

Safe operations Pilots

Safety of seafarers is a recurring theme in this edition of *Signals*. There has been a lot of concern over the last few years about the safety of crew members involved in lifeboat drills, particularly accidents involving lifeboats fitted with on-load release systems. A significant number of seafarers have been killed or badly injured while taking part in such drills. The International Maritime Organization recently published a circular that consolidated advice on regulations and good practice for undertaking lifeboat drills and an article in this issue reviews that advice.

Another type of shipboard operation where the Association has seen a number of incidents involving death or injury to seafarers is mooring operations. North of England's latest *If only...* poster

addresses this concern. Members and entered ships will receive a copy of the poster with this edition of *Signals*.

See pages 2 and 3 for full story



North of England has recently been involved in a study of large claims where pilot error is believed to be a contributory factor and the findings have highlighted concerns that there may sometimes be a tendency for masters and watchkeepers to relax when pilots are on board, and fail to react when there is risk of collision or an impending grounding or damage to a berth or other property. It is very important that bridge teams communicate properly with pilots and also monitor pilots' actions properly. This will also require preparation that allows any departure from the passage plan to be detected rapidly.

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Loss prevention services Cargo safety

North of England believes that well targeted loss prevention initiatives contribute to claims avoidance. The Association's loss prevention strategy is to provide direct support to individual Members while continuing to provide general guidance on loss prevention to all Members. To realise this commitment, loss prevention services are delivered at two levels – general and targeted – to provide Members with good quality information on which to base their own risk management and safety programmes.

Many Members have benefited from direct support over the last few months through the provision of in-house seminars or workshops, and Members' staff have visited Newcastle for in-office training. To provide up-to-date general advice, as well as providing hard copy publications, the Association is continuing to develop its electronic media services, through its monthly *E News* email service and website.

See page 7 for full story

The theme of seafarer's safety is continued when looking at carriage of cargo. Two particular types of cargo that can result in fires and damage to a ship, thus putting seafarers' lives at risk, are coal and calcium hypochlorite. The safe carriage of coal in bulk is regulated by the Code of Safe Practice for Solid Bulk Cargoes (BC Code) and the carriage of calcium hypochlorite, particularly in containers, is regulated by the International Maritime Dangerous Goods (IMDG) Code. The problems associated with, and precautions that should be taken, carrying both of these cargoes are considered in this issue of *Signals*.

See page 4 for full story

Charterparty clauses

Owners often appear to inadvertently agree to clauses being inserted into charterparties that potentially compromise their P&I cover without also having any recourse against the charterers. This is probably because owners assume that such clauses are customary, or because they have been used repeatedly over several fixtures and have not been checked to make sure they are appropriate for a new fixture.

In the current market, owners could have more of an opportunity to dictate the terms on which the contract is written and to avoid provisions that are not favourable to them. The article in this issue gives some advice on reviewing charterparties and removing disadvantageous clauses, which over time have become accepted as standard.

See page 3 for full story





Ukraine – an update

Medicine stores

When arriving at the Ukrainian ports of Odessa or Ilyichevsk, particular care must be taken regarding the completion of the medicine and drug lists. While there are many medicines that are sold without prescription by pharmacies in the Ukraine and elsewhere, if they contain specified drugs then Ukrainian customs authorities require them to be entered in the drug list and stored in the master's sealed safe.

It should be noted there have been occasions where the customs authorities have not brought the incorrect listing of a drug to the master's attention at the time but have imposed a fine on the master at a later date.

Compulsory medical insurance

Previously it was necessary for non-Ukrainian crewmembers wishing to enter the Ukraine to purchase medical insurance in case of a medical emergency. This requirement is still in place for the passenger terminals at Odessa, Skadovsk and Ilyichevsk, but crewmembers of merchant vessels have been freed from the obligatory purchase of such policies.

The Association is grateful to correspondents Dias Marine Consultants in Odessa, Ukraine, for the information contained in this article.

Galley hygiene – avoiding health risks

There has been a spate of press reports recently about food poisoning on board cruise liners. However, this growing problem also extends to passenger ferries and all other ship types – and can be extremely serious.

An attack of food poisoning on board a ship can have potentially life-threatening consequences for the crewmembers concerned but even a mild attack can cause a significant disruption to the safe operation of a vessel.

Where passengers are involved, there can also be significant financial damages involved. There have been a number of recent reports where courts have made large awards for the victims of food poisoning.

Risk of disease and death

Whereas some years ago food-borne illnesses on ships may have been considered nothing more than an inconvenience, the likelihood of seafarers and passengers being seriously affected has now substantially increased. There are three main reasons for this:

- The move towards a global economy has facilitated rapid transport of perishable and unusual foods from around the world.
- Overall eating patterns have changed.
- Knowledge of safe food preparation may have declined.

Food poisoning has traditionally been considered a short-lived and mild illness, but it is now recognised to be associated with morbidity and, worryingly, mortality. Conditions such as arthritis, meningitis, auto immune disorders, renal failure and hepatitis can arise from a food-borne illness.

For example, between 1996 and 2000 there were 22,000 hospital admissions and 700 deaths from food-borne illness documented in England and Wales. These figures do not include the much higher

numbers of people suffering from attacks of diarrhoea or vomiting.

Safe preparation guidelines

Although contaminated chicken is one of the main causes of food-borne diseases, it is recognised that another major factor is food preparation, irrespective of the type of food involved.

Members are thus urged to ensure that the following simple food-preparation guidelines are adhered to in their ships' galleys:

- **Clean** – all cooks should wash their hands and preparation surfaces often. Hands, counter tops, cutting boards, utensils and dishes should be washed with hot soapy water after preparing each food item and before going onto the next.
- **Separate** – do not cross-contaminate. Separate all raw meat, poultry and seafood from other foods in the refrigerator and other food storage places. Use different cutting boards for raw meat products and fresh produce and never place cooked food on a plate that previously held raw meat or poultry.
- **Cook** – use a thermometer. Never guess whether meat has been properly cooked. Cook meat and poultry to recommended temperatures. If the meat has been marinated in the fridge before cooking, throw out any used marinade, or bring to a boil before reusing.
- **Chill** – do not over-pack refrigerators and ensure that they are set at 4°C or below for safe storage. Thaw frozen food in the refrigerator, or in cold water, changing the water often. It is also important to refrigerate left-over foods promptly.

This article has been prepared with the assistance of Elliot Bishop, Hill Dickinson.

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IMO consolidates lifeboat safety guidelines

The International Maritime Organization (IMO) has recently updated and consolidated its numerous circulars on the subject of measures to prevent accidents with lifeboats into one document *entitled Measures to Prevent Accidents with Lifeboats* (MSC.1/Circ.1206).

The circular includes the following annexes

- **Annex 1** – guidelines for servicing and maintenance of lifeboats, launching appliances and on-load release gear
- **Annex 2** – guidelines on safety during abandonment drills using lifeboats.

IMO member governments have been invited to include these guidelines in their national requirements as soon as possible.

Initial test lowering

It appears Port State Control Officers are already following the guidance on safety during abandonment drills using lifeboats contained in Annex 2, paragraph 2.3.2, which states:

'Before placing persons onboard a lifeboat, it is recommended that the boat first be lowered and recovered without persons on board to ascertain that the arrangement functions correctly. The boat should then be lowered into the water with only the number of persons on board necessary to operate the boat.'

If there is a safe and practical way of getting the assigned operating crew into the boat in the water this may be an acceptable alternative. For instance, a Port State Control Officer would not want to see crew climbing down an exceptionally long boarding ladder overhanging the flare of the hull aft.

There is still a risk in hoisting the boat and then loading it with the crew for re-lowering to the water, but the overall risk should be reduced by the initial 'test' lowering. Some reported accidents have involved failure of the brake system, which had been incorrectly re-assembled after maintenance on board, and the initial test lowering should confirm the brake system is functioning correctly.

Temporary hook locking

IMO's senior technical officer Heike Hoppe stated in a letter to Fairplay Shipping Weekly published on 2 November 2006 that the aim of the amendments was to leave 'the master full discretion to decide the conditions in which such training and drills should be conducted'. Perhaps more importantly he went on to say,

'elements of the drill that might involve an unnecessary risks need special attention or might be excluded. The lowering of a lifeboat with its full complement of people is an example that might, depending on the circumstances, involve an unnecessary risk. Such drills should be carried out only if special precautions are observed.'



Myth or truth?

Never hold in a sneeze

Many of us were warned as children that, if we hold in a sneeze, our heads might explode. While it will not have taken very long for most of us to realise that this was a myth, it is true that holding in a sneeze can cause harm.

The *Guinness Book of World Records* reports that the longest sneezing bout ever recorded was that of a British school girl who started sneezing in January 1981 and did not stop for 978 days.

A sneeze is a reflex triggered by sensory stimulation of the membranes in the nose, resulting in a forceful expulsion of air through the mouth and nose. The air expelled by sneezes is said to travel up to 160 km/h, and an unimpeded sneeze sends between 2,000 and 5,000 bacteria-filled droplets into the air.

Holding in a sneeze can potentially therefore cause fractures in the nasal cartilage, nose bleeds, burst ear drums, hearing loss, vertigo and detached retinas.

So, do not hold your sneeze in – let it fly, but please cover your nose and mouth first.



Port State Control Officers are indicating that 'special precautions' can include modifications to lock the lifeboat hook system positively provided they are removed once the drill is complete. Interlocking devices designed for this purpose are available on the market.

It would seem that lowering the lifeboat a second time with only the number of persons on board necessary to operate the boat and with an interlocking device fitted to the release hooks is a significant reduction of risk. It nevertheless remains vital that masters ensure their lifeboats' release systems, brake systems, falls and davits are correctly maintained.



Charterparty clauses – time for a spring clean

Given the strength of the current shipping market, owners may be well-placed to renegotiate the terms of their charterparties. In particular they should take the opportunity to review their pro-forma charterparties and remove those disadvantageous clauses that over time have become accepted as standard.

All too often owners inadvertently agree to clauses being inserted into charterparties that they would be better advised to resist. It would seem such clauses are agreed without any real consideration being given to them. This is either because owners assume that such clauses are always agreed and are customary, or because they are contained in a pro-forma charterparty that has been used repeatedly over several fixtures and has not been re-read and checked to make sure that the terms are appropriate or desirable for the new fixture.

The strength of the current market may provide owners with an opportunity to dictate the terms on which the contract is written and to avoid provisions that are not favourable to them. While owners have a commercial advantage, they should review the terms of their charterparties and for their next fixtures negotiate out those clauses which are commercially disadvantageous.

Ones to get rid of

Examples of disadvantageous clauses often relate to bills of lading. Many charterparties will contain clauses that require owners to discharge an entire

cargo without production of original bills of lading in return for a charterer's letter of indemnity. Usually, owners are aware that agreeing to such a clause will compromise their P&I cover.

However, for commercial reasons, owners are prepared to agree such clauses and accept the security of charterers' letters of indemnity, possibly in place of their P&I cover. Obviously letters of indemnity are only as good as the parties that guarantee them, so owners should always make sure that charterers have sufficient financial standing to honour them.

Owners should also be careful not to agree to other clauses that compromise their P&I cover and leave them without the fall back of security from charterers. For example, charterers may request a clause that requires owners to issue clean bills of lading in return for charterers' letters of indemnity. As owners should be aware, issuing a clean bill of lading – which correctly should be claused – amounts to fraud. Letters of indemnity issued by charterers would be unenforceable as they would be a fraud on the bank required to pay under the letter of credit.

Another example of a clause that would possibly compromise owners' P&I cover is one requiring owners to agree to waybills being issued which do not incorporate the Hague Rules or the Hague Visby Rules.

Members requiring advice about charterparty clauses should contact the Association.

New poster on mooring safety

The latest poster in North of England's *If only...* series is published with this edition of *Signals*. It continues the hard-hitting format of the series by showing the consequences of not following safe working practices during berthing operations.

The Association has dealt with a number of incidents where crew members have been injured, or even killed, during routine towing and mooring operations while berthing or leaving port.

Chapter 25 of the Code of Safe Working Practices for Merchant Seaman, published by the UK Maritime and Coastguard Agency, provides useful guidance on safe working practices to be followed during berthing operations. In particular these mention avoiding 'snap-back' zones – the areas in which people are likely to be injured if a mooring or tow rope breaks under strain.

The poster depicts crew members remaining clear of snap-back zones while engaged in a towing operation, along with another image showing an

injured seafarer who had not been in a safe place when a wire broke. *If only* he had followed safe working practice, this would not have happened.

A copy of the new 'If only...' poster accompanies this issue of Signals.

Members can obtain an electronic copy of the Code of Safe Working Practices for Merchant Seaman from the Maritime and Coastguard Agency website: www.mcga.gov.uk/c4mca/mcga-guidance-regulation.htm





Calcium hypochlorite – needs to be kept cool

Recent reported fires aboard container ships serve as a timely reminder of the hazards associated with the carriage of packaged dangerous goods, particularly when Members are asked to carry calcium hypochlorite.

There have been a number of cases where ships have been damaged or lost as a result of fire in the holds and calcium hypochlorite is known or suspected to be the cause of the fire. In several cases members of the ship's crew were killed.

Calcium hypochlorite is used in many applications ranging from bleach to purifying water. Cargoes of calcium hypochlorite are dangerous in that they can decompose and give off heat. Unless the heat is removed, they will get hotter and ultimately explode – giving off both heat and oxygen, which can set fire to adjacent cargoes.

To avoid build-up of heat, individual packages of calcium hypochlorite should

- be kept relatively small
- not be unitised or containerised in large numbers
- not be externally heated.

Dangerous dry and hydrated

Calcium hypochlorite is carried in two forms, dry or hydrated. In both cases it appears as a whitish yellow solid. All forms of the cargo are dangerous and appear in the IMO International Maritime Dangerous Goods (IMDG) Code under UN numbers 1748, 2208 and 2880. The two most reactive forms are

- UN 2208 – dry with 10–39% available chlorine
- UN 2880 – hydrated or a hydrated mixture with 5.5–16% water.

However, hydrated chloride becomes more reactive with increasing amounts of water. If hydrated

calcium hypochlorite contains more than 16% water, it should thus be treated as if it were still within UN 2880.

The latest (2002) edition of the IMDG Code was issued with new requirements as a result of representations to the IMO by the International Group of P&I Clubs, which had commissioned Dr JH Burgoyne & Partners to test and analyse the product characteristics of UN 2880 hydrated calcium hypochlorite. That testing showed that explosive decomposition depended on the size of the packages, the number of packages in a container and the ambient temperature in the container.

For instance, for 80 no. 200 kg drums stored in a container for 30 days, the 'critical ambient temperature' above which the cargo was likely to explode was as low as 30°C. For 432 no. 40 kg drums stored for 30 days, the critical ambient temperature was about 37°C. Temperatures in ships' holds can often exceed these temperatures for even longer periods.

The IMDG Code now requires, amongst other things, that the cargo be carried on deck only, shaded from direct sunlight and stowed away from sources of heat.

Recommended precautions

North of England issued circulars relating to the carriage of calcium hypochlorite in November 1999 and January 2001, in which the following precautions are recommended.

- Cargoes of calcium hypochlorite classified as UN 1748, 2208 and 2880 should be stowed clear of living quarters.
- Cargoes of calcium hypochlorite classified as UN 1748, 2208 and 2880 should be packed in clean drums not exceeding 45 kg net weight.

- Calcium hypochlorite should never be packed for marine transportation in sacks or bags.
- On voyages where mean air temperatures are anticipated to reach 35°C for prolonged periods, additional measures for limiting temperatures within freight containers containing calcium hypochlorite classified as UN 1748 and UN 2880 should be adopted, for example, by ventilation or mechanical cooling. Alternatively the total weight of calcium hypochlorite should be limited to 14 tonnes per freight container.
- Cargoes of calcium hypochlorite classified as UN 1748, 2208 and 2880 should not be carried in freight containers larger than 20 ft in length.

Members have asked whether carriage of calcium hypochlorite could be considered in 40 ft refrigerated containers, set at 10°C, or in 40 ft ventilated units. As no research has been carried out on the safety of these suggested methods of carriage, the Association's advice continues to be as above. In any event, there would always be concerns about what would happen if there were a loss of power on board or ventilation was not sufficient for some reason.

Beware different names

Shippers have tried to avoid alerting ship owners that they were carrying calcium hypochlorite by referring to it by different names. These include:

- B-K powder
- bleaching powder
- bleaching powder containing 39% or less chlorine
- calcium chlorohydrochlorite
- calcium hypochloride
- calcium oxychloride
- Caporit
- CCH
- chloride of lime
- chlorinated lime
- HTH
- Hy-chlor
- lime chloride
- Pittclor
- calcium salt.

Carriage of coal – a reminder of the risks

Coal remains one of the largest of the dry bulk trades with shipments of the commodity increasing markedly over recent years. It also remains one of the most dangerous to carry, and the aim of this article is to serve as a reminder to the dangers in carrying coal and how the risks can be minimised.

The major hazards of carrying coal are as follows:

- Coal cargoes may emit methane gas, which is flammable and lighter than air.
- Some coals are also susceptible to self-heating, which can lead to spontaneous combustion in the cargo hold.
- Some coals are high in sulphur and can react with water to produce acidic corrosion. This process can also lead to oxygen depletion in the cargo holds and possibly adjoining spaces.

Methane

Build up of methane can lead to an explosive atmosphere that is susceptible to ignition by sparks or

naked flame. As a precaution against the risk of methane build-up in the hold, the IMO Code of Safe Practice for Solid Bulk Cargoes (BC Code) recommends that, unless expressly directed otherwise, all holds should be surface ventilated for the first 24 hours after departure from the loading port.

Because methane is lighter than air it may accumulate in the upper region of the cargo space or other enclosed spaces. If there are spaces around the cargo, methane can seep into them. Access to such spaces should thus be strictly controlled and entry should only be made by following proper entry-into-enclosed-spaces procedures.

Self heating

A self-heating situation can be detected by monitoring the levels of carbon monoxide gas. In circumstances where masters suspect the cargo to be self-heating, they should immediately contact their owners to seek expert advice. In such cases the BC Code recommends the hatches be kept closed and surface ventilation

limited to the minimum necessary for the removal of any accumulated methane.

Trimming the cargo can considerably reduce the risk of self-heating. The BC Code requires that, prior to departure, the cargo should be trimmed reasonably level to the boundaries of the cargo space, reducing the possibility of gas pockets forming and to prevent air permeating the body of the coal. This aspect is sometimes ignored and untrimmed holds can contribute to self-heating during the voyage. The BC Code also recommends that a means of monitoring cargo temperatures be provided.

Corrosion

Risk of corrosion can be managed by regular hold bilge testing. If the pH monitoring indicates that a corrosion risk exists, masters should ensure that all bilges are kept dry during the voyage to avoid possible accumulation of acids on tank tops and in the bilge system.



Rare and valuable cargo cover

Members occasionally ask what a 'rare and valuable' cargo is and whether they should check with the Association before booking one.

Broadly speaking a rare and valuable cargo is one that is high value or of a rare or precious nature. The Club rules refer to specific types of cargo, but that list is not meant to be all-encompassing.

Liability implications

Another way of considering rare and valuable cargoes is in the terms of the liability such cargo would pose if carried.

- Would the liability exceed normal expectations?
- Is there an additional risk to the vessel and its crew?
- Are limitation or defences normally available under the Hague Visby or equivalent rules likely to be lost?

If the answer to any of these is yes, carriage of such cargo will probably go beyond the usual concept of mutuality.

To ensure cover remains in place, Members should check with the Association before booking such cargo. Each case will be considered on its merits and, to do this, the Association will typically require information related to the cargo, its value and the contract of carriage – including how the cargo will be described on the bill of lading. Also, details of the stowage and security arrangements – not only onboard the vessel but also while the cargo is ashore – will be requested. Members are reminded that *ad valorem* (value) bills of lading should not be issued.

If there is any doubt as to whether the cargo is 'high value' or 'rare', Members should not hesitate to contact the Association for clarification and further advice.

Follow the BC Code

All ships engaged in the carriage of coal should carry gas detection equipment for measuring oxygen, methane and carbon monoxide concentrations so that the atmosphere within the hold may be monitored. The shipper must provide written confirmation of the characteristics of the cargo – whether it is high in sulphur for example – and recommended safe handling procedures for loading and transport of the cargo.

In summary, all coal cargoes should be carried strictly in accordance with the recommendations of the BC Code.

The UK Maritime and Coastguard Agency (MCA) also provides comprehensive advice about the carriage of coal in a Marine Guidance Note – MGN 60(M).

Members can obtain a copy of MGN 60(M) from the MCA website: www.mca.gov.uk/c4mca/mcga-guidance-regulation.htm

Keeping watch under pilotage

Many officers of the watch (OOW) may have written, 'courses various to master's orders and pilot's advice' in the logbook and then felt able to relax, happy perhaps that the most onerous task ahead is to find out how the pilot prefers their tea to be made.

However, the International Group of P&I Clubs has been studying major claims files where pilot error is believed to be a contributory factor and the findings suggest there may still be confusion about the role of pilots once they come onto the bridge and temporarily join the bridge team.

A good starting point for clearing up the confusion is the International Chamber of Shipping's Bridge Procedures Guide, section 3.3.3.1 of which states:

'The presence of the pilot does not relieve the master or the OOW of their duties and obligations for the safety of the ship. Both should be prepared to exercise their right not to proceed to a point where the ship would not be able to manoeuvre, or would be in danger.'

With such a clear statement, which can be incorporated into procedures and standing orders, it could be expected that since the introduction of the ISM Code there would have been a reduction in both the number and costs of pilot-error incidents. But this does not appear to be the case, suggesting that the continuing trend of pilot-error claims could possibly be a symptom of a failure to improve the effectiveness of bridge-team management.

Damage and grounding claims

The International Group findings suggest that in many property damage and grounding incidents there was a breakdown in bridge-team management with the pilot on board, particularly in relation to the master/pilot information exchange and whether there are sufficient bridge-team members to maintain control during pilotage.

Clearly many incidents result from failure to control or take account of basic elements of the pilotage, such as:

- excessive approach speed
- weather conditions
- tidal conditions
- equipment or machinery failure
- appropriate use of tugs.

What is less clear is whether the bridge team has considered more 'sensitive' aspects, such as the nationality of the pilot in relation to the nationality of the bridge team. This can create communication problems – for example the respect for authority overriding the need for all bridge-team members to question each other's actions.

Departing from passage plans

Although in most jurisdictions the pilot is only on the bridge in the capacity of an advisor, it should be remembered that Chapter V, Regulation 34 of the

International Convention for the Safety of Life at Sea (SOLAS) requires that the master shall, prior to proceeding to sea, plan the passage taking into account the International Maritime Organization (IMO) guidelines contained in Resolution A.893(21) – Guidelines for Voyage Planning. These state that the plan should cover the entire voyage from berth to berth.

Navigation from the pilot station to the berth inwards and outwards is probably the least understood aspect of passage planning. It might help to know that IMO recommendations (Resolution A.960(23) – Recommendations on Training and Certification and on Operational Procedures for Maritime Pilots other than Deep-Sea Pilots) make it clear that any passage plan is a

'basic indication of preferred intention and both the pilot and the master should be prepared to depart from it when circumstances so dictate.'

This implies that the master or OOW must be in a position to judge when there is a departure from the passage plan when berthing and unberthing. The minimum requirement might be courses laid down on the chart and/or electronically from pilot station to berth and from berth to pilot station, so that any departure from the planned track can be checked with the pilot.

Collision claims

A collision always raises the question of whether there was a failure to keep a proper lookout. Failure of the bridge team to understand the relationship with the pilot on the bridge and the need of the OOW or the master to continue to maintain a proper lookout and assess whether risk of collision exists can lead to a situation where collision avoidance is left in the hands of the pilot. However, the pilot is unlikely to be responsible and accountable in the event of a collision.

It is important for masters and watchkeepers to concentrate even more on the safe navigation of the ship when a pilot is on board.





ELECTRONIC INFORMATION SERVICES FOR MEMBERS

Internet

Industry News – the proactive loss-prevention service for Members – is available on the Association's website. News items are researched and selected on the basis that they will provide the latest news and advice on which to base loss-prevention decisions.

Members can access *Industry News* from the direct link on the left-hand side of the Association's website at www.nepia.com

Email

E News is distributed to Members by email and provides a monthly digest of *Industry News* items, club circulars and press releases.



Members' shore or sea staff who wish to be added to the *E News* circulation list should send their contact details, including their name, position, company and email address, to the Association using the dedicated *E News* email address: add.eneews@nepia.com

RSS

The Association provides an RSS (really simple syndication) news feed that enables Members with an internet connection to receive up-to-date information directly from the Association to their desktop as soon as it is published, without having to remember to visit each site every day.

RSS

A guide to using the RSS service, and the news feed itself, can be obtained from the Association's website: www.nepia.com/rss

INTERNATIONAL MARITIME ORGANIZATION (IMO) UPDATE



Eighteen individual amendments to IMO legislation entered force on 1 January 2007. Among the amendments are a number that may have a significant impact for shipowners operating existing ships. These include the following amendments.

Water level detectors

Amendments to the International Convention for the Safety of Life at Sea (SOLAS), Chapter II-1, require water-level detectors to be fitted in all existing single-hold ships of 80 m length and above. This is to be carried out at the first intermediate or renewal of the ship's safety construction certificate survey, but not later than 31 December 2009. This brings single-hold cargo ships in line with bulk-carrier requirements for a water-ingress alarm.

Categorization of noxious liquid substances

Under changes introduced to the International Convention for the Prevention of Pollution From Ships (MARPOL), Annex II – noxious liquid substances carried in bulk, the previous system whereby chemical cargoes are listed in one of five categories – A, B, C, D or Appendix 3 (negligible risk) – will be replaced by a new four-category system. Noxious liquid substances are now categorized as follows:

- *Category X* – substances deemed to present a major hazard to either marine resources or human health and, therefore, justify the prohibition of the discharge into the marine environment.
- *Category Y* – substances deemed to present a hazard to either marine resources or human health or cause harm to amenities or other legitimate uses of the sea and therefore justify a limitation on the quality and quantity of the discharge into the marine environment.
- *Category Z* – substances deemed to present a minor hazard to either marine resources or human health and therefore justify less stringent restrictions on the quality and quantity of the discharge into the marine environment.
- *Other substances* – substances which have been evaluated and found to fall outside categories X, Y or Z because they are considered to present no harm to marine resources, human health, amenities or other legitimate uses of the sea. The discharge of bilge or ballast water or other residues or mixtures containing these substances are not subject to any requirements of MARPOL Annex II.

Members are advised to check that their vessels are in compliance with the new requirements, which may require reissue of the appropriate certificates required by the International Bulk Chemical (IBC) Code. Classification societies are recommending that owners contact them if there are any queries regarding the process of reissuing certificates.

Categorization of vegetable oils

A further amendment to MARPOL Annex II relates to the transportation of vegetable oils, which are no longer classified as unrestricted. Instead, vegetable oil cargoes will be required to be carried in chemical tankers.

Revised guidelines for general cargo ships carrying restricted grades of vegetable oil in bulk on certain trades also entered into force on 1 January 2007. An Administration may grant a relaxation from carriage in chemical tankers where general dry cargo ships have independent tanks specially designed for the carriage of these vegetable oils.

Members can obtain up-to-date information about amendments to these and other IMO requirements from the *Industry News* pages on the Association's website: www.nepia.com

INTERNATIONAL LABOUR ORGANIZATION (ILO) UPDATE



New guide to seafarer's welfare

Most seafarers are aware of IMO conventions such as MARPOL and SOLAS, but it seems far fewer have heard of the ILO or know of its 67 maritime conventions and recommendations. These cover issues such as conditions of employment, hours of work, food and catering, medical care, repatriation and accommodation at sea.

Lack of recognition and poor record on ratification meant ILO did not have much influence on the actual working and living conditions of seafarers. This situation was acknowledged at an ILO meeting in 2001 and it was decided to consolidate the patchwork of conventions and recommendations into a major maritime convention standing alongside the principal IMO conventions.

In February last year the Maritime Labour Convention 2006 was completed and adopted. Under the convention, ships over 500 GT engaged in international voyages or voyages between foreign ports will be required to carry a:

- Maritime Labour Certificate
- Declaration of Maritime Labour Compliance
- copy of the Maritime Labour Convention.

Port State inspections will continue to verify compliance with ILO requirements with regard to:

- the minimum requirements for seafarers to work on ships
- conditions of employment
- accommodation, recreational facilities, food and catering
- health protection, medical care, welfare and social security protection.

In future, Port State Control Officers will accept the Maritime Labour Certificate and Declaration of Maritime Labour Compliance as *prima facie* evidence of compliance so that inspections should be only a simple review of these documents. There will have to be 'clear grounds' for believing that the working and living conditions on the ship do not conform to the convention requirements in order to warrant a full inspection.

Because the Maritime Labour Convention is a consolidation of existing requirements, most of the mandatory aspects should already be covered on board Members' ships, with current compliance being confirmed by Port State Control inspection rather than certification. One aspect that may not be covered is the mandatory requirement in the convention for shipowners to make arrangements with ILO member states to ensure that seafarers on

ships in their ports can readily access welfare facilities ashore.

The requirement is being introduced because the ILO has noted that since 2001, the International Ship and Port Facility Security (ISPS) Code and the world security situation in general have reduced opportunities for seafarers to go ashore – a situation which is further compounded by allegations that ports in certain countries are making excessive charges or imposing unreasonable procedures that deter seafarers from leaving their ships. Guidance on the shore leave aspect of the convention does not really address how shipowners should proceed with states that adopt an uncooperative attitude.

The International Shipping Federation (ISF) has published a guide entitled *ILO Maritime Labour Convention: A Guide for the Shipping Industry* to assist shipping companies in understanding the main implications of the Maritime Labour Convention 2006.

Members wishing to obtain a copy of the ISF guide should visit the ISF website: www.marisec.org



Risk management events

Over the past few months North of England's P&I claims, FD&D and risk-management teams have continued to visit Members' offices to provide seminars and workshops for both shore-based and sea-going staff. Presentations and workshops have been given at Members' offices in Germany, Greece, Cyprus, Norway, China and India.

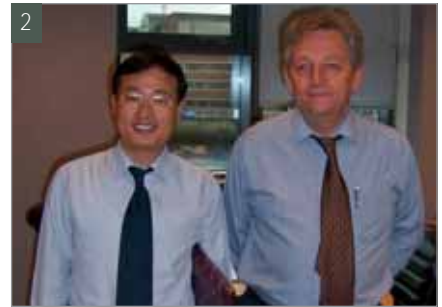
Topics covered have included cargo stowage and securing, charterparty issues, collision claims, deviation cover, pollution issues, Port State Control, risk management, stowaways and unsafe ports.

A number of staff from Member's offices have also visited the Association's office in Newcastle-upon-Tyne, UK, for in-office training recently, including visitors from Germany and Korea.

North of England was also one of the sponsors and main supporters of the Nautical Institute's Mariner & Maritime Law seminar held in Gateshead, UK, in November. The title was *Collisions – Controlling the Chaos* and the event included practical advice from many of the parties who assist masters and shipowners in the aftermath of a collision.

Pictures:

- 1 Savraj Mehta speaks at a fleet personnel seminar in Mumbai, India, for Gulf Energy Maritime (GEM) PJSC.
- 2 Mr S C Hwang, Deputy General Manager of Hyundai Merchant Marine Co Ltd, Insurance Department, with Ian Henderson at North of England's offices in Newcastle upon Tyne.
- 3 Tony Baker with shore and sea staff from Pacific Basin at a seminar in Dalian, China.
- 4 Tony Baker and Andreas Plett (Junge & Co) with shore and sea staff from Hans Peterson & Söhne at an in-house visit, Rendsburg, Germany.



Andrew Glen joins risk-management team

Andrew Glen is the latest recruit to North of England's highly experienced risk-management team, having recently joined the Association from Glasgow College of Nautical Studies. During his seven years at the college Andrew was involved in developing and delivering a broad range of maritime training programmes for post-graduate students and prospective master mariners. As a senior lecturer his responsibilities included management of the vocational training programme for graduate and

deck officer cadets and serving as examination and liaison officer for external validation agencies. He is a master mariner with 16 years sea service on a variety of vessel types including bulk, container, passenger ro-ro vessels and tugs. He will be involved in delivering many of the services provided by the Club's Risk Management Department, where his practical and academic experience will be very useful in complementing North of England's existing loss-prevention work.





2007 residential training course

The Association's annual residential training course in P&I insurance and loss prevention will take place from 8–15 June 2006 at Lumley Castle near Newcastle-upon-Tyne, UK. The course consists of three distinct parts:

- an introduction to ships and shipping, including a visit to ships at a local port
- an introduction to marine insurance
- a more detailed look at P&I insurance.

Delegates can choose the part or parts they wish to attend and the course is therefore suitable for

people with a widely different range of experience. It is always very popular so Members are advised to register as soon as possible to avoid disappointment.

A course brochure accompanies this edition of 'Signals' and delegates should register by returning the registration form. Further details of the course can be obtained from Adele Lathan in the Risk Management Department.

Email: rtc2007@nepia.com



Signals Search 10

Questions

- 1 What should be prepared from berth to berth?
- 2 What might calcium hypochlorite give off?
- 3 What new ILO convention is being introduced?
- 4 Who is the latest risk management recruit?
- 5 What is the area in which people are likely to be injured in mooring operations?
- 6 What is one of the main causes of food-borne diseases?
- 7 Where will the 2007 P&I residential course be held?
- 8 What life saving equipment has the IMO issued consolidated safety guidelines for?
- 9 What sort of gas might coal emit?
- 10 What sort of cargo might a work of art be?



- Signals Search is open to all readers of Signals.
- Send a photocopy of your completed search, along with your name and, if appropriate, name of ship, position on board, company and address to Denise Huddleston at the Association.

- All correct entries received by the closing date will be entered in a prize draw.
- Closing date Friday 2nd March 2007.

The first correct entry drawn will receive a prize 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 next edition of *Signals*.

Your copy of Signals

Copies of this Signals should contain the following enclosures:

- If only... poster – Mooring operations (Members and entered ships only)
- 2007 Residential Course in P&I insurance and Loss Prevention brochure

Signals Search No.9 Winners

Winner: Persyn VD Veire, "IVER EXPERT", Vroon BV

Runners-up: Arturo Bargo – Qatar National Navigation & Transport • Captain Zawar Hussain Khan – "NAJRAN", United Arab Shipping Company • Bruce Virgo – HBJ Gateley Wareing • Mohsen Asgari – IRISL • Per-ake Kvick – University of Kalmar

Answers to Signals Search 9

- | | |
|------------------------|-----------|
| 1 Oily water separator | 6 CTPAT |
| 2 Butter | 7 Laytime |
| 3 Heat stroke | 8 SOLAS |
| 4 Liquefaction | 9 VDR |
| 5 Abnormal waves | 10 Drills |

• 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.

• The purpose of the Association's loss prevention facility is to provide a source of 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 that information are expected to satisfy themselves that the information is relevant and suitable for the purposes to which it is applied. In no circumstances whatsoever shall the Association be liable to any person whatsoever for any loss or damage whatsoever or howsoever arising out of or in connection with the supply (including negligent supply) or use of information (as described above).

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