



The Company of Master Mariners of Canada

- MONTREAL DIVISION -

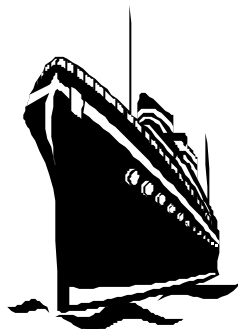
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Submission to the International Commission on Shipping

by the

**Eastern Canadian Chapters of the Company of
Master Mariners of Canada**



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The Company of Master Mariners of Canada (CMMC) is a professional organization of men and women who are qualified to command Canadian merchant ships. It has no affiliation to any Government, Political party, or Trade Union. Its only sources of funds are member's annual subscriptions, social events, and the proceeds of conferences and seminars which it organizes.

Our Letters Patent permit us to give evidence before Inquiries and Commissions, and we welcome this opportunity to do so.

CMMC has always taken an active role in marine safety, having over the years written many letters to trade publications, and held public seminars on subjects such as Bulk Carrier safety, Ro-Ro Ferry safety, the S.T.C.W. Convention, and the I.S.M. Code.

We wish to bring the following concerns to the attention of the Commission:

- 1) We believe that there is a profound conflict of interest in the relationship between ship-owners and Classification Societies. At present, the ship-owner pays the Classification Society to inspect his ship. Thus, the Classification Society, whose "raison-d'être" is to give an impartial report to the Hull Underwriter, is in reality relying on the ship-owner's continued patronage. This is a serious conflict of interest. This gives the ship-owner financial clout over the Classification Society which he should not have, and, as we have seen, has led to the evil known as "Class hopping", whereby

an unscrupulous ship-owner will switch to another Classification Society offering less rigorous terms.

Whilst the Classification Societies in the International Association of Classification Societies (IACS) have attempted to put in place mechanisms to prevent "Class hopping" by sub-standard ships, clearly, this mechanism did not work when the "Erika" changed from Bureau Veritas, to R.I.N.A., both of them IACS members. We believe that this serious conflict of interest is, in effect, the cracked foundation of our industry, from which many other problems originate.

We recommend that the Classification Society should be paid not by the ship-owner, but by the Hull Underwriter. This would then mean that a Classification Society which failed to do thorough inspections would come to the attention of the Underwriting community, who would then cause the ship-owner to pay higher premiums for being with that Classification Society. This mechanism would have an element of "self-correction" which is lacking in the present system.

The ship-owner would pay the cost of the inspection as part of his insurance premium, and the Underwriter would pay the Classification Society.

- 2) The multitude of inspections which ships now receive, from Classification Societies, Port State Control, Oil Companies, P & I Clubs, and the Salvage Association, lead to a false sense of security. If the same things are being repeatedly inspected, because they are accessible, whilst others, especially cargo and ballast tanks, are not being seen for long periods, because they are not gas-free, or able to be accessed, then structural failures like the "Kirki" and the "Erika" will continue to happen.

We believe that at the heart of this problem is the fact that Classification Societies have down-sized their workforce in order

to lower costs and stay competitive with other Classification Societies, at a time when increasing ship sizes, and a steadily-aging world fleet, required them to hire many MORE surveyors.

The idea that a solo surveyor can do a thorough survey of the tanks of a large oil tanker, or bulk carrier, in the three-day span of an average dry-docking is a farce.

We recommend that the Institute of London Underwriters draws up "Tables of Hours Required to Inspect a Ship", probably based on Gross Tonnage. It would then be up to the Classification Society to hire enough sub-contract surveyors to do the survey thoroughly.

A sub-contract surveyor who fails to do a good job would not be re-employed. Again, an element of "self-correction" would have been introduced.

Whilst the Classification Societies may claim not to like the idea of using sub-contract labour, they have been using "non-exclusive" surveyors for years, and they would be well advised to put their own house in order, before the E.C., after the next "Erika", does it for them.

- 3) Most ships now have a work-force of "casual" employees, hired for a single voyage, and who know that they will never see the ship, or its owner again when they sign off. Thus here is no incentive to invest effort in the maintenance of the ship, and no penalty for failing to do a good job. Some shipowners do make efforts to maintain dedicated crews on their fleets and the improvement in operation and maintenance are immediately obvious to the trained observer.

Many ship-owners now realize the benefits which accrue from having a stable, long-term work-force, and we recommend that all elements of the industry, ship-owners, Flag Administrations, Classification Societies, P & I Clubs and Underwriters work

towards this objective, and identify a means whereby having a stable work-force would have a quantifiable financial pay-off for the ship-owner.

- 4) Minimized crew sizes mean that fatigue is now a constant factor in ship operations, and a major cause of the so-called "human error" accident. At a recent meeting, a P & I Club Claims Manager commented that nearly every claim which they now have to meet, is in reality, a "fatigue-induced" claim. The multiplicity and duplication of inspections and the related regulations, requirements and record keeping is a major component leading to such fatigue. Consideration should be given in the Safe Manning requirements to the provision of a person to act full time as an assistant to the Master in this record keeping. This would be an excellent position for a supernumerary second mate and would provide training to the upcoming officer in the requirements and regulations applicable to his vessel.

We recommend that Flag Administrations issue Safe Manning Certificates not for 5-year, or "Lifetime of the ship" periods, but that they keep such Certificates under constant review, bearing in mind the cumulative effects of fatigue in undermining judgement.

We do not believe that the traditional criteria of assessment, "the ability to fight a fire, whilst launching a lifeboat" are now adequate, in a world of intense schedules, and ports which operate 24 hours a day, 365 days of the year.

The Canadian Marine Administration in one recent case refused to accept a Safe Manning Certificate issued by the Danish Administration, because it permitted a container ship with an intense port rotation to operate with just a Master and one Mate, and insisted on a second deck watch officer being provided.

- 5) any ship-owners now use ship management companies to operate their ships. Whilst we find no inherent problem with this, we note a

disturbing trend to fragment the management, with no single ship management company having "the big picture".

It is now common to find that Technical Management will be with Company "A", Operational Management with Company B, crew management with Company "C", Supplies/Spares management with Company "D".

When all four Companies are in different countries, and different Time Zones, this is a recipe for poor crew morale and poor management, with concomitant diminution of safety. It is contrary to the principles of good management which is the objective of the I.S.M. Code, and we believe that the body issuing the ship's I.S.M. documentation should take such fragmentation of management into account when deciding whether to issue I.S.M. certificates.

We recommend that Classification Societies, and Underwriters, take an interest in the quality of the ships management structure.

The I.S.M. Code gives them the tool to use.

- 6) Port State Control has proven to be an immensely valuable weapon in the struggle against sub-standard ships, and CMMC strongly supports it. However, we want to inject a note of caution. The spreading of Port State Control agreements, from the wealthy industrialized nations and into poorer developing countries is welcome, but not without risks. Many of these poorer nations do not have adequate numbers of trained Port State Control Inspectors, and those they have may be very poorly paid, and therefore susceptible to bribery. We believe that it is incumbent upon the wealthier, and more experienced, Port State Control nations to provide "hands on" training to newly-joined PSC nations, if the benefits of Port State Control are not to be diluted, and the system devalued.

We believe that the I.S.M. Code is a vital tool for Port State Control systems, since there is no such thing as a sub-standard ship with a good quality Owner: sub-standard ships have sub-standard Owners, and the issue of management quality must be central to a Port State Control inspection.

- 7) CMMC believes that sub-standard vessels, and their sub-standard operators are only there because other, good companies hire them! If oil and bulk companies would refuse to hire such vessels, they would quickly disappear. We believe that if a sub-standard vessel is detained in a port, there should not just be a demand that the problems be rectified, there should be a heavy fine imposed on the Owner/Operator and perhaps also on the charterer/cargo owner, who chose to hire a sub-standard ship with all the risks that that implies for loss of life, and damage to the environment.

Unless the "end-user" of the sub-standard ship is forced to consider the cost, both in money, and in public approbrium, of using a sub-standard ship, the sub-standard ship will continue to sail, and make a profit.

- 8) CMMC commends the International Transport Workers Federation and the European Transport Commission for their decision to fund the underwater survey on the wreck of the "Derbyshire". That a wreck in some of the deepest water in the world can be thoroughly examined shows that the technology exists. No passenger airplane crashes in deep water without a thorough diving/ROV survey being conducted. We do not believe that there is any excuse for saying "The ship sank in deep water, therefore a survey to find the cause of the sinking is impractical". We recommend that I.M.O., and Flag Administrations require that ship-owners carry "Diving Survey" insurance.
- 9) CMMC commends the progress which the IMO is making with regulations requiring the carriage of Voyage Data Recorders-the

so-called "Black Boxes"-, and recommends that these regulations be moved forward with the greatest speed, in order that the stresses on hulls be better understood both by the ship's officers, and by Naval Architects.

