

CLASS 8, THE FREIGHT, DEMURRAGE AND DEFENCE CLASS

NOTICE IS HEREBY GIVEN that a SEPARATE MEETING of the MEMBERS OF CLASS 8, THE FREIGHT, DEMURRAGE AND DEFENCE CLASS, of the Association will be held at the REGISTERED OFFICE of the Association, 50 LEMAN STREET, LONDON, E1 8HQ at 12.15 p.m. on WEDNESDAY, 26th JANUARY 2000, or as soon thereafter as the meeting of Class 5 called for that day is finished, for the purpose of altering and adding to the Rules.

The following alterations and additions together with such further alterations and additions, if any, as may be proposed will be submitted for adoption with or without modification and with effect from noon G.M.T. on the 20th day of February 2000.

[New wording is in bold. The explanatory notes in italics will not appear in the actual Rules.]

RULE 8 CLASSIFICATION, INSPECTIONS OF SHIPS AND STATUTORY REQUIREMENTS

8.6 Any ~~defects~~ **deficiencies** noted and/or any recommendations made as to repair or remedy as a result of any inspection undertaken in accordance with Rule 8.5 shall be corrected and/or carried out forthwith or within such period of time as may be specified by the Association. Notwithstanding anything herein, no action, lack of action or omission by the Association with regard to any inspection, noting of ~~defect~~ **deficiency**, recommendation, or lack thereof by the Association or its nominated inspector under this Rule 8 shall constitute an approval, disapproval, warranty, undertaking, certification, or assumption of responsibility of any kind by the Association regarding the Member, his ship(s) or management, nor shall any such action, lack of action or omission by the Association relieve the Member of any of his responsibilities or obligations under the Rules.

8.9 Without prejudice to Rule 8.8, the Association may:

8.9.1 immediately terminate any contract of insurance in respect of any Member's interest in an entered ship or ships (together with the entry of that ship or ships in respect of that interest) after ~~defects~~ **deficiencies** or failures have been noted under Rule 8.6, in which case a pro rata return of premium (other than of Overspill Calls) shall be allowed;

8.9.2 exclude cover for any liability, costs or expenses arising out of any accident or occurrence which is caused in whole or in part by any ~~defect~~ **deficiency** in or condition of the entered ship and/or her safety management (including the ship's managers and/or operators) in respect of which an inspector has made any recommendations under Rule 8.6;

8.9.3 from a specified date exclude cover for any liability, costs or expenses arising out of any accident or occurrence, caused in whole or in part by any ~~defect~~ **deficiency** in or condition of the entered ship and/or her safety management (including the ship's managers and/or operators) in respect of which an inspector has made any recommendations, unless by that date the Member has submitted the entered ship for a further inspection and the recommended repairs have been effected to the satisfaction of the Association.

[The term "defect" is replaced by the word "deficiency", which has the same dictionary definition, in order to comply with common usage within the industry.]

RULE 42 JURISDICTION AND LAW

42.1 The Association may but shall not be obliged to commence and maintain proceedings to obtain security for and/or payment of any amount outstanding in respect of Calls **or otherwise** in the High Court of Justice of England and, if it does so, the Member hereby submits to the jurisdiction of this Court in respect of any such action. Without prejudice to the foregoing the Association shall be entitled to commence and maintain proceedings in any other jurisdiction to obtain security for and/or payment of any amount outstanding in respect of Calls **or otherwise**.

[The additional words are added to enable the Club to take all legal steps to recover any amounts outstanding from a Member in respect of items other than Calls, such as deductibles.]

By Order of the Committee,
A. BILBROUGH & CO. LTD.
(Managers)

10 January 2000