FEEDBACK TUTORIAL LETTER

1st SEMESTER 2019

ASSIGNMENT 2

ELEMENTS OF MARITIME TRANSPORT
EMT711S
Introduction

- Dear EMT711S student. This is Feedback for your second assignment submitted and assessed recently.

- I hope you are enjoying the course and thank you for submitting your assignment in time!

- If you did not submit your assignment in time, you are encouraged to always adhere to set deadlines, as they are part of the learning and grooming that we intend to impart to you, as a university.

- This tutorial letter is written in order to provide you with feedback relating to the assignment that you recently submitted and was consequently assessed.

- It is designed as a tool for students — for both those who have written the assignment and those who wish to use it as part of their revision for future assignments, and also in preparation for the looming final examinations.

- This feedback tutorial letter aims to provide the following vital information:
  - An indication of how to approach the assignment question i.e. what you were expected to include in the answering the question.
  - An indication of the points the answer should have included (and how marks are / were allocated).
  - Where relevant, an indication of overall student performance for the specific assignment questions
  - General comments or points to be taken note of in preparation of future similar assessments.

Recap of Assignment questions:

Question 1.1.

Outline the different technologies obtainable in the modern seaport of the 21st century and evaluate how each of them has improved maritime transport and logistics structure. [50]
Question 1.2:

Explore the international conventions governing Maritime transport. How relevant are these conventions in modern day maritime environment? [50]

Question 1.1

- This question was quite open as it required the following:
  - The different types and sub-types of technologies used in modern day maritime transport
  - The role played by each of these technologies in improving maritime transport and logistics.

- Candidates could consider the following:

  - Communications technologies
    - Internet
    - Satellite tech
    - Mobile technologies
    - UHV radio communications
    - etc

  - Cargo handling technologies
    - Containerazation
    - Automated Guided Vehicles
    - Gantry cranes
    - Straddle cranes
    - Reach stackers
    - Chassis-based transporters
    - etc
Port operations/handling technologies
- Smart yard digital management systems
- RFID
- Berth planning software
- scanners
- Barcode readers / scanners
- Etc

Navigation and tracking technologies
- GNSS
- RFID tags
- Etc

Safety and security technologies
- Automatic identification systems
- Long range i.d. and tracking systems
- Computerized scanning technology
- CCTVs
- Alarms and fences
- Etc

- Remember to consider the role that each of the above technologies is playing in improving maritime transport and logistics.
- Candidates don’t get much for a generic perspective of maritime technology in general – they need to be specific.

Question 1.2
- This question required candidates to explore the various conventions governing Maritime transport worldwide.
- The question also required candidates to EVALUATE THE RELEVANCE OF EACH OF THESE CONVENTIONS in modern day maritime environment i.e. whether these
conventions are still very relevant in the present-day environment, especially considering that most of these conventions have been developed a number of decades ago.

- **IMO can serve as a good starting point regarding these conventions e.g.**
  - SOLAS
  - The International Convention for the Prevention of Pollution from Ships (MARPOL)
  - The International Convention on Standards of Training, Certification and Watch keeping for Seafarers (STCW)
  - Hague-Visby Rules
  - Hamburg Rules

- **MARPOL**
  - The International Convention for the Prevention of Pollution from Ships (MARPOL) is the most important international regulation for preventing pollution of the marine environment by oil from ships due to accidental or operational reasons.
  - MARPOL was adopted by IMO in 1973, which incorporated much of OILPOL 1954 and its amendments into Annex I.
  - Annex I of MARPOL contains most important regulations for preventing pollution by oil from ships.
  - But before its implementation, a series of tanker accidents occurred in 1976-77, leading to the formulation of the 1978 MARPOL Protocol that fully absorbed the 1973 Convention. The combined version, referred to as (MARPOL 73/78), was finally implemented in October 1983. Since then, MARPOL has been updated through the years.
STCW

- The International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) was adopted by IMO in July 1978.
- As the name suggests, the Convention has been created to set training and certification standard for masters, officers, and watch personnel or seagoing merchant ships.
- The Convention came into effect in 1984 after the ratification by pre-requisite number of countries.
- At the behest of US Coast Guard, IMO had to make a major amendment to STCW Convention in 1995.

Hague-Visby Rules

- Drafted at the 1924 International Convention at Brussels, Hague-Visby Rules are basically a set of rules governing the international carriage of goods by seagoing merchant ships.
- The official title of the Convention was "International Convention for the Unification of Certain Rules of Law relating to Bills of Lading".
- These rules were created as a result of growing dissatisfaction among shippers and their insurers due to arbitrary restrictions imposed by carriers to limit their liability in case of damage or loss of cargo.
- The Hague rules primarily aimed to solve this problem by establishing standard basic obligations and responsibilities of the carrier and shipper for goods covered under a bill of lading.

Hamburg Rules
Adopted in March 1978 at Hamburg, the Hamburg Rules are basically improved version of Hague-Visby rules governing the international shipment of goods. It was an attempt to create a level playing field for developing countries in the area of international shipments of goods.

The developing countries believed that Hague Rules were colonial in nature, and were created for the sole benefit of colonial maritime nations.

They demanded for a full re-examination of these Rules to address the existing imbalances between carrier and shipper interests.

The Convention came into effect in November 1992 when pre-requisite number of countries (which was twenty) ratified the Convention.

As of May 2011, a total of 34 nations had ratified the convention. However, none of developed nations including the USA, UK, and Russia have ratified the Convention yet.

**SOLAS**

- The Inter-Governmental Maritime Consultative Organization (IMCO) was formed to fulfil a desire to bring the regulation of the safety of shipping into an international framework, for which the creation of the United Nations provided an opportunity.
- Such international conventions had been initiated piecemeal, notably the Safety of Life at Sea Convention (SOLAS), first adopted in 1914 following the Titanic disaster.
- IMCO's first task was to update that Convention; the resulting 1960 Convention was subsequently recast and updated in 1974 and it is that Convention that has been subsequently modified and
updated to adapt to changes in safety requirements and technology.

- When IMCO began its operations in 1959 certain other pre-existing instruments were brought under its aegis, most notable the International Convention for the Prevention of Pollution of the Sea by Oil (OILPOL) 1954.

- Throughout its existence IMCO, later renamed the IMO in 1982, has continued to produce new and updated instruments across a wide range of maritime issues covering not only safety of life and marine pollution but also encompassing safe navigation, search and rescue, wreck removal, tonnage measurement, liability and compensation, ship recycling, the training and certification of seafarers, and piracy.

- More recently SOLAS has been amended to bring an increased focus on maritime security through the International Ship and Port Facility Security (ISPS) Code.

- The IMO has also increased its focus on air emissions from ships.

- Recent initiatives at the IMO have included amendments to SOLAS, which upgraded fire protection standards on passenger ships, the International Convention on Standards of Training, Certification and Watch keeping for Seafarers (STCW) which establishes basic requirements on training, certification and watch keeping for seafarers and to the Convention on the Prevention of Maritime Pollution (MARPOL 73/78), which required double hulls on all tankers.

Other conventions relating to maritime safety and security and ship/port interface

- Convention on the International Regulations for Preventing Collisions at Sea (COLREG), 1972
• Convention on Facilitation of International Maritime Traffic (FAL), 1965
• International Convention on Load Lines (LL), 1966
• International Convention on Maritime Search and Rescue (SAR), 1979
• International Convention for Safe Containers (CSC), 1972
• Convention on the International Maritime Satellite Organization (IMSO C), 1976
• International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel (STCW-F), 1995
• International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties (INTERVENTION), 1969
• International Convention on Oil Pollution Preparedness, Response and Co-operation (OPRC), 1990
- Protocol on Preparedness, Response and Co-operation to pollution Incidents by Hazardous and Noxious Substances, 2000 (OPRC-HNS Protocol)
- International Convention on the Control of Harmful Anti-fouling Systems on Ships (AFS), 2001
- International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004
- The Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009

**Conventions covering liability and compensation**

- International Convention on Civil Liability for Oil Pollution Damage (CLC), 1969
- Convention relating to Civil Liability in the Field of Maritime Carriage of Nuclear Material (NUCLEAR), 1971
- Athens Convention relating to the Carriage of Passengers and their Luggage by Sea (PALS), 1974
- Convention on Limitation of Liability for Maritime Claims (LLMC), 1976
- International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001

**Other subjects**

- International Convention on Tonnage Measurement of Ships (TONNAGE), 1969
International Convention on Salvage (SALVAGE), 1989

Convention establishing IMO

- Convention on the International Maritime Organization

- The SECOND PART OF the question also required candidates to EVALUATE THE RELEVANCE OF EACH OF THESE CONVENTIONS in modern day maritime environment i.e. whether these conventions are still very relevant in the present-day environment, especially considering that most of these conventions have been developed a number of decades ago.

- Many candidates didn’t do this part so well. They simply copied and pasted internet material regarding the various conventions and forgot to attempt to evaluate the relevance of each of conventions.

Concluding remarks and recommendations

- Students are reminded of the need to answer questions as asked, taking into account the number of marks to be awarded, and not to set and answer their own questions.

- The way you present your work also remains one of the key factors we need to consider particularly at this level. You are being encouraged to make use of headings and sub-headings especially for long essay questions.

- No matter how general a case study question might appear all solutions to case study questions should always be answered in the context of the case study. Fine, you can explain the basic principles as explained in the theoretical knowledge that you may have gained from your classes and/or self-study; it is however important that you always related to the circumstances / situations that are presented in the case.

- Best wishes in your studies.

Compiled by Dr Fanny SARUCHERA