have to rely upon the assistance and guidance from international organisations to sort out this predicament and get a solution. Only if as many persons active in the shipping industry as possible raise their voice together can we hope that the necessary action will take place. Please become active in this matter by contacting and expressing your concern to the international organisations at the addresses shown, or by contacting your appropriate national organisations.

For any questions, please contact me and I thank you for your support of this humanitarian matter.

Yours sincerely

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Safe overtaking

The latest poster in the North of England's series on the Collision Regulations prompts the officer of the watch to take a closer look at the actions of both vessels in an overtaking situation, in accordance with Rule 13 of the Collision Regulations.

The United Kingdom Marine Accident Investigation Branch (MAIB) has recently issued a warning about overtaking vessels in the English Channel, where the traffic has a natural tendency to "bunch up". The MAIB are concerned that the use of integrated navigation systems creates pressure on the navigator to remain on the electronic course line "at all costs". In some cases, slower moving vessels ahead on this track were considered a serious hindrance to following the passage plan. It must be remembered that the passage plan is an aid to safe navigation, it fails to serve its purpose if it puts the vessel in danger.

The MAIB's observation requires us to refresh our knowledge of the application of Rule 13 when different navigational situations are overlaid. Paragraph (a) of Rule 13 makes it immediately clear that no matter what the situation may be with respect to vessel type and location, except in the case of restricted visibility, the overtaking vessel is to keep out of the way of the vessel being overtaken. For example, a vessel constrained by her draught, overtaking in a Traffic Separation Scheme, is

considered to be the overtaking vessel and must take avoiding action.

To remove the potential doubt as to what is an overtaking situation and what is a crossing situation, Rule 13(b) clearly defines what an overtaking situation is by reference to the relative position of the two vessels and the aspect of the vessel being overtaken when viewed from the overtaking vessel. Any lingering doubt that may exist should be removed when reading Rule 13(c), which implies that when any doubt exists, the faster of the two vessels should assume that she is the overtaking vessel and take avoiding action.

The relative position of the two vessels, and aspect of one from the other, during the overtaking situation changes continuously until the overtaking vessel is finally past and clear. Paragraph (d) of Rule 13 makes it clear that once a vessel is overtaking, irrespective of the subsequent alteration of bearing between the two vessels, she will always be the overtaking vessel until finally past and clear.

Finally, it is often presumed that navigators would prefer to be on the give-way vessel rather than the stand-on vessel. The overtaking situation is probably no exception. The navigator on a stand-on vessel in an overtaking situation may feel a sense of vulnerability. Generally, he or she will be



unable to say with certainty on which side the overtaking vessel intends to pass, whilst also being mindful that any reduction in speed could reduce the time to the beginning of a close quarters situation. If the vessel being overtaken is small, a larger overtaking vessel will often pass at close quarters. This action cannot be condoned because there is always the possibility that a steering gear may fail or the vessels may be affected by wash or interaction.

In an overtaking situation, the give-way vessel should take early and effective action to keep well clear of the vessel being overtaken. The action must be clearly visible both by sight and radar to the vessel being overtaken and the effectiveness of such action should be carefully monitored until the overtaking vessel is finally past and clear.

Escape routes

In any emergency it is essential that the crew of a ship can find their way to safety easily, even if only emergency lighting is available and smoke is seeping into the escape routes. There are a number of ways to help ensure that a safe escape is possible:

- Every person on the ship should be familiar with the means of escape from any part of the ship where they may visit.
- It is essential to make sure that all emergency escape routes and passageways are kept clear at all times and any obstructions removed.
- The escape routes should be marked by permanent signs. Emergency escape signs should be green and show the direction to go especially at corners and intersections. On passenger ships these signs should be supplemented by low level lighting or photoluminescent strips near the deck, which can guide people to an exit when they are crawling along a smoke filled escape route. These can be fitted on other types of ship as well.

Chapter VI of the STCW Code requires that all persons on a ship receive familiarisation training to identify muster and embarkation stations and emergency escape routes. This should obviously form part of the company's

preparations under Chapter 8 of the ISM Code requiring training for emergency situations and also be incorporated into the Safety Management System.

The latest poster in the MAST (management, safety, training) series, which accompanies this issue of Signals, illustrates some of the good and bad practices associated with escape routes in a humorous way.



Development of shipboard manuals

The International Association of Classification Societies (IACS) have produced a new publication covering links between onboard accidents and inadequate manuals. They are highlighting the problems encountered when technical manuals are presented in languages which cannot be understood by those on board and the fact this has contributed to serious accidents and near misses.

The UK MAIB recently issued a report commenting on the standard of manuals, in this case in respect of lifeboats, stating that they frequently lacked clear and accurate descriptions of the equipment and that some manuals covered the manufacturers range of equipment rather than solely that on board the vessel. This has led to the crew ignoring them as there is too much information irrelevant to them, resulting in incorrect maintenance and operation of the equipment.

At the IACS website www.iacs.org.uk under 'technical', they have provided guidance on the form, content, structure and presentation for technical authors to follow.

Members may like to visit the website and then have a look at their own technical manuals and consider if they are readily understandable and easy to use by the crew they are employing.

Residential training course – 2002

The 2002 residential training course will be held from 24 to 31 May – full details are set out in the pamphlet accompanying this issue of Signals.

Following the successful introduction of a new structure to the course in 2001 it has been decided to again offer the course in three parts. In this way delegates can determine how much of the programme they wish to participate in – they may take all three parts, or a combination of one or two of the parts.

The first part of the course will provide a very good introduction to ships, the shipping industry and international trade. Part of this will be covered in the Marine Safety Training Centre of South Tyneside College and partly visiting the commercial port on the river Tees including visits onboard working cargo ships.

The second part of the course will be held at Lumley Castle and will explore the history, background and structure of P&I insurance as well as a look at underwriting principles and an introduction to loss prevention.

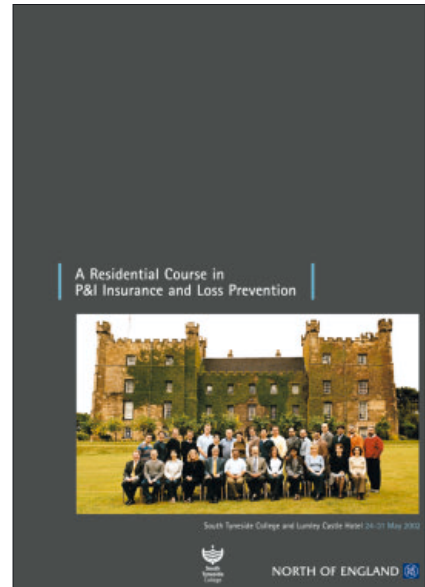
Remaining at Lumley Castle, the third part of the course will involve an in-depth look at

various heads of claims such as cargo, pollution, personal injuries, collisions, damage to property, etc. Lectures will be complemented by interactive workshops, including a collision scenario utilising the Bridge Simulator at South Tyneside College, and a series of mini-tests will check progress being made.

In addition to a very full programme of learning there will also be a full social programme arranged for delegates. The fact that at least half of the delegates each year are there because of a personal recommendation from a former delegate is a most satisfying compliment.

Indeed almost half of the delegate places for this years course have already been taken before the first notice has been given – those wishing to join the course therefore are strongly urged to complete and return the enrolment form in the accompanying pamphlet as soon as possible.

Additional information can be obtained from the loss prevention department at the Association.



ISM Code: making it really work

During the summer of 2001 the manager in charge of loss prevention at the Association – Captain Phil Anderson – was invited to join a working group which had been established with the Maritime and Coastguard Agency of the UK, the Chamber of Shipping and The Institute of Marine Engineering, Science and Technology as well as other industry representatives. The purpose of the working group was to consider what, if anything, might need to be done in preparation for Phase 2 implementation of the ISM Code on 1 July 2002. Whilst initially a UK centred initiative it quickly adopted an international perspective.

At the inaugural meeting it was decided that a major international conference would be organised to explore lessons learned post

Phase 1 implementation and to consider what may need to be done as the final deadline for Phase 2 implementation approaches. One of the important issues which was recognised was the role which the Flag State Administrations need to play in ensuring that the ships flying their flag are fully compliant and that ISM does not become a paper exercise. The conference has therefore been arranged to coincide with the IMO Maritime Safety Committee meeting in May which will provide an opportunity for the delegates from the Flag States to combine their attendance in London at IMO with participation at the conference. It is hoped that delegates will also participate from all sectors of the shipping industry both shore based and seagoing.

It is anticipated that the event will be opened by the Minister of Transport for the UK and The Secretary General of The IMO, with an international panel of speakers – including feedback from Phil Anderson's major research into ISM implementation. Some details can be found on the flier accompanying this issue of Signals and full details can be obtained from IMarEST who are the event organisers.

The conference will be held in London on Monday 13 and Tuesday 14 May 2002 - delegate places will be limited and early registration is strongly recommended. Signals readers are encouraged to participate in this very important event.

S&P seminars visit Asia

The North of England recently organised a series of Sale and Purchase dispute seminars in Asia following earlier seminars throughout Europe.

The seminars form part of the Associations continued loss prevention effort and are designed to raise Member awareness of the potential difficulties involved in Sale and Purchase transactions and disputes.

The first seminar was held in Hong Kong on Tuesday 9 October 2001 in conjunction with the Hong Kong Shipowners Association

(HKSOA). The event attracted some 100 delegates from as far a field as Indonesia, China, Vietnam and Taiwan as well as Hong Kong itself. The seminar was chaired by Mr Arthur Bowring, chairman of HKSOA.

The second seminar was held in Singapore on 11 October 2001 in conjunction with the Singapore Shipping Association (SSA). The seminar which was chaired by North of England Director Mr Robert Sumantri of Andhika Lines was attended by more than 200 delegates. Mr Sumantri complimented the Association for its service, commitment to loss

prevention and hailed the event a major success.

Guest speakers and S&P experts included Malcolm Strong, Nick Burgess and Joe O'Keele from Ince & Co together with Guy Mills of Mills & Co. The Club was represented by Club managers Thya Kathiravel, Katherine Birchall and Richard Bracken.

Anyone who would like copies of the speakers papers should contact the loss prevention department at the North of England.

North of England supports Maritime London

The North of England was delighted to once again support Maritime London which was held at the Baltic Exchange in London on 19 and 20 September 2001.

The Association was represented by Club Manager Richard Bracken, P&I claims executive Julie Fisher and Michael Asherson an attorney from the FD&D department.

Maritime London was formally opened by the UK Government Minister of Shipping the Right Honourable Mr David Jamieson who emphasised the importance of shipping and the significance of Maritime London during his opening address.

The event was supported by some 40 exhibitors, from many areas of the shipping and maritime industry, and received between 1,550 - 2,000 visitors.

Visitors to the North of England stand included the shipping minister and other dignitaries as well as Members, ship owners, brokers and many other interested parties.

The Association has been a regular supporter of the exhibition for a number of years where our ever growing range of education and training material and our reputation for effective and practical loss prevention is well known to exhibition visitors.

Signals Swot 10 Quiz Winner

Mr Giuseppe Vitale
Heath Lambert Group

Runners-up

Mr Per-Ake Kvick
Kalmar Maritime Academy

Captain Bob Ridge MV 'Alpine Lady'

Mr Leon Betsworth Heath Lambert Group

Mr JD Haynes MV 'Sir Charles Parsons'

Ola Olsson Sweden

well done!!!!!!

Signals Swot Quiz

Welcome to Signals Swot number 11. We invite you to pit your wits against "**Bosun Bo**" and become a **Signals Swotter!**

This is not a general knowledge quiz but rather the answers to all the questions are to be found within this particular issue of Signals.

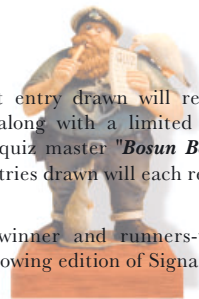
- The quiz is open to all readers of Signals.
- The quiz comprises 10 multiple choice questions - simply tick the correct answer ✓

- Send a photocopy of your answers, along with your name and, if appropriate, name of ship, position on board, company and address to the Editor of Signals at the Association.
- All correct entries received by the closing date will be entered in a prize draw.
- Closing date 15 March 2002.

PRIZES!

The first correct entry drawn will receive a 'Winners Plate' along with a limited edition statuette of our quiz master "**Bosun Bo**". The next 5 correct entries drawn will each receive a statuette.

Details of the winner and runners-up will appear in the following edition of Signals.



signals swot 11

Good luck to all you Signals Swotters!!

- | | | | |
|---|--|---|--|
| <p>1 The charterparty requires the master to 'sign bills of lading as presented'. The master is presented with a bill of lading for signing which has been dated three weeks prior to the date when the vessel first arrived for loading. Should the Master agree to signing that document?</p> <p>Yes..... <input type="radio"/></p> <p>No..... <input type="radio"/></p> | <p>3 Who is Dr. Reith encouraging readers to contact to lodge their concerns about the migrants at sea problem?</p> <p>ICS / ISF..... <input type="radio"/></p> <p>UNHCR / IMO..... <input type="radio"/></p> <p>ITF..... <input type="radio"/></p> | <p>6 What is the subject of the latest volume in the North of England loss prevention guide book series?</p> <p>Bills of Lading..... <input type="radio"/></p> <p>Time Charterparties..... <input type="radio"/></p> <p>Voyage Charterparties..... <input type="radio"/></p> | <p>9 What was the main problem highlighted by IACS linking onboard accidents to inadequate technical manuals?</p> <p>The number of manuals used.... <input type="radio"/></p> <p>The measurement units used.... <input type="radio"/></p> <p>The language used..... <input type="radio"/></p> |
| <p>2 Who was alleged to have used 'undue harassment' to coerce foreign ships to use local union labour for hold cleaning in Australia?</p> <p>MUA..... <input type="radio"/></p> <p>MOA..... <input type="radio"/></p> <p>ACCC..... <input type="radio"/></p> | <p>4 Which COLREGS Rule relates to overtaking situations?</p> <p>Rule 10..... <input type="radio"/></p> <p>Rule 13..... <input type="radio"/></p> <p>Rule 15..... <input type="radio"/></p> | <p>7 What should be the colour of emergency escape signs?</p> <p>Green..... <input type="radio"/></p> <p>Red..... <input type="radio"/></p> <p>Orange..... <input type="radio"/></p> | <p>10 In addition to the more usual places, where would you be advised to look for stowaways if your vessel was sailing light from a port in the Caribbean or Gulf of Mexico?</p> <p>Bow thrusters space..... <input type="radio"/></p> <p>Hawse pipe..... <input type="radio"/></p> <p>Rudder trunk..... <input type="radio"/></p> |
| | <p>5 When will the ISM Conference be held in London?</p> <p>13 / 14 May 2002..... <input type="radio"/></p> <p>15 / 16 June 2002..... <input type="radio"/></p> <p>1 July 2002..... <input type="radio"/></p> | <p>8 What aspect of modern technology and training is used in the latest version of the P&I Distance Learning Course?</p> <p>Internet training..... <input type="radio"/></p> <p>CBT..... <input type="radio"/></p> <p>Webcam Links..... <input type="radio"/></p> | |

*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 Association's FD&D dept. for legal advice on particular matters.

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