



Straitened out

SHIPOWNERS can encounter difficulties when they unwittingly fall foul of restrictions on trade between Taiwan and mainland China. Penalties for violation of the law can be very severe. So it is important that owners know what the law requires, particularly as the law governing such trade may be about to change following recent meetings between Chinese and Taiwanese officials.

In many cases, problems arise when it is wrongly assumed that the restrictions apply only to cargo, and not to the means of transport. In Taiwan at present, the law prohibits any form of transport from plying between the two countries. The use of foreign vessels operating liner services between Taiwan and mainland China is also prohibited.

In China, meanwhile, there is no ban on foreign vessels berthing in Chinese mainland ports. But foreign vessels are prohibited from transporting cargo across the Taiwan Straits, because this is deemed to be domestic trade not open to foreign vessels. So Chinese

ports are available for the berthing of foreign vessels direct from Taiwan, but not if transporting cargo from Taiwan.

Last year, the Chinese issued two new regulations covering shipping, as a gesture towards Taiwan. In order to take effect, however, these regulations need the co-operation of Taiwan, and it now seems that the Taiwanese have made some concessions following a meeting with Chinese officials in Hong Kong two

months ago. There are indications that both China and Taiwan will allow vessels coming directly from the other side of the strait to berth in their ports. It is understood that vessels from both countries will have to use the flag of a third nation when berthing on the other side of the strait, and that any trade across the strait will be entrepot rather than direct.

Sources in the area suggest that, although there is nothing in the new discussions relating specifically to foreign vessels, it is likely that the prohibition from the Taiwanese side will be removed. Members in doubt about any matters relating to trade between the two countries should contact their local agent, or check with the Club first.

Core problem

IT always pays to know your apples in shipping, but special care is called for if the whole barrel is not to become rotten, as one member recently discovered.

A containerload of 500 cartons of fresh apples shipped from Australia arrived at Sarawak in a badly deteriorated condition. The apples in 174 cartons were found to be rotten beyond salvageable value, while the rest of the consignment was fit for nothing more than discounted sale at public outlets. The consignment was properly packed in Kraft paper cartons, but the



surveyors concluded that the damage was attributable to high temperatures within the container as a result of improper setting of the reefer unit, causing the apples to ripen and rot. A salutary lesson, and a costly claim.

Cleaning decks won't wash

THE Australian Maritime Safety Authority (AMSA) has decided that ships washing cargo residues off deck within three miles of the Australian coast - and in particular anywhere within the Great Barrier Reef Marine Park - are in contravention of relevant pollution legislation. There is, however, some uncertainty about the extent of application.

Thynne & Macartney, the Club correspondent in Brisbane, says it has long been common practice for vessels which have just loaded coal at Queensland ports to wash cargo residues - and in particular,

coal - off their decks shortly after leaving port. AMSA has



said informally that it considers that any cleaning needed to allow helicopters

to safely disembark pilots should be allowable under safety exceptions to Marpol, in the interests of "securing the safety of the ship and those on board, or saving life at sea".

Thynne & MaCartney says that this interpretation might be stretching the language of the exception. It advises that vessels should not wash overboard any cargo residue - and in particular, coal - until they are at least three, and possibly twelve nautical miles from any land and from the outer edge of the Great Barrier Reef. Pilots and patrolling coast-watch aircraft may report contraventions to AMSA, and the fines can be hefty.

Unjamming Algiers

THE port of Algiers has taken drastic steps to ease congestion. And any failure to comply with the new measures may result in vessels being rerouted to other ports.

Algiers port has been jammed for the past six months, with a great number of vessels waiting in the roads to discharge cargo. In accordance with government instructions, a number of measures have been introduced in an attempt to unblock berths and reduce waiting times.

All vessels carrying perishable merchandise

now have to undertake continuous 24-hour discharge, using all four shifts at the port. Previously, work at the port was carried out from 0700 hrs to 1900 hrs, using two shifts a day.

Vessels which do not start discharging within two days of arrival at berth will be shifted, and the fees charged to the vessel. The same measure will apply to ships detained at berth, for whatever reason, after completing cargo discharge.

All general cargo for discharge must now be pre-slung or palletised on board in order to facilitate quick discharge.

Cargo discharge has to be carried out in accordance with an approved plan agreed by the stevedores, while the cargo receivers are required to arrange sampling and quality control and analysis as soon as the vessel arrives in the roads. Without this, berthing and discharge will not be allowed to start.

Vessels will not be allowed to berth if they do not have the proper cargo gear, and a realistic expectation of completing a speedy discharge operation.

Members are urged to observe these requirements when contracting to operate through the port of Algiers.

Contact with dolphins



unberthing manoeuvre, the vessel - a small coastal tanker - came into contact with a concrete

of about eleven degrees following the incident. Further investigation by the Club, however, revealed that the underwater piling on the dolphin was severely corroded (*see photo right*), in some places having wasted away from its original thickness of 20 mm to a paper-thin 1.5 mm.

Claims can seem much bigger when expressed in yen. Converting to dollars restores a sense of reality, but there are more effective ways of reducing claims in real terms by using the expertise of the Club.

A member's vessel was recently involved in an incident in the Japanese port of Hachinohe. During an



dolphin, causing damage originally estimated at Yen30 million (\$250,000). The photo (*left*) shows the dolphin inclining at an angle

Inspection by divers showed that it would in fact have taken very little in the way of contact to topple the dolphin over. The Club ended up paying \$50,000 towards the cost of repair, plus \$15,000 in respect of loss of use of the facility. Quite a difference, whichever currency you express it in.

Sick note

PERSONAL injury claims have taken a new twist in Nigeria. The International Maritime Bureau (IMB) has warned that shipowners and their P&I clubs should be on the look-out for extortionate personal injury claims from bogus claimants. Here's how it works.

A vessel berths in Lagos. A dock worker is injured during cargo unloading. Some of the

injuries are serious, but most are minor. Some time later, an injury compensation claim is lodged, usually in a foreign currency. This is accompanied by an aggressive solicitor's letter, in which the health of the injured worker ranges from "very serious" to "virtually on the verge of death".

Any reluctance on the part of the owner to meet the claim is greeted by an orchestrated campaign of action which involves the vessel being blacklisted and dock workers

being intimidated. Alternatively, a spurious claim is registered with the high court, or the vessel is arrested. The owner is invariably hurried into submission, either paying the claim or negotiating a lower settlement.

The IMB reports that a close investigation of all such claims reveals that the medical bills and reports are all prepared by one doctor from the same clinic. They obviously work their medical staff hard in Nigeria.

Wrong person in the wrong place at the wrong time

PERSONAL injury claims form a large part of the workload of any club. They are distressing to handle for all concerned. They can also sometimes be avoided, as one recent incident involving the death of a seaman on board a member's vessel shows only too well.

The incident occurred when the crew member was helping two other seamen to open a hatch-cover. The seaman sustained fatal injuries when one of the vessel's cargo derricks toppled over onto the winch platform where he was standing. It was not possible to determine exactly what hit the seaman and killed him.

The topping wire winch was used to raise and lower the cargo derrick. Its drive was broken, close to the smaller of its two drums, which was used to open and close the hatch-covers. Both drums could be used when operating the cargo derrick, but the topping wire drum had to be disconnected for the purpose of operating the hatch-covers. Investigations

after the accident revealed that the topping wire was severely indented, and there were also slight indents on the derrick.



It transpired that the deceased seaman was a wiper, and should not have been operating the cargo equipment in the first place. His inexperience in this type of operation was the cause of the accident.

Members are therefore reminded that it is essential to ensure that only experienced crew are involved in dealing with cargo operations.

Fuelling the bunker debate

BUNKERS are not a subject to set the pulse racing. Yet they form one of the biggest single financial outgoings for today's shipowners and operators. With this in mind, Bilbroughs recently held a one-day seminar on Basic Bunkering, in conjunction with the International Bunker Industry Association (IBIA).

The seminar was held at Bilbrough's London offices on March 20. Four IBIA speakers dealt with various commercial, operational and technical aspects of bunkering, and presided over *The Game* - a role-playing exercise - which was very well-received by the delegates.

The seminar provided much valuable information for the 37 people who attended. The value of the exercise was perhaps best summed up by the comments of one delegate, who said, "I found the course both useful and enjoyable, as did everyone I spoke to."

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