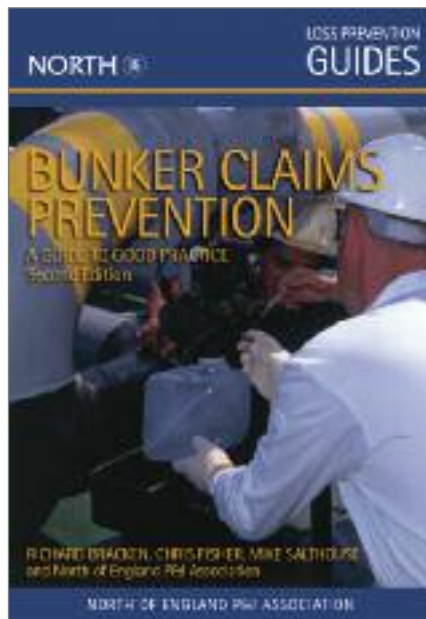


New electronic loss-prevention guide on bunker claims

North has published a number of loss-prevention guides over recent years covering a wide variety of subjects, ranging from personal injury prevention to bills of lading. Many of these guides are available to Members in an electronic format. The format chosen is pdf and each guide is fully indexed and cross-referenced electronically, as well as being able to make use of the normal search methods available in a pdf document using a suitable reader.

The latest guide to be added to this collection is the second edition of *Bunker Claims Prevention – A guide to good practice*. This illustrated guide explains how to avoid the potentially enormous losses arising from loading marine fuel oils of unsuitable quality or insufficient quantity. It aims to assist ship's officers, operators and managers understand the pitfalls of the bunkering process and the steps which should be undertaken in the event of a dispute arising.

The nature of marine fuel oil is explained along with associated purchasing contracts, loading and handling procedures, shipboard treatment methods, sampling and testing techniques and loss-prevention and insurance aspects. The guide includes a copy of the BIMCO Standard Bunker Contract, recommended clauses and a set of recommended standard letters.



Members can download a copy of the new guide from the Club's website:
www.nepia.com/riskmanagement/lossprevention/publications/

Safe work – safe ship handling

The latest addition to North's loss prevention *Safe Work* poster initiative, deals with the subject of ship handling. Fixed and floating object (FFO) damage to property claims have for some time featured among the highest value claims experienced by the Club.

Independent post-incident investigations often identify insufficient planning, poor communication and a lack of familiarity with a vessel's handling characteristics as the causes of FFO incidents.

Ship-handling competence is an essential skill for masters, particularly if they are to monitor pilots effectively and intervene when necessary should they have concerns about the manner in which the pilot is manoeuvring the vessel.

A copy of the new poster – *Safe Work, safe ship handling* – is enclosed with this issue of *Signals* for Members and entered ships.



Taking medication at sea

The introduction of effective pre-employment medicals has had a significant effect in reducing the number of illnesses on board ships due to pre-existing medical conditions. To assist this process the Club has recommended another clinic in the Philippines.

Many of the diagnosed conditions can be managed on board provided seafarers comply with prescribed medication. However, a number of crewmembers have been taken seriously ill, or have died, as a result of not taking their drugs properly. The risks associated with medication at sea are considered in this issue.

See page 2 for full story.

Piracy

The threat of piracy is still very much in the news and this issue of *Signals* contains information about how to keep up with the latest information, particularly about transiting the Gulf of Aden.

The issue of the crew welfare associated with hijacks and attacks is also considered, with advice on how to help and reduce trauma for crewmembers and their families.

See pages 2 and 6 for full stories.

IMSBC Code Published

Although adopted in December 2008 the new International Maritime Solid Bulk Cargoes (IMSBC) Code, which is the replacement for the Code of Safe Practice for Solid Bulk Cargoes (BC Code), is only now being published.

The aim of the IMSBC Code is to facilitate the safe stowage and shipment of solid bulk cargoes by providing information on the dangers associated with their shipment and the procedures to be adopted. A summary of the new code is provided in this issue of *Signals*, and in particular its provisions for the carriage of direct reduced iron and its derivatives.

See pages 5 and 6 for full stories.



Piracy, its aftermath and crew welfare

Acts of piracy and armed robbery against ships are causing increasing concern – to ship operators already affected or trading on targeted routes, to international organisations such as the United Nations and International Maritime Organization (IMO) and, above all, to ships' crews and their families.

According to IMO, the total number of reported acts of piracy and armed robbery against vessels worldwide over the past seven years is almost 5,000. There were 51 incidents during April 2009 alone. However, the true extent of attacks is even greater as, according to the International Maritime Bureau, many incidents – probably 7 out of 10 attacks in Nigeria, for example – are not reported.

The consequences for crew of an attack by pirates, whether successful or not, can include the risk of sustaining physical injuries, for example where pirates fire on vessels with guns and rockets while attempting to board; and also from physical assaults by pirates during the course of a hijack. Fortunately, crew injuries from hijackings are relatively few, apart from those off Nigeria.

Debriefing crewmembers

Once a hijacked vessel is released, or following an attack, it is important that crewmembers are properly debriefed. Not only do ship operators need to take statements from the crew as part of an investigation into an attack or hijack, it is also

important to determine their reaction to the event. Any crewmembers who are exhibiting symptoms which could indicate they may require more specialist attention must be quickly identified and further assessed by a medical professional.

Following any traumatic event such as a hijacking, it is important that members of the crew who are affected are provided with practical and pragmatic support. Owners should ensure crews' needs are met upon their release, including, for example, the prompt or advance payment of wages. Where possible, facilities should be made for crewmembers to

- speak to their families
- be repatriated as soon as possible where they request this
- be given medical attention for any injuries
- establish that they have support networks at home, including those among their family and community.

Experienced crew members may be more resilient, coping with stress in differing ways, but may still need help afterwards. However, while studies have shown that forms of debriefing have positive effects, there is no evidence to support the view that a policy of formal therapeutic intervention would work for everyone following a hijacking. The degree to which this may be required will vary from person to person, depending on the nature of each attack.

Reducing the trauma

The trauma of an attack can be reduced if best management practices are followed. These include, for example, remaining calm and, if pirates succeed in boarding a vessel, co-operating with them and offering no further resistance. Instances have been seen on some vessels where pirates allow each crewmember to talk to ship operators when telephone contact is made for the ransom negotiations, to indicate that they are alive and being treated reasonably well. There are ways to try to keep violence, crew injuries and fear to a minimum.

In summary, ship operators should consider the needs and welfare of their crew as paramount both during, and following release from, a pirate hijacking or a failed attack. Crew-members continue to face potentially traumatic ordeals and detention by pirates if their vessels' routes continue to take them through areas such as the Gulf of Aden. Responsible owners will seek to reduce these risks as much as possible.

The Club is very grateful to James Gosling and Rachel Butlin of Holman Fenwick Willan for providing this article. Website: www.hfw.com

Up-to-date information about piracy in the Gulf of Aden is available in North's loss-prevention briefing, Piracy – Gulf of Aden, available to download from the Club's website: www.nepia.co/riskmanagement/lossprevention/publications/losspreventionbriefings/

Medication – a must for safety at sea

The introduction and more widespread use of higher quality pre-employment medicals is proving highly beneficial to both shipowners and seafarers.

Members taking advantage of stricter pre-employment medicals are experiencing a decrease in the number of claims resulting from pre-existing illnesses as well as healthier and happier crews on board, which benefits all aspects of seafaring. The medicals have also resulted in many illnesses being diagnosed that would otherwise have been missed, many of which can be easily managed on board provided seafarers comply with the prescribed medication.

However, the Club is seeing an increasing number of claims where crewmembers have been taken seriously ill, or have died, as a result of not taking the necessary drugs in the frequency and amount required. Non-compliance with medication regimes on board results in a number of safety risks at sea, as follows.

- **Accidents** – crew members who do not medicate as prescribed may feel unwell, and less alert, compromising watch-keeping and cargo-care duties, resulting in minor accidents and injuries but also potentially collisions and serious casualties.
- **Medical emergencies** – seafarers who have unstable medical conditions, thus requiring on-going medication, may suddenly require medical care on shore, or even on board, if they do not continue to take the appropriate medicine. This can result in a disruption to ships' schedules but, more importantly, present a major threat to the health of the crew member when they are potentially a long way from emergency medical care.

- **Death** – seafarers who do not medicate run the risk of developing complications or end-stage diseases to their condition, such as heart attacks or strokes.

It is important that crew members understand the importance of taking their medication properly and ensure they have sufficient medication on board for the duration of each voyage, plus ideally an extra two to three months supply. If there is any concern there may be insufficient drugs, this should be brought to the attention of the ship operator as soon as possible so an effort can be made to arrange for additional supply.

It is also important that crew-members discuss their illness, and the medication they need to take, with both the ship operator and the master. Should any problems occur the owner and master will be better able to identify the cause and seek appropriate emergency medical care.

Good health is one of the shipping industry's most important investments and should not be treated lightly.

The Club is grateful to Dr Pascual Gutay, medical director of SuperCare Medical Services, Manila for providing this article.



Pre-Empolymment Medical Scheme extended



At the request of a number of Members, the Club has added a clinic on the Philippines' island of Cebu to its list of recommended clinics in the enhanced pre-employment medical screening programme.

Physicians Diagnostics Services is a sister clinic of Marine Medical and Laboratory Clinic in Manila, which is already listed by the Club, and will work to the same standard as all of its recommended clinics in Manila.

The contact details for the clinic are Physicians Diagnostic Services, 108 F Ramos Street, Cebu City Philippines. Telephone: +63 32 2541778.

Further details of the clinic and others recommended by the Club in the Philippines, along with latest guidelines, are available on the Club's website or by contacting Judith Burdus or Lucy Dixon. Website: www.nepia.com/riskmanagement/lossprevention/publications/losspreventionbriefings/



Who is the master of a ship

The person called 'captain', the one with all that gold braid on their uniform, is generally regarded as the master of a ship. However, a recent court case in New Zealand has highlighted that, as a matter of law, the master is not necessarily just one person – and who it is may vary from time to time.

First officer became master

In Maritime New Zealand v. Birchall, the captain temporarily handed over navigation of a New Zealand flagged ship to the first officer. While under the first officer's command, there was a near-miss incident – the ship came close to striking some rocks but was fortunately saved from doing so by the first officer's actions.

The relevant section of the New Zealand legislation defines the master as, 'any person (except a pilot) having command or charge of any ship'. The Court of Appeal recently decided the first officer was in command at the time in question and was therefore, for the purposes of the legislation, the 'master'.

Same as UK law

The definition of 'master' in the UK Merchant Shipping Act is almost identical to that in New Zealand. Although there has been no recent decision on the point by English courts, there are some old cases going back to the first half of nineteenth century that support a broad definition of 'having command or charge' of a ship.

It is therefore quite possible that a similar decision could be reached by English courts today. The same may also be the case in other jurisdictions, particularly those with a common-law background.

All officers can be master

Members should thus ensure that their officers are aware that even if they are not actually the captain, they may in certain circumstances be legally regarded as the master.

There should be no change in the captain's role as the most senior officer on board the ship, nor in any way change the relationship between the captain and officers – the captain remains in charge.

However, officers need to remember that at times when the captain is not actually in command and they are on watch, they may be held responsible as the master.



Photo: A Chaudhary

Vessel lay-up

There are a number of issues Members need to consider when assessing the possibility of laying-up a vessel. The Club has recently published a loss-prevention briefing on the topic to help, the key points of which are summarised in this article.

Laid-up hot or cold

Lay-ups generally fall into two different categories: 'hot lay-up' and 'cold lay-up'. As the name suggests, a hot lay-up is applicable if a vessel is expected to be out of commission for a short period of time, with machinery maintained in an operational State and a Flag State approved reduction in manning levels. If manning levels were not reduced, the vessel would be considered to be 'idling' as opposed to laid-up.

Cold lay-up is more appropriate for vessels expected to be out of service for a longer period of time. The vessel is moored in a safe port, all systems are shut down and manning is reduced to minimum levels for emergency cover and maintenance requirements. Members should discuss cold lay-up with their critical machinery manufacturers to ensure suitable precautions are taken to prevent equipment deterioration.

Class and code certification

Many International Association of Classification Societies (IACS) members provide guidelines to help ensure that class and survey requirements are maintained during lay-up, which will include submission of maintenance plans.

Subject to suitable maintenance, a vessel can be maintained in class beyond survey deadlines provided that class requirements are satisfied during the reactivation period. This would include completion of all outstanding routine surveys and may also involve an additional survey post-reactivation to ensure the vessel has been maintained in a seaworthy state.

Flag States and their recognised organisations may however suspend or withdraw International Safety Management Code and International Ship and Port Facilities Security Code certification during any lay-up period. An interim survey would therefore be required prior to the vessel's reactivation.

P&I premium returns

In order to qualify for P&I premium returns, lay-ups must meet criteria set by the Club in its circular dated 12 February 2009.

Hot lay-ups are required to be in a safe port that has been approved by the managers, the lay-up must be for a minimum of 30 days and the vessel must not be laid up with cargo on board. As mentioned above, crew levels should be below minimum safe-manning levels but sufficient for maintenance, safety and security. All statutory and class requirements are required to be complied with.

The only exception to the above criteria for vessels that have been laid-up cold is the requirement relating to manning levels.

Members are advised that the suitability of a port for the purposes of lay-up may be subject to the completion of an appropriate survey to the satisfaction of the Club. However, lay-up declarations from IACS societies and survey reports from other recognised organisations may be accepted instead.

North's loss-prevention briefing, Vessel Lay-Up, is available to download from the Club's website: www.nepia.com/riskmanagement/lossprevention/publications/losspreventionbriefings/

North is grateful to Lloyds Register for its assistance and permission to include its Guide to Laying Up Ships as an appendix to the loss-prevention briefing.





Report and make it timely

A recent decision by the New Zealand Court of Appeal, *Maritime New Zealand v. Birchall* [2009] NZCA 119 (which is discussed on page 3 of this issue in relation to the identity of the master), resulted in the prosecution of a ship's officer for failing to report a navigational near miss soon enough.

Under the Maritime Transport Act 1994, the near miss fell under the heading of a 'mishap', which the master was duty-bound to report to Maritime New Zealand 'as soon as practicable'. The incident was reported four days after it occurred, which resulted in the first officer being prosecuted.

Stricter enforcement of reporting requirements

Although a local incident, which took place in New Zealand territorial waters on a locally flagged vessel for breach of local legislation, it is an example of some authorities' increasingly aggressive attitude towards seafarers who make mistakes, and of the increasingly widespread criminalisation of seafarers. It should be remembered there was no actual incident in this case.

Masters worldwide are subject to many and various reporting requirements under international rules, such as the International Convention for the Safety of Life at Sea (SOLAS) and the International Convention for the Prevention of Pollution from Ships (MARPOL), and also by Flag, Coastal

and Port State regulations. It would therefore benefit masters to familiarise themselves with any reporting requirements applicable to their vessels on each voyage.

In particular any local reporting requirements of the Coastal and Port States the vessel may visit should be provided to the vessel by local agents. These regulations can differ considerably from the reporting requirements under international conventions.

MARPOL reports required without delay

One of the most well-known requirements for reporting is under MARPOL. Article 8 and protocol I contain comprehensive requirements for a report in the required format to be made to the nearest Coastal State, 'without delay', when an incident involves the following.

- a. A discharge above the permitted level or probable discharge of oil or of noxious liquid substances for whatever reason including those for the purpose of securing the safety of the ship or for saving life at sea; or
- b. A discharge or probable discharge of harmful substances (see note) in packaged form, including those in freight containers, portable tanks, road and rail vehicles and ship borne barges; or
- c. Damage, failure or breakdown of a ship of 15 metres in length or above which:

- i. affects the safety of the ship; including but not limited to collision, grounding, fire, explosion, structural failure, flooding and cargo shifting; or
 - ii. results in impairment of the safety of navigation; including but not limited to, failure or breakdown of steering gear, propulsion plant, electrical generating system, and essential ship borne navigational aids; or
- d. A discharge during the operation of the ship of oil or noxious liquid substances in excess of the quantity or instantaneous rate permitted under the present Convention.

Not only is the master or other person having charge of any ship involved in an incident required to make the report but this should be done *without delay*. In the event of any of the wide-ranging circumstances described above occurring, and to avoid potential problems with the Coastal State authorities, not only should a report outlining the incident be made, but the timing of the report should be contemporaneous with the incident.

Err on the side of caution

Failure to report an incident may have very serious consequences for the owner, master and officers onboard the vessel. Where there is any doubt when considering whether an incident is reportable or not, owners and masters may wish to err on the side of caution and contact the authorities of the nearest Coastal State.

Beware rogue waves when working on deck

Despite modern risk-assessment procedures, crew-members continue to lose their lives while working on ships' decks in rough seas. Investigation of recent incidents has highlighted the particular danger of unforeseen large waves – as well as a general lack of published guidance.

According to the UK's Marine Accident Investigation Branch (MAIB), there were 17 accidents in the last ten years resulting in either fatality or injury when crew-members were working on deck in rough weather. In many of the cases, senior ship's officers knew about prevailing weather conditions when they made a risk assessment before sending crewmembers out on deck, either to prepare for an ocean passage or to secure loose equipment.

Maximum waves bigger than expected

MAIB says that despite mariners' proven abilities to determine significant wave heights (the average value of the highest third of wave heights), maximum wave heights can be twice this value and substantially higher after prolonged or intense storms. The difficulty in predicting the likely occurrence and height of a maximum wave may present a risk not initially anticipated by officers performing risk assessments at sea.

Improved formal advice, including information on the likelihood of being struck by a wave larger than

those observed, is considered necessary if masters are to be able to make a fully informed risk assessment in circumstances where the safety of the vessel and its crew is jeopardised.

Lack of guidance on heavy-weather preparation

Preparations required to secure a vessel and prepare a crew for the onset of adverse weather should form part of every vessel's shipboard safety management system. MAIB investigators found a lack of consistent and detailed guidance for owners and operators to assist them prepare suitable heavy-weather operating procedures.

Existing industry guidance in publications such as the International Chamber of Shipping's *Bridge Procedures Guide* and the UK publication *Code of Practice for Merchant Seamen* is limited. The guidance only covers the preparation of ships for the onset of rough weather, performing suitable risk assessments and recommendations on implementing limited preventative measures.

Masters should ensure that risk assessments include the likely occurrence of waves of greater height than the significant wave height determined through observation. Control measures should be put in place reflecting best practice appropriate to the individual characteristics of the vessel concerned.

Project cargoes

Shipping high-value and often fragile project cargoes can result in extremely costly claims if preparation, loading and discharge procedures are not carried out in strict compliance with manufacturers' recommendations and industry best practice. The key to success is detailed planning, which should involve a representative of the shipper, cargo superintendent and surveyor appointed by the carrier.

Pre-planning should include provision of suitable information describing the cargo in detail and include:

- gross mass
- centre of gravity
- principal dimensions (including scale drawings)
- bedding requirements.

The ship's classification society and Flag State may need to be consulted to determine the suitability of the vessel's cargo-handling equipment, cargo spaces and documentation for the intended cargo.

Stowage planning

The location of stowage for heavy items or project cargo must be considered carefully. The closer the cargo is placed to the vessel's centre of motion, the less violent acceleration forces will be. Heavy-lift items should be stowed in a fore and aft direction.

Maximum permissible deck loading must also be considered, and may require the use of a bedding arrangement that will spread the load appropriately. Bedding arrangements can also ensure a suitable degree of friction is achieved and may incorporate additional securing arrangements.



International Maritime Solid Bulk Cargoes (IMSBC) Code – carriage of direct-reduced iron

The new International Maritime Solid Bulk Cargoes (IMSBC) Code, 2009 edition, which is the replacement for the Code of Safe Practice for Solid Bulk Cargoes (BC Code), is expected to become mandatory from 1 January 2011 under the provisions of the International Convention for the Safety of Life at Sea (SOLAS). It may already be applied on a voluntary basis (see article on page 6).

In respect of direct-reduced iron (DRI) and related cargoes, the IMSBC Code contains updated carriage requirements, which are briefly summarised as follows.

Hot-moulded briquettes

The IMSBC Code includes a revised schedule (A) for the carriage of hot-briquetted iron (HBI), which is of a minor nature compared to the requirements under the BC Code.

Lumps, pellets, cold-moulded briquettes

DRI lumps, pellets and briquettes moulded at less than 650°C are very porous and therefore very reactive – and their fragility also means they can

break during loading, leading to increased surface area and reactivity. The IMSBC Code includes a revised schedule (B) which only allows carriage of such cargo under inert conditions.

By-products

A new schedule (C) is introduced for carrying fines and small particles that are by-products of DRI covered by schedules (A) and (B). This is similar to schedule (B) and such cargo must be carried under an inert gas blanket. The maximum allowable moisture content for carriage of DRI under an inert blanket is 0.3%. The reactivity of this cargo is extremely difficult to assess due to the nature of the material included in the category, so a worst-case scenario should be assumed at all times.

All fines produced from any form of DRI are highly reactive to air and moisture. Members should be cautious if asked to carry any DRI or HBI fines other than under an inert gas blanket, and should seek expert advice before agreeing to do so.

Under the IMSBC Code any cargo may be exempted from, or allowed to vary, the requirements of carriage provided there is consent from the Port State of departure, the Port State of arrival and the Flag State. The authorities should be satisfied that such provision is at least as effective and safe as that required by the code.

It is strongly recommended however that Members should not seek such an exemption as it may affect their cover under Club rules. They should resist any attempts by shippers or other parties to obtain an exemption.

Although the IMSBC Code is only voluntary until 1 January 2011, the Club recommends that Members carrying DRI before that date should fully comply with the requirements of the code.

North has published a loss-prevention briefing about DRI cargoes and their hazards, which can be viewed or downloaded from the Club's website: www.nepia.com/riskmanagement/lossprevention/publications/losspreventionbriefings/

– it's all in the planning

A detailed assessment of cradles supplied with the cargo may be required to determine whether they are suitable to withstand the acceleration forces that will be experienced during the voyage.

Only items that shippers have specifically identified as being suitable for deck stowage should be considered for loading on the weather deck.

Lifting planning

Voyage details will have to be examined to ensure that the load and discharge ports can accommodate the vessel and cargo. The depth of water, expanse of quayside and reach and capacity of cranes should all be sufficient to be able loading and discharge within the parameters dictated by the cargo and handling equipment.

In addition to being adjacent to the centre of gravity, lifting points should be clearly marked and positioned in such a way that specialist lifting spreaders are not required. If this is not possible, specialist equipment should be shipped with the cargo to avoid inappropriate improvisation at a later date.

Quite often the recommendations of a cargo superintendant concerning the use of lifting cradles, slinging arrangements and crane requirements that are put in place at the load port are not implemented to the same rigorous extent at the discharge port. Planning should not be limited to load-port requirements.

Securing planning

To avoid uneven load distribution, lashing material should be consistent for each piece of equipment being secured. Details of securing points must accompany the cargo and include their maximum strength and optimum angle of restraint. An angle of 25° to the horizontal is often considered optimum

for resistance to sliding and 45° to 60° the preferred angle for tipping resistance.

Calculations should be carried out to determine how many lashings will be required. Annex 13 of the International Maritime Organization (IMO) Code of Safe Practice for Cargo Stowage and Securing (CSS Code) contains details on a number of different calculation methods that can be adopted for non-standardised cargoes.

It may be necessary to attach additional securing points to the vessel, but welding to frames and fuel tanks should not take place without class approval. Furthermore, welding should only be conducted following a proper hot-work procedure, and surfaces should be inspected to ensure they are suitable for the attachment of additional securing points.

Sea fastenings may be required to prevent cargo movement. The location, size and amount of weld used to attach them to the hull must be calculated carefully, and hot-work procedures should be rigorously enforced.

Cargo Securing Manual

Appendix 1 of the CSS Code contains IMO resolution A.489(XII), which describes the information that should be contained in the vessel's Cargo Securing Manual. The importance of this document cannot be over-emphasised – it is a requirement of the International Convention for the Safety of Life at Sea (SOLAS) chapter VI, regulation 5, and must be approved by vessel's Flag State administration.

Chapter 3 of the Cargo Securing Manual should include information the master can use to assist with the evaluation of forces that will affect non-standardised cargoes and factors that should be considered when assessing the application of securing devices. These should include:



- voyage duration
- geographical area
- ship characteristics
- static and dynamic forces affecting the ship
- type, packaging and stowage pattern of cargo units.

On ships that frequently carry heavy-lift and project cargoes, the Cargo Securing Manual and/or the vessel's safety management system should include a checklist for loading and discharging such cargoes. In addition to issues already discussed, the following should be addressed:

- maintaining suitable stability throughout the operation
- agreeing and testing ballast transfer procedures
- checking lifting equipment/certificates and setting limit switches
- holding briefing meeting with all involved and appointing signalmen
- tending moorings and gangway throughout
- reducing free surface to a minimum
- testing and proving all communication systems.

*Further information on the carriage of project and other cargo types can be found in North's loss-prevention guide entitled *Cargo Stowage and Securing – A guide to good practice*.*



Piracy update

Gulf of Aden

Following the unprecedented increase in the number of international forces contributing to anti-piracy activities within the Gulf of Aden, the shipping industry is keen to see consistent advice and examples of best practice being given to all interested parties as soon as possible.

The UK Hydrographic Office, in association with the Maritime Security Centre - Horn of Africa, has produced a British Admiralty anti-piracy planning chart (number Q6099) covering the Gulf of Aden south of the Horn of Africa. Transit corridors, UKMTO reporting boundaries, instructions and contact number are all detailed on the chart. Copies of the chart should be available from navigational publication providers.

A new publication - Best Management Practices to Deter Piracy in the Gulf of Aden and off the coast of Somalia - was published during February this year and is supported by international maritime organisations including the International Maritime Bureau (IMB), Intercargo, Intertanko, BIMCO and the International Group of P&I Clubs. The guide will invariably evolve and be amended as pirate activity moves from one area to another and the strategic objectives of coalition forces develop.

At the International Maritime Organization (IMO) Maritime Safety Committee's meeting in June 2009, IMO's working group on piracy decided that the Best Management Practices text should remain unchanged but a separate circular on piracy and

armed robbery in waters off the coast of Somalia be attached as an annex to the current document.

The merits of placing armed guards on merchant ships continues to be the subject of debate in many circles. While the use of military personnel may be allowed by some Flag States, practical concerns remain about the potential escalation of violence and increased vulnerability of cargo and crew. The IMO Maritime Safety Committee warned that the use of privately contracted armed security personnel onboard ships may lead to an escalation of violence and that the carriage of armed personnel remains subject to Flag State regulation.

Recent developments in reporting procedures now request that reports sent to the UK Maritime Trade Organisation (UKMTO) are also copied to the US Maritime Liaison Office (MARLO).

Up-to-date information about piracy in the Gulf of Aden is available in North's loss-prevention briefing, Piracy - Gulf of Aden, available to download from the Club's website: www.nepia.com/riskmanagement/lossprevention/publications/losspreventionbriefings/

Members requiring a copy of the Anti-Piracy Planning Chart should contact the Maritime Security Centre - Horn of Africa. Email: postmaster@mschoa.org. Telephone: +44 (0)1923 958 545



Member's vessels should send vessel reports to the UK Maritime Trade Organisation, email: ukmto@eim.ae and to the US Maritime Liaison Office, email: marlabahrain@me.navy.mil

Nigeria

The first quarter of 2009 saw seven incidents involving Nigerian pirates reported to the IMB. Unconfirmed reports suggest this figure represents half the number of actual attacks.

IMB manager Cyrus Mody recently emphasised the importance of reporting all attacks in the region so that international resources can be deployed accordingly.

Recent attacks off Nigeria have become increasingly violent, with crew members kidnapped and ships hijacked.

Members can find details of worldwide piracy attacks from North's online Industry News service: www.nepia.com/publications/industrynews/

New IMSBC Code published

The International Maritime Organization (IMO) is publishing the new International Maritime Solid Bulk Cargoes (IMSBC) Code, 2009 edition, this month. It will be the replacement for the Code of Safe Practice for Solid Bulk Cargoes (BC Code).

The IMSBC Code was adopted by IMO in December 2008 by resolution MSC.268(85). It can be applied on a voluntary basis now but is expected to become mandatory from 1 January 2011 under the provisions of the International Convention for the Safety of Life at Sea (SOLAS).

The primary aim of the IMSBC Code is to ensure the safe stowage and shipment of solid bulk cargoes. It describes the dangers associated with the shipment of certain types of solid bulk cargoes and the procedures that should be followed.

Layout and content have been amended to keep pace with industry developments, and include

- fully updated individual schedules for solid bulk cargoes
- new individual schedules for cargoes such as spent cathodes and granulated tyre rubber
- new provisions about sulphur
- revised schedules for direct-reduced iron cargoes

- references to the most recent SOLAS amendments
- updated information from the International Maritime Dangerous Goods (IMDG) Code, 2008 edition.

The IMSBC Code is recommended to Flag State administrations, shipowners, charterers, shippers, masters and all others concerned with safe stowage and shipment of solid bulk cargoes, excluding grain.



IMO News



Mediterranean becomes MARPOL garbage special area

The Mediterranean Sea became a special area under annex V - prevention of pollution by garbage from ships - of the International Convention for the Prevention of Pollution from Ships (MARPOL) on 1 May 2009, following adoption of IMO resolution MEPC.172(57).

Mandatory material safety data sheets for oil and bunkers

Amended wording to a new regulation of the International Convention for the Safety of Life at Sea (SOLAS) - chapter VI, regulation 5.1 - was approved and adopted at the IMO Maritime Safety Committee meeting in June 2009. It is intended to ensure seafarers are provided with sufficient information on oil carried as cargo or bunkers so they can take suitable precautions during handling. A material safety data sheet is to be provided before loading bunker fuel and oil cargoes covered by MARPOL annex I.



Port state control news

New Paris MOU inspection regime

The 27 participating maritime authorities in the Paris Memorandum of Understanding on Port State Control (Paris MOU) adopted a new Port State control inspection system at their committee meeting held in Reykjavik in May 2009. The 'New Inspection Regime' (NIR), will enter into force from 1 January 2011.

The NIR is a risk-based targeting mechanism that will reward quality shipping with a smaller inspection burden and concentrate on high-risk ships, which will be subject to more in-depth and frequent inspections.

Based on the latest developments at the International Maritime Organization (IMO), the NIR will make use of company performance, IMO audit, Flag State performance and recognised organisations to identify the risk profile of ships. A ship's past inspection records, age and type will all influence targeting.

The NIR will be accompanied by a new information system, THETIS, which will replace the current SIRENaC system. Implementation will rely on the collection of port call information.

Lifeboat inspection campaign

The participating maritime authorities in the Paris MOU and the Memorandum of Understanding on Port State Control in the Asia-Pacific Region (Tokyo MOU) have announced they will be carrying out a joint concentrated inspection campaign (CIC) between 1 September 2009 and 30 November 2009.

At every Port State control inspection within the Paris and Tokyo MOU regions, the lifeboat launching arrangements, maintenance records and other applicable documentation will be verified in more detail for compliance with chapter III of the International Convention for the Safety of Life at Sea (SOLAS).

Members are reminded of the Club's current loss-prevention DVD – Lifeboat safety, managing the risks. In addition to arranging for all crewmembers to view the DVD, Members should ensure that appropriate risk assessments are carried out and suitable control measures implemented before on-board training and drills take place.



New loss-prevention strategy

In what are difficult times for shipping, it is more important than ever for North to help its Members reduce costs.

The Club is therefore changing the emphasis of its loss-prevention strategy, which will be more focused upon identifying Members where the opportunities to develop risk-avoidance measures are greatest at any given time, and working with these Members to take appropriate steps to reduce the risks.

The new approach will run alongside the club's comprehensive programme of Member-based loss-prevention seminars, in-house training courses, poster campaigns, briefings, newsletters and electronic and printed guides.

Feedback on loss-prevention services

North strives to maintain the highest levels of service to its Members and loss-prevention is an integral part of that service. However, there is always room for improvement and the Club is interested to receive feedback about *Signals* and other loss-prevention publications and services.

Members are very welcome to contact the Club if there are any topics that they or their seafarers would like to be covered in future issues of *Signals*, any ways in which the loss-prevention service can be improved, or any information that has been particularly useful.

A feedback form is provided on the back of the cover sheet dispatched with every issue of *Signals*. A copy of the form can also be downloaded from the loss-prevention pages on the Club's website: www.nepia.com/riskmanagement/lossprevention/publications/

Pilot incident reports

There has been a lot of concern expressed over recent years about the number of incidents, such as collisions and damage to property, that occur when there is a pilot on board. The Club would like to gather information about other incidents and near misses that have occurred when a pilot is on board.

The Club would be grateful if Members could report any incidents or near-misses involving a pilot. The information will be collected in a database to identify whether there are any geographical or incident trends that would benefit from future loss-prevention measures. Specific incident data will not be shared with any other organisations.

A pilotage incident report form that can be used to report incidents and near misses can be downloaded from the Club's website: www.nepia.com/riskmanagement/lossprevention/publications/

2009 residential training course

The Club's annual residential training course took place in June 2009 at Lumley Castle in the north of England, UK. Thirty-five delegates from all parts of the world attended and had an enjoyable time as well as expanding their knowledge of P&I and marine insurance.

Highlights included a visit to ships on the River Tyne and experience of a collision on the ship simulator at South Tyneside College.





Loss-prevention information

The Club provides a number of sources of loss-prevention information aimed at providing up-to-date advice and guidance for Members and ships. For convenience the principal information services are summarised below.

Industry News

Industry News provides Members with knowledge of current issues, changing legislation and any potential difficulties with particular cargoes or trades. It is available on the Club's website: www.nepia.com/publications/industrynews/

Loss-prevention briefings

Loss-prevention briefings provide ready-made packages of information about single topic issues. They can be viewed or downloaded from the Club's website: www.nepia.com/riskmanagement/lossprevention/publications/losspreventionbriefings/

Signals newsletter

Electronic copies of Signals newsletters can be viewed or downloaded from the Club's website, along with a comprehensive index of articles published during the last five years: www.nepia.com/riskmanagement/lossprevention/publications/signals/



Signals Search 20

Questions

- 1 In what sort of lay-up is machinery maintained in an operational State?
- 2 What should you do without delay after some incidents?
- 3 Who may be any person having command or charge of any ship?
- 4 Which code contains updated requirements for the carriage of DRI?
- 5 Which sea has become a special area under MARPOL Annex V?
- 6 What wave height is calculated from the average value of the highest third of wave heights?
- 7 What new MOU regime will enter force in 2011?
- 8 What regime needs to be taken with care to avoid health problems at sea?
- 9 What arrangements provide friction to help stop project cargo sliding?
- 10 What type of claims are the subject of a new loss prevention guide?

B A T N T T M B H U I N D A
 E N T H H N A U I H A L D T
 D Y O E A R S N T M O A D N
 D R E P O R T K P C S E N A
 I H E I E D E E F A T B B C
 N N O L N H R R N M P S C I
 G I P T V S T V I A V C T F
 L R F R R S P E V S I E E I
 N A E N A R R E T I D E M N
 R B W L A S D L C N O M T G
 H W I M E D I C A T I O N I
 N C L C A I R G A S I O E S
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 H N E F A A I O E I T I N O

- 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 Club. Email: denise.huddleston@nepia.com

- All correct entries received by the closing date will be entered in a prize draw.
- Closing date Friday 4 September 2009.

The first correct entry drawn will receive a prize along with a statuette of "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 issue of Signals should contain the following enclosures:

- Safe Work poster 9 – Ship handling (Members and entered ships only)
- Signals Experience – Ship handling shenanigans (Members and entered ships only)

Signals Search No.19 Winners

Winner: Captain Orlando D Manicio, MV Oshimana, Masterbulk Pte Ltd

Runners-up:

Captain Sachin Chandra, MV Maharshi Devatreya, Varun Shipping Co Ltd
 Captain Stelian Guteanu, MV Wehr Flottbek, Oskar Wehr KG
 Captain William Mates, MV Arklow Wind, Arklow Shipping Ltd
 Captain SM Azhar Narvi, MV Dubai Princess, Emarat Maritime
 Captain Julian Paccal Jr, MV Iron Fuzeyya, Maryville Maritime Inc

Answers to Signals Search 17

- 1 Evil
- 2 VOS
- 3 J Stanley Mitcalfe
- 4 Beneficiary
- 5 Perben
- 6 IMDG
- 7 BLU Code
- 8 Briefings
- 9 IRTC
- 10 RightShip

• 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 whensoever or howsoever arising out of or in connection with the supply (including negligent supply) or use of information (as described above).

NORTH

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