Clause 68, time charter agreement

Charterers to have an option to place onboard their representative, and in the event that, in order to perform the pilotage duties in Charterers' service, local regulations require such Charterers' man to be signed as a bona fide crew member, the Owners to allow this representative to sign on as "First Mate" (or "First Officer") but at Charterers' responsibility, expenses and risk in case of injury, illness or death, and also in respect of the terms and conditions of his employment.
Otherwise this Charterers' man to be under the control and supervision of the vessel's Master and it is understood that Charterers' man being in addition to Owners' permanent Chief Officer, he is to obey the vessel's Master's orders and to comply with international rules and regulations onboard and with Owners' Managers' standard rules and instructions.
While onboard, the Charterers' man shall not in any manner affect the lawful rights and obligations of the Captain, Officers and crew.

It is clearly understood that the signing on of Charterers' Master as the vessel's "First Mate" (or "First Officer") shall only consist of a simple insertion of his name, rank, seaman's book nr, etc. details in vessel's normal crewlist, as available onboard, by Master of the vessel and no other procedures or additional documentation whatsoever shall be required or requested from the Owners.

The Owners to encourage Masters to gain Pilotage Exemption Certificates in the port requested by Charterers. After the Master has received the necessary Pilotage Certificate, pilotage on the route covered by certificate to be limited to a minimum level, but the Master to have discretion to take pilot when considered absolutely necessary for safe navigation. All costs whatsoever in relation to the pilotage examination for Owners' employees/vessel to be for Charterers' account.

Ursine, Technical inspection report, 19 October 2007

P&O Ferries

Technical Manager's

Ship	URSINE	Sailing	@ Barcelona (Muelle de San Bertran)
By	Technical Manager	Date	19th.20th October 2007 (2230-00230hrs.)
Master	Ukrainian (full name on crew list)	CEO	Ukrainian (full name on crew list)
CO	Dutch (full name on crew list)	GM	N/A.

		Remarks
1. Items from Previous Inspection/Visit		n/a.
2. LSA	G.	Open Lifeboats .All equipment in good order
3. Fire Fighting Equipment	VG.	All in excellent order throughout with relevant certification to date from recent Refit
4. Engine Room/Spaces	V.G.	Clean and tidy. CEO accompanied me through all spaces.
5. Housekeeping	V.G.	Evidence of good routines in place.
6. Tank Tops	G.	Clean and dry in places. No oil residue evident.
7. Deck Plating	S.	Some plates need attention and resecuring.
8. Maintenance	G.	Good standard throughout vessel evident
9. Budget and Stock Control	N.v.	Not visited.
10. Electrical	G.	Main switchboards and auxiliary's checked. Recent overhaul at refit documented.
11. Deck Machinery	G.	Visual check of mooring areas. All operational.
12. Cargo Decks and Gear	G.	See attached Photographs.
13. Passenger Accommodation	G.	Very small passenger lounge and facilities.
14. Crew Accommodation	G.	Spacious, old, but very clean standard.
15. Galley and Fridges, etc.	G.	Very clean and again small area overall.
16 Hull Condition	G.	See attached photographs.
17. Paintwork (External)	G.	See attached photographs.
18. Personnel	V.G.	Master and Trainee Master accompanied me round bridge accommodation and deck areas.
19. Funnel Deck	NV.	
20. Bridge Documentation	V.G.	SMS files and documentation evident and up to date on selected items checked.
21. Bridge Equipment	V.G.	New VDR fitted @ refit. VMS upgrade.
22. Restaurants/Servery Areas	G.	Small area but high standard of cleanliness.
23. Steering Compts.	G.	Very clean and tidy. Operationally good.
24. Bow Thrust Machinery	G.	Fully operational.
25. Lifts and Elevators	N.V.	
26. Engine Room Documentation	V.G.	All to SMS standard and ORB checked.
27. MCA. Continuous P.C. Survey Items	N/A.	
28. ISM Continuous Audit of Procedures	N/A.	
29. Class Survey Records	V.G.	Relevant Documentation browsed through.

P&O Ferries

Technical Manager's

General Remarks

The vessel inspection was good and I thanked the Captains and Chief Engineer Officer and Chief Officer who were very helpful in all aspects during the inspection.

Vessel had recently completed a Refit in Arno Dunkirk and evidence of all work completed was to a high standard and observed, noted during the inspection.
Bridge fully equipped though old style lay out and compact.
Cargo decks were clean and tidy and top deck had a permanent walkway safety cage for personnel to transit fwd to aft. Loading and discharge was partly observed and vehicle deck operations were good.
There are 2 fixed ramps and a Stern ramp only of which operational photographs are attached, taken 2 days later in daylight !.
Accommodation was clean and to a high standard although Old style. Passenger accommodation restaurant etc was small but again in good condition.
SMS posters with the DPA full details were on display on all notice boards and on bulkheads in crew accommodation.
The 2 main engines had recently undergone full survey and overhaul with Wartsila reports to supplement work completed. There were 5 small auxiliary engines for power generation. A new fuel Purifier was in the process of being commissioned by Alfa Laval.

Photographs attached which were taken during the inspection and 2 days later in daylight when vessel returned to Barcelona.

I would have no reasons as why this vessel should not be considered for charter Technically.

Title Technical Manager.

Annex C

Ursine, On-hire survey report, 9 November 2007

A. J. J. VAN DEN ANDEL B.V.
MARINE SURVEYORS AND CONSULTING ENGINEERS
ENGINEERING AND CONSTRUCTION DAMAGE SURVEYORS
WITH SWORN AND NIVRE REGISTERED SURVEYORS
1017 SB AMSTERDAM
WETERINGSCHANS 99
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S/J 207258

S U R V E Y R E P O R T

T H I S I S T O C E R T I F Y

that the undersigned, A.J.J. van den Andel B.V., Marine Surveyors and Consulting Engineers, Amsterdam, at the request of Messrs. P&O Ferries, Rozenburg, held survey on board the motor vessel:

" U R S I N E "

IMO	: no. 7800746
Flag	: Belgium
Principal dimensions	: 170,26 x 21,00 x 5,85 m
Tonnage	: 16.947 GRT 5.084 NRT
Engines	: 2 x Wärtsilä Vasa 12 V 32 D 4.500 kW
Built	: 1979
Class	: Det Norske Veritas
Master	:
Chief Engineer	:

on 09-11-2007 the vessel then lying alongside the premises of Messrs. P&O Ferries Europoort NL, , in order to carry out a

J O I N T - O N - H I R E - S U R V E Y

Acting surveyor :

Upon careful inspections in consult with the vessel's staff, the following deficiencies were noted:

WEATHER DECK

starboard side from fore to aft

- Forward most stanchion, separating walk way, inner flange indented over full height.
- Stanchion no. 5, both flanges inside/outside, heavily buckled.
- Stanchion 7 and 8 including horizontal protection set outward and wavy.
- Stanchion no. 9, both flanges inside/outside set in.
- Stanchion 11, facing flange heavily set outboard.
- 3 aftermost stanchions, set to outboard, facing flange buckled.

portside from aft to forward

- Second section, forward of emergency exit, lower flange of bulwark plating heavily set up, deck rim set outboard and wavy over full section length.
- Protection railing work at aft side of ramp to main deck, one section, intermediate rod missing and inboard stanchion heavily nicked.
- Longitudinal protection aside of ramp to main deck, aftermost sections, yellow black protection rail heavily set to outboard and wavy.
- Section no. 7 of same protection bar, set outboard
- Section no. 8, lower deck rim, heavily indented and flange wavy.
- Bulwark stanchions, forward of ramp to main deck counted from forward end of ramp, no. 2 up till 7, facing flanges set in and nicked over full height to various extent.
- Stanchions no. 10 to 14, facing flanges heavily indented.
- Forward bulkhead of weather deck, generally scratched with slight indents over full width.
- Deck plating generally wavy and pitted from corrosion, painting in good condition.
- Anti slip area, in front of ramp access to main deck, grating disappeared.

GARAGE DECK
Starboard side from fore to aft.

- Yellow protection railing separating walk way to accommodation, first two sections bent to outboard.
- First stanchion indented at 1 ft. height and second stanchion at 2 ft. height.
- Ventilation duct, in way of separation section 1 - 2, plating generally set in at lower 3 ft.
- Ventilation duct in way of section separation 4 - 5, plating generally scratched and indented up to 4 ft. height.
- Protection cage aft of engine room access door, section 2 - 3, bar slightly set in and stanchions wavy.
- Inboard casing separating ramp to weather deck and ramp to garage deck aftermost web frame, facing flange indented at about 4 ft. height.
- Same casing to forward, in way of passage way to driver's lounge, section forward of access to side lane, both yellow protection bars, heavily set in and partly cracked loose from frame.
- Portside outer shell, web frame aft of gangway access, facing flange heavily set in up to 4 ft. height.
- Forward bulkhead from port to starboard, vertical bulkhead stiffener no. 1, heavily bent at connection with yellow protection railing.
- All other stiffeners over full width of bulkhead, facing flanges indented and stiffeners buckled at various places.

- Protection plate, at portside, protecting electrical cable, plate heavily set in over full height.
- Anti slip grating area in front of ramp from main deck, grating torn away over approx. 50%.
- Ramp area from main deck level upwards, portside, between 4th and 5th web frame and 5th and 6th web frame, protection bar bent down.

MAIN DECK
Starboard side from aft to fore

- Aft casing in way of cargo control room, lower 5 ft. generally indented and scratched.
- Side casing in way of engine room access, lower 5 ft. generally wavy between internals with scattered local deep indents.
- Wooden protection, sections generally scratched and partly splintered.
- Second strake, in way of frame 36 - 35, torn.
- Wooden protection beam from frame 47 forward, generally splintered away.
- Forward most ventilation duct, middle intakes, protection bars bent down and partly torn loose.

Portside from forward to aft

- Forward most ventilation intake, middle ventilation intakes, forward most, one protection bar bent down.
- Web frame no. 50, facing flange at about 4 ft. height set to outboard.
- Wooden protection plating as from frame 45 to aft, generally scratched.
- Web frame 42, facing flange in way of steel protection bars, set to outboard.
- Frame 40, facing flange indented at about 4 ft. height.
- Upper strake of wooden protection plates, in way of frame 25 - 24, torn.
- After most side casing, aft of access door to sea, upper bracket at girder, bent forward and torn loose from casing plating.
- 3rd TL armature counted from aft bulkhead, destroyed.
- Middle casing separating access to aft ramp, yellow black painted forward column, lower part bent to aft and facing flange wavy over 7 ft. height.
- 3rd Web frame, set forward at approx. 6 ft. height and facing flange indented.
- Stanchion no. 9, facing flange heavily set in at about 4 ft. height.
- Stanchions 10 and 11, both facing flanges set in at about 4 ft. height.
- Aft ramp, ramp fingers generally set in between stiffeners.
- Railing work of ramp, both port and starboard side generally wavy over full length.

LOWERHOLD

- Due to half raised movable cardeck, the lowerhold could not be inspected in full.
- Generally all flush bulkheads are free from defects, showing normal wear and tear only.
- Lowerhold fit for cargo not exceeding 1,70 m height.

DELIVERY

According the Baltime 1939 charterparty dated 22-10-2007, Geneva, the vessel was to be delivered:

"on DLOSP, safeport or at sea Cape Finisterre/Hamburg range at any time day/night SHINC in owners' option".

Per e-mail dated 04-11-2007, the master declared delivery on 04-11-2007 at 16.45 hrs lt/15.45 hrs GMT in position 42°-53',0 and 009°-47',0 W.
During survey we verified this position, 25 n.m. due west of Cape Finisterre in charts and logbooks and consider date, time and place as in accordance with the charterparty.

Vessel arrived Hoek van Holland anchorage:
08-11-2007 - 16.00 hrs l.t.

Vessel arrived P&O Terminal:
08-11-2007 - 17,45 hrs l.t.

BUNKERS

Upon declaring delivery, the master reported to have the following quantities of bunkers on board:

IFO 180 Cst : 440,0 m.t.
MGO : 55,5 m.t.

09-11-2007 around 11.00 hrs lt, bunkers were sounded/gauged and in concert with 2nd Engineer and Chief Engineer the following quantities were calculated, allowing the trim correction for 0,5 m by the stern.

180 Cst, high sulphur		: 271,36 m.t.	
IFO 180 Cst, low sulphur		: 148,43 m.t.	
		419,79 m.t.	419.79 m.t.
Total			
Of which un-transferable:			
High sulphur, 4 p+s :	46,73 m.t.		
Low sulphur, 3 p :	34,05 m.t.		
	80,78 m.t.		
Less total			
Effective		339,01 m.t.	419,79 m.t.

Consumption from flowmeters since P.O.D. 04-11-2007 16.45 hrs l.t.	87,40 m.t.	87,40 m.t.
Totals:	426,41 mt.	507,19 m.t.

MGO, 09-11-2007-11.00 hrs.	50,1 m.t.
Consumption since P.O.D.	7,0 m.t.
Total:	57,1 m.t.

SURVEYOR'S COMMENT

1) Upon arrival the vessel had two types of IFO 180 Cst on board.
IFO high sulphur (sp.g. 0,9735)
IFO low sulphur (sp.g. 9,9727)

2) For the intended trade, within the MARPOL Annex IV North Sea, SECA area, low sulphur fuel can be used only. Both types will be kept separated.
Upon sounding at Europoort on the calculated amounts, the estimated daily consumptions since 04-11-2007, 16.45 hrs lt were added. Thereby taking into account that the vessel since delivery had made economical speed and had been lying at anchor.

3) The two different quantities of IFO 180 Cst, as shown in this report are the result of the available tank calibration tables.
During sounding the following tanks appeared to contain fuel, not transferable, however according the calibration tables of relevant quantity.

Tank 4 port (0,5 cm) - 28 cbm (high sulphur)
Tank 4 starboard (1,5 cm) - 20 cbm (high sulphur)
Tank 3 port (0,5 cm) - 35 cbm (low sulphur))

LASHING GEAR

Upon arrival P&O Ferries terminal, all trailer lashing gear, including threstles of the vessel were discharged and stored ashore. Upon redelivery all ship's gear will be landed on board again. We refer to attached inventory list, dated 30-09-2007 which was received prior to survey. No count was made.
P&O Ferries supplied own gear. No count was made.

SELF DRIVER'S ACCOMMODATION

The following cabins were available for self drivers:

- Bridge deck cabin no. 309: two beds plus shower/toilet. This cabin will be used for the certified pilot/P&O Officer.
- Stringerdeck I, cabin 002, 4 beds, plus shower/toilet
- Stringerdeck I, cabin 008, 1 bed only
- Part of crew's mess, 1 four persons table
- Saloon, no. 201, dayroom with 1 four persons table, TV and video.

The inspected spaces are clean but simple and rather "tired", showing traces of wear and tear.

We leave the discussion whether this accommodation can be commercially used, to charterers.

Reference is made to the Delivery Certificate.

AMSTERDAM, 20th NOVEMBER 2007

Annex D

Guide to Good Practice, Port Marine Safety Code (extract)

8.4 Pilotage exemption certificates

8.4.1 Chapter 2.6 of the code is about the powers and duties which harbour authorities have to exempt certain ships officers from their requirements to take an authorised pilot. It says that the use of these powers should follow these general principles:

A The standards for exemption certificates must not be more onerous than those required for an authorised pilot; but they should be equivalent.

B Exemption certificate holders and their employers are accountable to the issuing harbour authority for the proper use of any certificate.

C Harbour authorities should have formal written agreements with certificate holders and their employers to regulate the use of certificates.

The requirements of a Pilotage Exemption Certificate (PEC) system are outlined in Sections 8 and 15 of the Pilotage Act 1987.

Eligibility for a PEC

8.4.2 The Act requires Competent Harbour Authorities (CHAS) to grant a PEC to applicants who are bona fide the master or first mate of a vessel. In practice, a large proportion of commercial shipping movements, especially ferries, are conducted by such officers with PECs. Many are highly trained and experienced not only to be familiar with their ship but also harbours which they visit regularly. The arrangements whereby applicants may qualify, obtain, and use a PEC should be laid down in the pilotage regulations, which normally accompany the pilotage directions. The pilotage directions will specify the type and size of vessels which are subject to pilotage and therefore, by definition, the vessels to which PECs apply.

Bona Fide Master and First Mate

8.4.3 The Pilotage Act requires that PECs are granted only to persons who are bona fide the master or first (chief) mate of a ship. This language recognises that practice on board varies. The chief officer is the person on board who will take command in the event of the master being indisposed. Some ships carry two mates and two masters, and often ships do not have articles which establish unambiguously that a particular officer is the first mate: whoever is the de-facto master/first mate at the time must be a PEC holder.

Award of Certificates

8.4.4 When an applicant applies for a PEC the first step will be for the CHA to register the application and brief the candidate on what he is required to do before his application can be assessed.

8.4.5 Once the requirements have been determined, applicants who satisfy them have a right to exemption whilst serving as bona fide master or first mate on the vessel for which they hold a certificate whether they choose to use it or not. It should be noted that authorities have a duty to issue pilotage exemption certificates to appropriately qualified mariners, and are not allowed to withhold one for reasons unconnected with an applicants skill and experience, local knowledge and knowledge of English. (But see 8.4.25 below regarding CHAs where there are exceptional navigational hazards). A risk assessment may show for example that special requirements apply if the vessel were to take tugs. In that case, the authority has to choose whether it is reasonable to make the related skills a requirement for exemption; or whether to adopt an alternative risk management device. If the ship for which the master holds a PEC requires the services of tugs on a regular basis then this particular experience and ability should be covered with other relevant matters in the assessment prior to granting a PEC.

Responsibility of the Authority

8.4.6 PECs are valid for one year from date of issue. Renewal should depend upon the CHA being satisfied with the conduct of the PEC holder. The PEC should only be renewed on confirmation that the holders certificate of competency remains valid and that a predetermined

number and frequency of trips, with conduct of the vessel, have been undertaken by the applicant within the harbour during the previous year. A system for recording all trips made by individual PEC holders will facilitate confirmation that the prescribed number of trips have been taken.

8.4.7 There must be procedures to ensure that a PEC holder's local knowledge is kept permanently up to date. It is recommended that in cases where a PEC is not renewed continuously, any subsequent application by the previous PEC holder should require a further assessment and/or examination. Where a PEC is continuously renewed, it is recommended that the holder should be fully reassessed, and/or re-examined every five years.

Training

8.4.8 A CHA should offer the training and examination required without undue delay. The CHA should also provide to the PEC holder, and the PEC holders employer relevant up to-date navigation information.

8.4.9 Where applicable, it is also recommended that applicants be required to visit, and to be briefed on, the VTS system. A full appreciation of how such a system can monitor and record the detailed track and manoeuvres of every ship, will often encourage higher standards of navigation than otherwise might have been the case.

Skill, experience and local knowledge

8.4.10 The granting of a PEC is dependent upon the CHA being satisfied, by examination or otherwise, that the applicant's skill, experience and local knowledge is sufficient for him to pilot his ship safely within the whole of the area of the harbour to which the authority's directions apply, or a specified part.

8.4.11 A CHA may not make qualifying for a PEC more onerous than qualifying for an authorisation as a pilot: the Code says requirements should be 'equivalent'. (But it should be borne in mind that a PEC relates to a particular vessel or vessels and may be restricted to a particular berth whereas a pilot's authorisation can cover a wide range of different vessel types and sizes and a range of different berths.)

8.4.12 The checklist at the end of this section lists the criteria which a CHA should apply when assessing applicants for PEC.

8.4.13 CHA's are required by the Pilotage Act, to consider whether an applicant has a sufficient knowledge of English. This may be established during an oral examination or practical assessment.

Assessment of skill

8.4.14 A mariner's level of skill is, in principle, confirmed by his Certificate of Competency. It is therefore fundamental that a PEC applicant holds a valid Certificate of Competency, which entitles him/her to hold the position as Master or First Mate in the ship(s) named in the application. Experience has shown, however, that in practice, Certificates of Competency do not always reflect accurately an applicant's professional ability in ship handling. It is therefore recommended that consideration be given to confirming the overall competency of an applicant, together with his/her ability to communicate effectively in English, during the practical assessment of his local pilotage knowledge (see paragraph 5.25). CHAs should also ensure that the applicant's Certificate of Competency is applicable to the type and size of ship being navigated.

Assessment of Experience

8.4.15 A Master, or First Mate's Certificate of Competence reflects achievement of a reliable and stringently examined standard in respect of the safe operation of a ship, and a minimum time spent at sea. They are not a record of service on ships of particular types and sizes. Experience of the relevant area, or part thereof, should be ensured by requiring PEC applicant to complete a number of training acts in the company of an authorised pilot or a holder of a valid PEC for the area concerned.

8.4.16 Tripping should be undertaken on the ship, or class of ship, in which the PEC is to be used. The CHA must lay down the tripping requirement for its harbour or any part, if applicable. This requirement must specify the number of trips required by daylight and night. It may also specify the number of trips to be undertaken with an authorised pilot, rather than a PEC holder. The proportion of inward trips to outward trips may also be defined. In order to minimise the risk that qualifying trips being falsely claimed, the use of a Tripping Log is recommended. This should require the accompanying pilot or PEC holder to countersign to the effect that the PEC applicant had responsibility for pilotage of the vessel throughout the qualifying trip. Tripping Logs can also be validated by comparison with port records.

Assessment of Local Knowledge

8.4.17 The level of local knowledge can be assessed practically and by written and/or by oral examination. The level should be sufficient for the applicant to pilot his vessel with safety throughout the area covered by the PEC.

8.4.18 The checklist lists the criteria which the CHA should apply in assessing applicants. This includes both generic matters and local knowledge.

Responsibility of the Authority - CHA's obligations

8.4.19 CHAs should provide PEC applicants with a clear statement of its requirements for exemption. These might be accompanied by a full set of Byelaws, General Directions and other documentation necessary for safe navigation within the port.

Procedure for examining applicants

8.4.20 The CHA will establish a procedure for examining applicants for a PEC, to verify whether they meet the criteria set out in the checklist. The procedure should include an oral examination and/or a practical assessment, and may, in addition, at the discretion of the CHA, include a written examination.

8.4.21 The CHA will decide who should be responsible for the conduct of the examination. The Harbour Master may conduct the examination himself, or it may be delegated to a senior pilot, a representative of the Pilotage Committee, a Board Member or a Dock Master. The CHA will also consider whether decisions on the award of the PEC should be endorsed by a Committee of the Harbour Board. They should also make arrangements for applicants to be given feedback on their performance in the examination(s).

Additional vessels

8.4.22 It is often the case that a PEC applicant will request his/her certificates to be valid for more than one vessel. However, where the other vessels involved differ significantly in size or manoeuvring characteristics, from that named in the original application, consideration should be given to requiring the applicant to demonstrate proficiency in those different vessels, before approving the addition of such vessels to his certificate.

Additional areas

8.4.23 A PEC holder may request that his certificate be extended to embrace additional areas of the port. In these circumstances, the requirements for additional tripping and/or further assessment should be specified in the Pilotage Regulations, and should be fully satisfied before any such extension is approved.

Conditions governing the use of a PEC

8.4.24 Once a PEC has been issued the CHA will set out conditions attending to its use. The checklist sets out matters which will normally be included in such conditions.

Authority not to grant a PEC

8.4.25. Under Section 8(3) of the Act a CHA may apply to the Secretary of State to be allowed not to grant Certificates, if the CHA believes that exceptional navigational hazards exist within its Pilotage District, such that safety considerations dictate that all vessels navigating within the District must take an authorised Pilot. This provision is rarely used in practice.

Suspension or revocation of a PEC

8.4.26. A CHA may suspend or revoke a PEC if it shown that the holder has been guilty of incompetence or misconduct. Before so doing, prior written warning of the suspension or revocation must be given, as must the right to make representation. It is recommended that the procedure for suspending, or revoking a PEC is documented in the Pilotage Regulations.

8.4.27. This procedure is can often be lengthy, even when the evidence supporting of a charge of misconduct or incompetence is overwhelming. Meanwhile, the PEC holder remains legally authorised to continue conducting pilotage in accordance with his certificate. To overcome the obvious risk to safety inherent in these circumstances, consideration should be given to employing a Letter of Agreement between the CHA and the PEC holder and his employer, which defines the criteria to be met by the holder for his certificate to remain valid. Such a mechanism, following a serious incident and pending formal investigation and disciplinary processes, would allow a CHA, to invalidate a PEC immediately, and thus minimise the risk of safety being further compromised.

Vessels operated by the CHA

8.4.28. It should be noted that any vessels operated, or owned by the CHA, are also bound by Pilotage Directions and Regulations.

Annex E

OCIMF Ship Inspection report programme (extract)

Ship Inspection Report (SIRE) Programme

Vessel Inspection Questionnaires for Oil Tankers, Combination Carriers, Shuttle Tankers, Chemical Tankers and Gas Carriers

4th Edition
2007

15 May 2007

Rev1

Oil Companies International Marine Forum

Chapter 3. Crew management

Note: Co-operation and communication between officers and crew should be observed and evaluated. All parties should share a common goal to operate the vessel safely and efficiently.

Crew management:

3.1 Does the manning level meet or exceed that required by the Minimum Safe Manning Document?

The IMO Resolution A.890(21) Principles of Safe Manning addresses the functions to be addressed when determining the safe manning of a vessel, including navigation, cargo handling, safety, engineering, electrical and electronic engineering, radiocommunications and maintenance. (Res. A.890(21) Annex 2)

The Resolution also states that except in ships of limited size or propulsion power (which are not quantified), the determination of the minimum safe manning level should also take into account the provision of qualified officers to ensure that it is not necessary for the master or chief engineer to keep regular watches by adopting a three-watch system. (Res. A.890(21) Annex 2)

The Administration should take into account any additional workload which may result from the implementation of the Ship Security Plan and ensure that the ship is sufficiently and effectively manned. In doing so the Administration should verify that ships are able to implement the hours of work and other measures to address fatigue which have been promulgated by national law. (ISPS Code Part B 4.28)

Note: Inspectors should review the number of personnel on board against the level of operation and should consider issues such as whether:

- *The bridge is being adequately manned under all sailing conditions;*
- *There are sufficient personnel to moor the ship safely;*
- *The cargo operation is being effectively controlled (if two deck officers alternate the cargo watches, is the second officer adequately experienced and qualified and are ratings sufficiently familiar with the operation);*
- *Safety functions are being adequately addressed (drills, ship security issues, equipment maintenance); and*
- *The quality of rest is adequate considering the trading area and the workload.*

3.2 Is the operator's policy that controls hours of work to minimise fatigue being followed?

3.3 Do all personnel maintain hours of rest records and are the hours of rest in compliance with STCW requirements?

Administrations should consider the introduction of a requirement that records of hours of work or rest of seafarers should be maintained. (STCW Code Section B VIII/1-4)

All persons who are assigned duty as officer in charge of a watch or as a rating forming part of a watch shall be provided a minimum of 10 hours rest in any 24-hour period.

The hours of rest may be divided into no more than two periods, one of which shall be at least 6 hours in length.

The requirements for rest periods need not be maintained in the case of an emergency or drill, or in other overriding conditions. 'Overriding operational conditions' are defined (Section B VIII/1.1) as to mean only essential shipboard work which cannot be delayed for safety or environmental reasons, or which could not have been reasonably anticipated at the commencement of the voyage.

Notwithstanding the above, the minimum period of 10 hours may be reduced to not less than 6 consecutive hours provided that any such reduction shall not extend beyond 2 days and not less than 70 hours of rest are provided in each 7-day period. (STCW Code Part A VIII/1)

*Note: The IMO publication '**Guidelines on Fatigue'** contains valuable guidance on dealing with fatigue, references to instruments relating to fatigue and model formats for records of hours of work or rest.*

3.4 Are all personnel able to communicate effectively in a common language?

Record the common working language in Other comments.

On all ships, to ensure effective crew performance in safety matters, a working language shall be established and recorded in the ship's logbook. The operator or the master shall determine the appropriate working language. Each seafarer shall be required to understand and, where appropriate, give orders and instructions and to report back in that language. If the working language is not an official language of the flag of the State the ship is entitled to fly, all plans and lists required to be posted shall include a translation into the working language. (SOLAS V/14.3)

3.5 Does the operator provide a training policy exceeding statutory requirements?

Record the type of training the operator provides in Other comments.

Note: Training includes formal courses, In-house or on-board training and the regulated use of videos and Computer Based Training (CBT).

3.6 Have senior deck officers attended bridge team management courses?

Note: These should be formal shore-based courses and officers should have evidence of having attended them.

3.7 Has the master attended a shiphandling course?

The STCW Code Part B V/a refers.

Note: The IMO Model course 1.22 – Ship Simulator and Bridge Teamwork may be of assistance in the preparation of courses.

3.8 If the vessel is equipped with a fully approved ECDIS, have all the deck officers attended appropriate training course?

Notes: The system should have Administration approval to be used as the primary means of navigation. Use of ECDIS as a stand-alone navigation system without paper charts requires two fully independent, IMO type-approved vector chart systems. An appropriate training course may be considered to be an interactive CBT. Where a single or non-approved ECDIS, ECD or INS is fitted and the deck officers have evidence of appropriate training, then this should be recorded in other comments. Absence of such training should be recorded as an Observation.

3.9 Where the vessel carries chemicals, has a formal programme of regular, chemical-specific medical checks and blood tests for personnel been implemented?

Crew qualifications:

3.10 Are the officers and crew suitably qualified and is their training and experience adequate?

QUALIFICATIONS OF OFFICERS	Master	Chief officer	2nd officer	*	*	*	Radio officer
Nationality							
Certificate of Competency							
Issuing country							
Administration acceptance	Y N A	Y N A	Y N A	Y N A	Y N A	Y N A	Y N A
Tanker certification	O C G	O C G	O C G	O C G	O C G	O C G	
STCW V para 1 or 2 for current cargo	1 2	1 2	1 2	1 2	1 2	1 2	
Radio qualification							
Years with operator							
Years in rank	**						
Years on this type of tanker	***						
Years on all types of tanker							
Months on vessel this tour of duty							
English proficiency Good / Fair / Poor	G F P	G F P	G F P	G F P	G F P	G F P	G F P

**In the "Qualification of Officers" section of the table above, enter the ranks of the deck officers below the rank of 2nd Officer who are on board at the time of the inspection.*

Chapter V Para 1.1 addresses basic tanker training that applies to ratings and junior officers who have cargo-handling responsibilities. Chapter V Para 1.2 addresses the specialised training that is required for officers who have operational responsibility for cargo transfer. Inspectors should record in the matrix as to whether each officer is qualified under STCW V/1.1 or V/1.2.

***If the master has been promoted within the last 12 months, record how he obtained his ship handling experience for this class of vessel.*

**** Record the on-board service years on either oil, chemical or gas vessels.*

Years with operator refer to calendar years. Years in rank refers to on-board service years,

*Administration acceptance is either **Yes**, **No**, or **Applied for**.*

Note: Experience could have been obtained either by attending a ship-handling course that could simulate the manoeuvring characteristics of the class of vessel or by serving as chief officer on this or a sister vessel. If neither of these, determine how ship-handling experience was gained?

QUALIFICATIONS OF OFFICERS	Chief engineer	*	*	*	*	*	*	*
Nationality								
Certificate of Competency								
Issuing country								
Administration acceptance	Y N A	Y N A	Y N A	Y N A	Y N A	Y N A	Y N A	Y N A
Tanker certification	O C G	O C G	O C G	O C G	O C G	O C G	O C G	O C G
STCW V para 1 or 2 for current cargo	1 2	1 2	1 2	1 2	1 2	1 2	1 2	1 2
Years with operator								
Years in rank								
Years on this type of tanker								
Years on all types of tanker								
Months on vessel this tour of duty								
English proficiency Good / Fair / Poor	G F P	G F P	G F P	G F P	G F P	G F P	G F P	G F P

**In the "Qualification of Officers" section of the table enter the ranks of the engineering officers, including electrical/electronics officers, below the rank of Chief Engineer who are on board at the time of the inspection.*

Certificates should be in the official language of the issuing country and should include a translation into English. (STCW Convention I/2.1)

Any certificate required by the STCW Convention must be kept available in its original form on board the ship on which the holder is serving. (STCW Convention I/2.9)

Tanker qualifications:

Officers and ratings assigned specific duties and responsibilities related to cargo or cargo equipment on tankers shall have completed:

- *At least three months of approved seagoing service on tankers in order to acquire adequate knowledge of safe operational practices; or*
- *An approved tanker familiarisation course. (STCW Convention V/1.1)*

*Masters, chief engineers, chief mates, second engineer officers and any person with immediate responsibility for loading, discharging and care in transit or handling cargo shall, in addition to meeting the requirements of paragraph **1**, have:*

- *Experience appropriate to their duties on the type of tanker on which they serve; and*
- *Completed an approved specialised training programme. (STCW Convention V/1.2)*

*Administrations shall ensure that an appropriate certificate is issued to masters and officers who are qualified in accordance with paragraphs **1** or **2** as appropriate, or that an existing certificate is duly endorsed. Every rating who is so qualified shall be duly certificated. (STCW Convention V/1.4)*

Notes: If the officers' certificates are not issued by the same Administration as the flag State of the vessel, then an endorsement (or a separate document) is required which attests to the recognition of that certificate by the vessel's Administration. An Administration may allow a seafarer to serve for a period not exceeding 3 months, provided that documentary proof of an application is readily available.

The operator's policy should ensure that the master and chief officer and the chief engineer and second engineer, are not relieved at the same time and that there is a suitable handover period for all four ranks.

Tanker qualification at a management level (STCW V/1.2) is required by the master, chief officer, chief engineer and second engineer and any person with immediate responsibility for loading and discharging and care in transit or handling of cargo. Some Administrations interpret this to require all watchkeeping deck officers to possess certification at the management level.

Junior officers and ratings assigned specific duties and responsibilities related to cargo or cargo equipment will automatically be qualified at an operational level for all three types of tanker if they have completed the approved familiarisation course (STCW V/1.1.1). If their certification is based on seagoing service then it will be solely for the type of tanker they served on.

If, in addition to the master, only two deck officers share the cargo watches, both should have completed the approved specialised training programme.

Where a vessel is carrying chemicals under a Noxious Liquids Certificate, it is a matter for the particular Administration whether the officers require chemical tanker endorsements in addition to their petroleum endorsements.

Drug and alcohol policy:

3.11 Does the operator have a Drug and Alcohol policy meeting OCIMF guidelines?

3.12 Record the defined maximum level of blood alcohol content:

OCIMF recommends that officers and ratings observe a period of abstinence from alcohol prior to scheduled watchkeeping duty or work periods. The objective should always be to ensure that, prior to going on scheduled duty the blood alcohol content of the seafarer is theoretically zero.

(OCIMF Guidelines for the control of drugs and alcohol)

3.13 Record the frequency of unannounced drug testing:

3.14 Record the frequency of unannounced alcohol testing:

The frequency of unannounced testing should be sufficient so as to serve as an effective deterrent to abuse. *(OCIMF Guidelines for the control of drugs and alcohol)*

3.15 Record the date of the last unannounced on-board alcohol test:

3.16 Record the date of the last unannounced drug and alcohol test undertaken by an external agency:

Note: This should be the date of the test carried out on board either by an independent agency or under controlled conditions by ship's personnel with specimens being forwarded to an independent agency.

Additional comments:

If the Inspector has comments in respect of the subject matter covered by the Chapter additional to those which the Inspector may make in response to the specific key questions in the Chapter, the Inspector should include such additional comments in this section.

Chapter 4. Navigation

Compliance with the operator's navigation procedures should be evaluated both by observation and by discussion with the master and officers. The objective should be to ascertain that the policies are understood and that records show that they are being complied with.

Navigation equipment should be in an operational condition. Defective navigational equipment can result in collision or grounding with the consequent risk of pollution. Evidence should be available to show that periodic checks of navigational equipment are made at sea.

Policies, procedures and documentation:

4.1 Is the vessel provided with adequate operator's navigation instructions and procedures?

Notes: The navigation, training and bridge procedures policies should be reviewed. The existence of established bridge organisation procedures and the professional application of ship handling and navigational practices in compliance with international regulations should be ascertained.

Bridge manuals and navigation procedures should include general information and requirements on bridge organisation, watchkeeping, navigation and navigation equipment, charts, pilotage and port arrival and departure procedures.

The operator's procedures should include at least the following:

- *A clear statement that safety of life and the safety of the ship take precedence over all other considerations;*
- *Allocation of bridge watchkeeping duties and responsibilities for navigating procedures;*
- *A clear definition of the duties of the watch-keeping officers;*
- *Circumstances when the master must be called;*
- *Procedures for voyage planning and execution;*
- *Chart and nautical publication correction procedures including, if appropriate, electronic chart corrections;*
- *Procedures to ensure that all essential navigation equipment is available and fully operational;*
- *Ship position reporting procedures;*
- *Recording of voyage events.*

A hard copy of the operator's navigation policy and procedures must be available on the bridge.

During port entry and pilotage up to the time of berthing, a minimum of two persons should be on the bridge, which ensures that one person is available to adequately monitor the progress of the vessel and the other is available to provide a back up.

4.2 Does the operator provide guidance on minimum under keel clearance and squat?

Record in Other comments, the operator's policy relating to underkeel clearance requirements for ocean passage, shallow water and for within port limits.

Notes: The operator's policy relating to underkeel clearance should be included as part of the Master/Pilot interchange. The policy must provide a minimum allowed under keel clearance for both deep sea and coastal navigation and guidance on the action to be taken in shallow water to ensure the minimum clearance is maintained

Under keel clearance can be affected by several factors and allowances should include, but not necessarily be limited to;

- *The predicted height of the tide;*
- *Changes in the predicted tidal height, which are caused by wind speed and direction and high or low barometric pressure;*
- *Nature and stability of the bottom – i.e. sand waves, siltation etc.;*
- *Accuracy of hydrographic data, a note as to the reliability of which is often included on charts;*
- *Change of water density and the increase in draught due to fresh water allowance;*
- *The vessel's size and handling characteristics and increase in draught due to heel;*
- *Wave response allowance, which is the vertical displacement of the hull due to heave, roll and pitch motions;*
- *The reliability of draft observations and calculations, including estimates of hogging and sagging;*
- *Reduced depths over pipelines and other obstructions.*

Once the available under keel clearance has been calculated taking into account all the applicable factors, including those above, it can then be determined whether any speed reduction is required to counter the effects of squat.

Ursine, pre-arrival bridge checklist, 13 November 2007

GPS Route 01

EUROPOORT (+01) To HULL (HUMBER RIVER) (+00)

	Waypoint Position	Course	Track	Distance To Next Wypt	Distance Gone	Distance To Go	Projected Speed	Projected ETA
00 Dep	52-01.2 N 004-00.0 E MO Ltb WP001	300.3°	RL	3.6	0.0	171.1	13.5 kt	
01	52-03.0 N 003-55.0 E Maas Center Ltb WP002	292.1°	RL	6.7	3.6	167.5	13.5 kt	
02	52-05.5 N 003-45.0 E MW6 Ltb WP003	306.8°	RL	125.2	10.3	160.8	13.5 kt	
03	53-20.5 N 001-00.0 E E Dudgeon Ltb WP005	299.7°	RL	25.4	135.5	35.6	13.5 kt	
04	53-33.1 N 000-23.0 E Outer Sea Reach Ltb WP006	271.0°	RL	5.5	160.9	10.2	13.5 kt	
05	53-33.2 N 000-13.8 E Spurn Lth WP007	261.3°	RL	2.0	166.4	4.7	13.5 kt	
06	53-32.9 N 000-10.5 E Chequer No3 Ltb WP 008	293.7°	RL	2.7	168.4	2.7	13.5 kt	
07 Arr	53-34.0 N 000-06.3 E Spurn Head Ltb WP 009				171.1	0.0		

[Summary]
Total Distance: 171.1 nm Avg Speed: 13.5 kts
Projected: 0d 12h 40m

[Route]
Created by:
Approved by:
Modified by: _____ _____

File: ROT-HULL.WPW
WayPoint For Windows 3.0

URSINE

SAIL PLAN CHARTS

route *EUROPOORT- Hull (Humber river)*

BA132
BA122
BA1630
BA1504
BA1503
BA1190
BA109
BA3497

PILOTAGE HUMBER RIVER (+00) To HULL DOCK (+00)

	Waypoint Position		Course	Track	Distance To Next Wypt	Distance Gone	Distance To Go	Projected Speed	Projected ETA
00 Dep	53-34.0 N Spurn Head Ltb	000-06.3 E	293.3°	RL	2.8	0.0	18.3		
01	53-35.1 N Clee Ness Ltb	000-02.0 E	282.9°	RL	1.3	2.8	15.5		
02	53-35.4 N South Shoal	000-00.2 W	284.5°	RL	0.8	4.1	14.2		
03	53-35.6 N Middle 7 Ltb	000-01.5 W	300.0°	RL	2.4	4.9	13.4		
04	53-36.8 N Sunk Spit	000-05.0 W	294.0°	RL	3.4	7.3	11.0		
05	53-38.2 N Holme Noll	000-10.3 W	315.3°	RL	1.3	10.7	7.6		
06	53-39.1 N Holme Hook 15	000-11.8 W	334.6°	RL	1.1	12.0	6.3		
07	53-40.1 N Holme Hook 15a	000-12.6 W	337.9°	RL	2.1	13.1	5.2		
08	53-42.0 N Paul Sand 19	000-13.9 W	340.4°	RL	1.1	15.2	3.1		
09	53-43.0 N Paul Sand	000-14.5 W	329.3°	RL	0.6	16.3	2.0		
10	53-43.5 N	000-15.0 W	310.1°	RL	0.8	16.9	1.4		
11	53-44.0 N Hebbles	000-16.0 W	310.1°	RL	0.6	17.7	0.6		
12 Arr	53-44.4 N Hull Dock	000-16.8 W				18.3	0.0		

[Summary]
Total Distance: 18.3 nm Avg Speed: 13.0 kts
Projected: 0d 01h 24m

[Route]
Created by: _____
Approved by: _____
Modified by: _____ _____

File: HUMBER.WPR URSINE
WayPoint For Windows 3.0

Ursine, pre-arrival bridge checklist, 13 November 2007, Hull

BRIDGE CHECK LIST
PREPARATION FOR ARRIVAL IN PORT (1/2)

1. In preparing the passage plan for arrival in port, have the following factors been taken into consideration?

   - Available port information
   - Advice / recommendations in sailing directions
   - Latest weather reports
   - Tides and currents for port / adjacent areas
   - Calculated / known minimum and maximum depths of water in port approaches, channels and berth
   - Any restrictions on draught, trim, speed, entry times, etc.

2. Is it necessary to rearrange ballast?

3. Are all relevant charts and nautical publications corrected up to date and courses laid off?

4. Have the latest navigational messages for the area been received?

5. Has ETA been sent with all relevant information required by local regulations (e.g. details of dangerous / hazardous goods carried)?

6. Has all navigational equipment including steering gear been tested?

7. Has the following equipment been checked?

   - Synchronisation of clocks
   - Internal communications equipment (e.g. walkie talkies, emy phone system, intercom, etc)
   - Signalling equipment - including flags / lights
   - Deck lightning
   - Mooring winches
   - Mooring lines / wires / heaving lines / line throwing guns
   - Bowthruster
   - Pilot ladder(s)

8. ETA sent to pilot station as far as possible and with all pertinent information (max draft, cargo, destination, side pilot ladder, ...etc)?

9. All appropriate flags / light signal(s) displayed?

10. Availability of pilot ladder on correct side?

11. Master / Pilot information exchange form ready?

12. Notice given to engine room (switching over from shaft to auxiliaries if applicable)?

13. Both radars switched on?

Signatur ate: 13.11.07

Master: Officer:
(on duty -

BRIDGE CHECK LIST
PREPARATION FOR ARRIVAL IN PORT (2/2)

14. Electronic chart (if applicable) operational?
15. Echo-sounder switched on / operational ?
16. Has manual steering been engaged in sufficient time for the helmsman to become accustomed before manoeuvring commences?
17. Has the crew been advised of the time of "stand-by" for entering port?
18. Have the VHF channels for the various services (e.g. VTS, pilot, tugs, berthing instructions) been noted and a check carried out?
19. Side floodlights in position and tested?
20. If night time: all dimmers switched ON (engine remote controls, rpm, pitch, wheel angle, gyro repeaters, etc)?.
21. Have the (wing) manoeuvring stations been checked & tested?
22. Both anchors ready to use?
23. Regularly positions taken?
24. Is the following berthing information available?

    - Whether anchoring / berthing alongside
    - Which side to jetty
    - Whether ramp can be put down or gangway to be used
    - Mooring boats / lines

Signature:

Date: 13.11.07

Master: .

Officer

(on duty -

Hull