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### INCIDENT INVESTIGATION REPORTS

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- Piracy reporting update

### Monthly Newsletter Evaluation & Feedback

We have been publishing our monthly regulatory newsletter since November 2004. In our continual effort to improve the quality of the service we would highly appreciate your feedback with respect to improve the monthly newsletter service by filling relevant [form](#).

### MAJOR ISSUES OF THE MONTH

#### Piracy issues in the area off Somalia and the Gulf of Aden

There has been an increasing amount of worry and publicity on the subject. During last month a number of initiatives has been published from several concerned parties as follows:

#### IMO – Meeting in Djibouti re regional agreement on piracy

The IMO issued a [news release](#) stating that a high-level meeting in Djibouti has been convened by the IMO to help address the problem of piracy and armed robbery against ships off the coast of Somalia and in the Gulf of Aden. The goal of the meeting is to conclude a regional agreement for sharing and reporting relevant information; interdicting ships suspected of engaging in acts of piracy or armed robbery against ships; ensuring that persons committing or attempting to commit acts of piracy or armed robbery against ships are successfully apprehended and prosecuted; and facilitating proper care, treatment, and repatriation of seafarers and passengers subject to acts of piracy or armed robbery against ships.

#### USA, USN – Protection for counterpiracy boarding teams

The US Navy issued a [news release](#) discussing the protection provided by specially-trained marines for the joint teams engaged in counterpiracy boardings in the vicinity of the Gulf of Aden.

#### USA, USN – Maritime strategy during counterpiracy ops

The US Navy issued a [news release](#) discussing implementation of maritime strategy during counterpiracy operations of Combined Task Force (CTF) 151 in waters of the Gulf of Aden, Red Sea, Indian Ocean, and Arabian Sea.

#### USA, USN – CTF 151 counterpiracy operations

The US Navy issued a [news release](#) stating that Combined Task Force (CTF) 151 is working closely with international navies in the Gulf of Aden to conduct counterpiracy operations and ensure a lawful maritime order in the region.

#### New Zealand – Contact Group on Piracy off Coast of Somalia

The New Zealand Ministry of Defence issued a [news release](#) stating that the UN-sponsored Contact Group on Piracy off the Coast of Somalia (CGPCS) is to establish a counter-piracy coordination center in the vicinity of Somalia.

#### Further Guidance on Piracy and armed Robbery

All owners and operators should instruct vessels to properly implement the procedures described in each

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vessel specific Ship Security Plan as this has been approved by relevant RSO. Furthermore attention should be stressed in ALL issues described in relevant [IMO MSC. Circ. 623](#) which is self explanatory in all piracy and armed robbery related issues.

### IMO CONTACT POINTS UPDATE

#### IMO - MSC-MEPC.6/Circ.5 (ANNEX 2 for SOPEP / SMPEP)

IMO has issued the latest ([SOPEP Contact points updated as of 31/12/2008](#)) List Of National Operational Contact Points Responsible For The Receipt, Transmission And Processing Of Urgent Reports On Incidents Involving Harmful Substances, Including Oil From Ships To Coastal States. This information enables compliance with Regulation 37 of MARPOL Annex 1 and Regulation 17 of MARPOL Annex II which, inter alia, require that the shipboard marine pollution emergency plans for oil (SOPEP) and/or noxious liquid substances (SMEP) shall contain a list of authorities or persons to be contacted in the event of a pollution incident involving such substances.

### IMO NEWS

#### IMO – Diplomatic conference on ship recycling

The IMO has established a Web site for its [Diplomatic Conference on Ship Recycling](#), to be held in Hong Kong on May 11-15.

#### IMO – LRIT information

The IMO posted miscellaneous information relating to the Long Range Identification and Tracking (LRIT) system.

- The [Authorized Testing Application Service Providers](#) lists companies authorized by Contracting Parties to conduct conformance tests and issue conformance test reports.
- The [Transitional Arrangements](#) indicates the current status of implementation of the LRIT system by various Contracting Parties.
- The [List of LRIT IDs](#) shows the identification numbers assigned to the various Contracting Parties.

#### IMO – Reports on marine casualties and incidents

The IMO issued a circular ([MSC-MEPC.3/Circ.3](#)) forwarding recommended harmonized reporting procedures for reports on marine casualties and incidents required under SOLAS regulation I/21 and MARPOL, articles 8 and 12.

#### IMO – Explanatory notes to 2008 IS Code

The IMO issued a circular ([MSC.1/Circ.1281](#)) forwarding explanatory notes to the International Code on Intact Stability, 2008 (2008 IS Code).

#### IMO – Application of amended SOLAS regulations

The IMO issued a circular ([MSC.1/Circ.1282](#)) providing guidance on application of the amended SOLAS regulations II-2/3, XII/12, and XII/13.

#### IMO – Unified interpretations of SOLAS regulation

The IMO issued a circular ([MSC.1/Circ.1284](#)) forwarding unified interpretations of SOLAS regulations II-1/1.3 and II-1/3-6.

#### IMO – Unified interpretation of SOLAS regulation

The IMO issued a circular ([MSC.1/Circ.1285](#)) forwarding a unified interpretation of SOLAS regulation III/16.1.

#### IMO – Promulgation of maritime safety information

The IMO issued a circular ([MSC.1/Circ.1287](#)) forwarding amendments to the Annex to an earlier resolution regarding promulgation of maritime safety information. The goal of the amended resolution is to develop common standards to be applied to the collection, editing, and dissemination of maritime safety information to the marine community.

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### IMO – World-wide navigational warning service

The IMO issued a circular ([MSC.1/Circ.1288](#)) forwarding amendments to annexes to an earlier resolution regarding the world-wide navigational warning service. The service relates to promulgation of internationally coordinated NAVAREA and coastal warnings, but not to national warning services.

### NATIONAL ADMINISTRATION AND PORT STATE CONTROL NEWS

#### Australia – Update re port state control

The Australian Maritime Safety Authority (AMSA) issued a notice ([Marine Notice 2/2009](#)) updating information regarding port state control in Australia. Among other things, the AMSA has issued a [fact sheet](#) providing suggestions to assist owners and operators in keeping their ships in a manner to avoid detainable deficiencies.

Access to more information [here](#)

#### Australia – Seafarer's Service Book

The Australian Maritime Safety Authority (AMSA) issued a notice ([Marine Notice 3/2009](#)) advising the maritime industry of the availability of the Australian Seafarer's Service Book. The book enables individual seafarers to keep a personal record of their sea service. The book may be requested by any seafarer who possesses a current certificate of marine qualification issued by the AMSA.

#### Hong Kong – Reminder re IMDG Code amendments

The Hong Kong Marine Department issued a notice ([Notice No. 2 of 2009](#)) reminding the maritime community of recent amendments to the International Maritime Dangerous Goods (IMDG) Code. Among other things, entities engaging shore-based personnel in the transport of dangerous goods intended to be transported by sea must ensure that such staff have received appropriate training. The amendments enter into force on 1 January 2010, but may be applied on a voluntary basis as of 1 January 2009.

#### Singapore – MEPC resolutions & unified interpretations

The Singapore Maritime and Port Authority (MPA) issued a circular ([Shipping Circular No. 1 of 2009](#)) forwarding various resolutions and unified interpretations adopted by the recent session of the IMO Marine Environment Protection Committee (MEPC).

#### Singapore – Revised MARPOL Annex VI & NOx Code

The Singapore Maritime and Port Authority (MPA) issued a circular ([Shipping Circular No. 2 of 2009](#)) forwarding revised versions of MARPOL Annex VI and the NOx Code adopted by the recent session of the IMO Marine Environment Protection Committee (MEPC).

#### Singapore – Draft convention for recycling of ships

The Singapore Maritime and Port Authority (MPA) issued a circular ([Shipping Circular No. 3 of 2009](#)) forwarding the draft International Convention for the Safe and Environmentally Sound Recycling of Ships approved by the recent session of the IMO Marine Environment Protection Committee (MEPC). The Convention is expected to be adopted at the diplomatic conference to be held May 11-15 in Hong Kong.

#### Singapore – Guidance on LRIT operational matters

The Singapore Maritime and Port Authority (MPA) issued a circular ([Shipping Circular No. 4 of 2009](#)) forwarding guidance on Long Range Identification and Tracking (LRIT) operational matters adopted by the recent session of the IMO Maritime Safety Committee (MSC).

#### Singapore – Update re MSDS

The Singapore Maritime and Port Authority (MPA) issued a circular ([Shipping Circular No. 6 of 2009](#)) reminding the maritime community of a revision of the IMO resolution regarding carriage of a Material Safety Data Sheet (MSDS) for covered cargoes and fuels.

#### Singapore – Amendments to shipping regulations

The Singapore Maritime and Port Authority (MPA) issued a circular ([Shipping Circular No. 7 of 2009](#))

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reminding owners, operators, and masters of Singapore ships that the shipping regulations have recently been amended to bring into effect amendments to regulations annexed to the SOLAS Convention relating to subdivision and stability of ships.

### Singapore – Reminder re amendments to IMDG Code

The Singapore Maritime and Port Authority (MPA) issued a circular ([Shipping Circular No. 8 of 2009](#)) reminding owners, operators, masters, and maritime community in general that the recent amendments to the International Maritime Dangerous Goods (IMDG) Code become mandatory on 1 January 2010 (but may be instituted now on a voluntary basis). Among other things, the list of dangerous goods has been expanded and there will be mandatory training for shore-side staff involved with dangerous goods.

### Singapore – Update on Gulf of Aden maritime security patrol area

The Singapore Maritime and Port Authority (MPA) issued a circular ([Shipping Circular No. 9 of 2009](#)) advising the maritime community of planned revisions of the coordinates of the Gulf of Aden Maritime Security Patrol Area (MSPA) with effect from 1 February.

## ALERTS

### USA, USCG – Reminder re analog EPIRBs

The US Coast Guard issued a [press release](#) reminding the maritime community that, effective February 1, 2009, the international search and rescue satellites (SARSAT) will no longer monitor emergency position indicating radio beacon (EPIRB) signals transmitted in analog mode on 121.5 or 243.0 MHz. These analog signals are highly subject to interference and false alerts. The SARSATs will only monitor digital signals transmitted by EPIRBs on 406 MHz. The old analog EPIRBs should be immediately replaced with the new ones, if that has not already occurred.

## VIOLATIONS & PENALTIES

### USA, DOJ – Operator pleads guilty to falsifying records

The US Attorney for the Eastern District of Pennsylvania issued a [news release](#) stating that the operator of a commercial cargo ship pleaded guilty to charges that it conspired with crew members of the ship to defraud the United States by falsifying the oil record book. The company was sentenced to pay a criminal fine of \$1.3 million, pay a special assessment of \$1,600, and implement a court-supervised environmental compliance program.

### USA EPA – Shipping companies penalized for PCB export violations

The Environmental Protection Agency (EPA) issued a [news release](#) stating that, in settlement of an administrative complaint, two shipping companies will pay civil penalties totaling \$518,500 to resolve the Toxic Substances Control Act (TSCA) violations. The complaint alleged that the two companies towed a former passenger ship (previously named the SS INDEPENDENCE) out of US waters without an export permit for the PCB onboard.

### UK MCA – Lorry driver fined for failure to declare dangerous goods

The UK Maritime and Coastguard Agency (MCA) issued a [press notice](#) stating that a lorry driver was convicted on his guilty plea for bringing his lorry onto a cross-Channel ferry without declaring that the lorry was carrying dangerous goods. The driver was fined £2,000 and ordered to pay costs of £3,757.98.

## INCIDENT INVESTIGATION REPORTS

### UK MAIB – Report on enclosed space fatality

The UK Marine Accident Investigation Branch released the report of its investigation ([Report No. 01/2009](#)) of the fatality on board a passenger ship in Southampton on 11 June 2008. A petty officer was assigned to check the salinity of the water in a ballast tank. It was assumed that the tank was full. The petty officer apparently discovered that the tank was almost empty and entered the tank to complete his assignment. He did so without protective equipment or assistance even though he was aware of and practiced in the ship's procedures for entering enclosed spaces. There was insufficient oxygen in the ballast tank due to corrosion of the tank's steel structure.

### UK MAIB – Lack of training in e-navigation causes grounding

The UK Marine Accident Investigation Branch (MAIB) issued the report of its investigation ([Report No.](#)

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**2/2009**) into the grounding of a ro-ro passenger ferry on The Downs off Deal, Kent on 31 January 2008. The ferry was slow-steaming off the coast awaiting the reopening of the Port of Dover. The officer of the watch was not taking position fixes. Rather, he was relying exclusively on the electronic navigation equipment, even though it had not been approved as the primary means of navigation. Due to lack of training, he had not set the electronic navigation system to display charted wrecks. The ferry then grounded on a charted wreck.

### UK MAIB – Report on vessel grounding

The UK Marine Accident Investigation Branch (MAIB) issued the report of its investigation (**Report No. 4/2009**) into the grounding of a chemical tanker near the Isle of Wight during heavy weather on 10 March 2008. The grounding resulted from dragging of the anchor, complicated by misunderstandings of guidance provided to non-native speakers of English.

### Australia – Grounding caused by unsubmerged propeller

The Australian Transport Safety Bureau (ATSB) issued the report of its investigation (**MAIR 241**) into the grounding of a bulk carrier at Grassy Harbour, King Island, Tasmania on 10 May 2007. The ship grounded while being maneuvered in confined waters as it was coming into port. The after draft had been reduced so that a minimum under keel clearance of 0.5 meters could be maintained alongside at berth. Unfortunately, at that draft the ship's controllable pitch propeller was not fully submerged. The adverse impact this caused to the ship's maneuverability was not fully taken into account by either the pilot or the master.

## SECURITY AND PIRACY REPORTING UPDATE

See our major issue of the month update section at the beginning of this newsletter.

### USA, USCG – Conditions of entry for ships arriving from Venezuela

The US Coast Guard issued a notice (**74 Fed. Reg. 3092**) stating that, commencing January 23, it is imposing conditions of entry on ships arriving from Venezuela. As of that date, ships that have called at a port in Venezuela during the previous five port calls must have implemented measures equivalent to security level 2 in the ship's security plan; ensured that each access point on the ship was guarded and that the guards had total visual access to the exterior of the ship during the port call; attempted to execute a Declaration of Security with the port facility; and logged all security actions. All the above security actions must be reported to the USCG Captain of the Port (COTP) prior to arrival in US waters. Depending on the circumstances, the COTP may require the ship to retain guards during its US port call.

### ReCAAP – Annual report

The Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP) issued its **Annual Report** for 2008. The report shows that there has been a decrease in the total number of incidents of piracy and armed robbery against ships in Asia in 2008 compared to the previous four years (2004-2007). The decrease was most significant in the ports and anchorages of Indonesia and the port of Chittagong, Bangladesh.

### Piracy reporting update

#### Reporting of incidents

In accordance with IMO and other third parties all ships are advised to maintain anti-piracy watches and report all piratical attacks and suspicious movements of craft to the IMB Piracy Reporting Centre, Kuala Lumpur, Malaysia.

Tel ++ 60 3 2078 5763

Fax ++ 60 3 2078 5769

Telex MA 31880 IMBPCI

24 Hours Anti Piracy HELPLINE Tel: ++ 60 3 2031 0014

E-mail [imbkl@icc-ccs.org.uk](mailto:imbkl@icc-ccs.org.uk)

To view the latest Weekly Piracy Report please see [IMB website](#).

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We have been publishing our monthly regulatory newsletter since November 2004. In our continual effort to improve the quality of the service we would highly appreciate your feedback with respect to improve the monthly newsletter service by filling relevant **form**.

### About IBS

IBS is a premier provider of Maritime Solutions in the areas of **Quality, Health, Safety, Environmental, Crisis, Security and Risk (QHSE – CSR)** Management. Solutions range includes Consulting, Shipboard Documentation Development, training onboard and ashore plus development of computer based training in the above areas.

In order to fully meet customer requirements and exceed customer expectations as necessary, the Firm is operating an Integrated Quality Management System certified to ISO 9001:2000 standard and is a member to HELMEPA and INTERTANKO.

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### IBS Newsletter Contact

In our effort to continuously improve the quality of the service that we provide we do need your feedback. To ensure that we continue to provide the best possible service, please let us know if you would prefer the IBS Monthly NEWS to be sent to an alternative e-mail address and/or to one of your colleagues.

E-mail to IBS Newsdesk : [newsdesk@ibsnet.gr](mailto:newsdesk@ibsnet.gr)

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