



IMCO

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INTERNATIONAL CONFERENCE ON TONNAGE MEASUREMENT, 1969

Technical Committee

PROVISIONAL SUMMARY RECORD OF THE TENTH MEETING

held at Church House, Westminster, London, S.W.1, .
on Thursday, 5 June 1969 at 2.30 p.m.

Chairman:	Mr. F. SPINELLI (Italy)
Secretary:	Mr. Y. SASAMURA

A list of participants is given in TM/CONF/INF.1

N.B. Corrections to be incorporated in the final summary record of the meeting should be submitted in writing (two copies in French or English), preferably on the provisional summary record, to the Documents Officer, Committee Room 2 and after the Conference to the IMCO Secretariat, 22 Berners Street, London, W. 1, not later than 8 July 1969.

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AGENDA ITEM 4 - CONSIDERATION AND PREPARATION OF PROPOSED
TECHNICAL REGULATIONS ON TONNAGE MEASUREMENT
AND TONNAGE CERTIFICATES (continued)
(TM/CONF/6; TM/CONF/C.2/2)

Article 4, paragraph (1)(b)

The CHAIRMAN reminded the Committee that the amendment proposed by Sweden to Article 4 (TM/CONF/6), which would substitute a length of 24 metres for one of 15 metres, was in keeping with the provisions of Article 5 of the Convention on Load Lines. At the stage which had been reached in the discussions, he suggested that the Committee should adopt that amendment in principle, subject to the possible subsequent addition of a definition of "moulded depth".

After a short discussion, in which Mr. CHRISTIANSEN (Norway), Mr. ROSELL (Denmark) and Mr. SASAMURA (Secretary) took part, it was so agreed.

Regulation 3

The CHAIRMAN pointed out that two amendments had been submitted concerning the definition of the total volume of enclosed spaces, one by the Netherlands and the other by the Soviet Union. As the latter amendment was more closely related to displacement problems, he suggested that, for the time being, the Committee should consider only the amendment submitted by the Netherlands, whilst bearing in mind that no decision could be taken on the concept of gross tonnage until the Working Group had completed its work.

Mr. ROCQUEMONT (France), summing up the situation, said that, if the Working Group were to adopt a coefficient which varied according to volume, it would then be preferable to adopt the Netherlands amendment. If, on the other hand, the Group decided to adopt a constant coefficient, it would be

preferable to express the gross tonnage in the new unit, in accordance with the original text in Proposal C.

Regulation 4

The CHAIRMAN drew attention to the fact that various amendments had been submitted - by Denmark, France, the Netherlands and the USSR. Since the amendment proposed by France was the furthest from the original text, he thought it would be proper to consider it first and decide whether the term "moulded displacement" should be used.

Mr. ROCQUEMONT (France) stated that, on the question of displacement, the simplest course was to refer to Archimedes' law: either to the weight of water displaced, which was equivalent to the weight of the ship, whatever the specific gravity of the water, or to the volume of water displaced, with a determination of the density of the salt water. He thought it preferable to calculate displacement to the outside of shell plating and not to the inside of the ship, in order to take in all the hull appendages which formed an integral part of the ship.

Mr. CHRISTIANSEN (Norway) emphasized that it was difficult for some shipowners to determine, at a preliminary stage, to what exact use a ship would be put and what load line should be assigned to it.

The CHAIRMAN did not think that presented any difficulty; the shipowner could always ask for the maximum draught, with the possibility of reducing it subsequently and obtaining a certificate for a lower draught.

Mr. NOZIGLIA (Argentina) pointed out that if the concept of moulded displacement was to be retained in Regulation 4, it would, as a consequence, become necessary to amend Regulation 7 - which related to the external parts of the hull - and he thought it advisable, for the sake of simplicity, to continue to use moulded measurements.

The CHAIRMAN thought that, in that case, it would be sufficient to adjust the coefficient by 1 or 2 per cent.

Mr. COLOVIC (Yugoslavia), referring to the second sentence of Regulation 4, said that the ships concerned were mainly fishing vessels and wondered whether, in that case, the load line in question would be the national load line or the international load line.

The CHAIRMAN thought the certificate would mention the displacement corresponding to the national or international load line and that, in the absence of both, the displacement would be determined to a waterline at 85 per cent of the moulded depth of the ship.

Mr. WILSON (UK) thought it sufficient to speak of "displacement determined to the summer load line", which could also be applied to fishing vessels.

Mr. ROCQUEMONT (France) considered that, in the case of ships with both a national and an international load line, it was the latter that should be taken into account.

Mr. NOZIGLIA (Argentina) emphasized that it should be the aim of the Convention to apply to international voyages and that therefore ships should have international certificates.

The CHAIRMAN, summing up the discussion, took note of the problem of fishing vessels which had no load line. In regard to the French proposal, he said that if the ship had an international load line, it was that line which should be taken into account; if the ship had two load lines (national and international), the international line should be taken into account; if the ship had only a national load line, it was naturally that line which was taken into account; lastly, if it had no load line, the displacement should be determined to a water line at 85 per cent of the moulded depth of the ship.

Mr. ROSELL (Denmark) shared the view expressed by the Chairman. Moreover, he was in favour of using "moulded displacement". He wondered whether there would be different coefficients for wooden ships and for steel ships.

The CHAIRMAN remarked that the coefficient would be only an approximation and that the difference would not be appreciable.

Mr. MURPHY (USA) said that he also was in favour of using "moulded displacement" but what was needed in the first part of Regulation 4 was a definition of displacement.

The CHAIRMAN noted that displacement must first be defined and that the Committee was provisionally in favour of using "moulded displacement".

Mr. FILIPPOVICH (USSR) pointed out that, until the Committee had decided on the term of validity of certificates, the first sentence of paragraph (2) of the French amendment served no purpose. Moreover, a reference to "national load lines" would have to be included in the regulations later on, with a statement to the effect that it applied only to ships which were not covered by the 1966 Convention.

Mr. WILSON (UK), referring to "moulded displacement", said that Regulation 7 would have to be studied in detail and that Regulations 4 and 7 should be considered together.

Mr. ROCQUEMONT (France), in reply to the comments of the USSR representative on the first paragraph of the French amendment to Regulation 4, observed that his delegation was striving for the maximum simplicity possible; changes resulting in lower displacement should be as few as possible but there was no limit on changes resulting in higher displacement.

As to whether it was better to see "moulded displacement" or "total displacement", as proposed in Regulation 7, he considered that total displacement was preferable since it would enable the form of future ships, as yet unknown, to be taken into account. The use of either mass or volume could be chosen, provided the density of the displaced water was determined.

Mr. ter HAAR (Netherlands) pointed out that for ships for which no load line had been assigned, displacement should be determined to a waterline at 85 per cent of the moulded depth. It was therefore necessary to know exactly what the moulded depth represented - a point that had been raised also by the Yugoslav representative.

The CHAIRMAN, summing up the discussion, took note of the problem of the definition of moulded depth. He recalled that the Committee had approved certain principles on the kind of load lines to be used, and left it to the Drafting Committee to prepare a suitable text on that point. Finally, he pointed out that it was necessary to define exactly what was meant by "upper deck".

Mr. WILSON (UK) suggested that, in order to avoid having to define the meaning of "upper deck", the Committee should see what definition was given in the Convention on Load Lines.

Mr. ROCQUEMONT (France) considered that that was a quite minor point, for the ships in question - namely, those engaged on international voyages and not having an international load line certificate - did not come under the 1966 Convention but would come under the 1969 Convention. Very few ships would thus be affected.

Mr. COLOVIĆ (Yugoslavia) said that the only ships concerned were fishing vessels and pleasure craft.

Mr. ter HAAR (Netherlands) thought that if a reference to the freeboard deck as defined in Regulation 3 of the Convention on Load Lines could be introduced into Regulation 4, the point raised by the representative of Yugoslavia would be satisfactorily met.

Mr. ROSELL (Denmark) said that in the case of fishing vessels with two decks and without an international load line, it might perhaps be left to the discretion of port authorities to choose the deck from which to measure displacement.

Mr. BECKWITH (Liberia) was not in favour of that solution. He suggested using the definition in Regulation 3 of the Convention on Load Lines, so modified as to refer to the uppermost complete deck instead of the freeboard deck.

Mr. ROSELL (Denmark) pointed out that in the fishing vessels to which he had referred, freeboard was measured from the second deck, and if displacement were measured from the upper deck the resulting tonnage figure would be too high.

Mr. WILSON (UK) said he appreciated the difficulty mentioned by the Danish representative, for if, under normal circumstances, the freeboard deck had to be the uppermost deck, according to IMCO regulations, that deck could not be used to assign load lines to fishing vessels with large hatchways that had to be open in all weathers.

Mr. BONN (Canada) drew the Committee's attention to subdivision displacement which was used in preference to form freeboard.

The CHAIRMAN was of the opinion that that formula, which was moreover the one set out in paragraph 2 of the amendment proposed by Denmark to Regulation 3, might well be adopted.

Mr. ROCQUEMONT (France) considered that his delegation's proposed amendment to Regulation 4 provided a solution to the problem under discussion for a ship could have only one load line irrespective of whether it had been assigned a form, scantling or subdivision freeboard.

Mr. WILSON (UK) remarked that, on the contrary, some ships did have two load lines according to whether they were used for cargo or passenger transport. It was his view that displacement should be calculated to the highest load line.

Mr. GUPTA (India) stated that such was the case for Indian ships which carried pilgrims for four months of the year and cargo the rest of the time, which made it necessary for them to change their load line twice a year. Special provisions should be drawn up for such ships.

Mr. FILIPPOVICH (USSR) considered that the purpose of Regulation 4 was to define displacement, in conjunction with Regulation 7. The problem just raised could be better dealt with in other regulations of the Convention.

The CHAIRMAN reminded the Indian representative that the concept of a change in tonnage according to draught was to be retained for existing ships. In reply to the representative of the Soviet Union, he emphasized that the Committee's immediate concern was to approve principles; the form of which the various regulations would be presented would have to be determined later.

He therefore suggested that Regulation 4 should begin with a definition of displacement as given in paragraph (1) of the Danish amendment to Regulation 3, which would be followed by a paragraph relating to passenger ships based on paragraph (2) of the same Danish amendment; then would come provisions concerning the definition of moulded depth and load line displacements, the latter being based on paragraphs (1), (2) and (3) of the proposed French amendment to Regulation 4.

Mr. SASAMURA (Committee Secretary) read out paragraph 2 of the French amendment, in the English text of which the words "displacement corresponding to the new" were to be inserted between lines 6 and 7.

The Committee approved the text of this paragraph in principle.

Mr. GUPTA (India) supported by Mr. MURPHY (USA), referring to paragraph 3 of the French amendment, spoke of the problem which would be created by the five-year time-limit in the case of passenger ships which were converted into cargo ships every year.

Mr. CHRISTIANSEN (Norway) considered that the five-year time-limit should be discussed. He also thought that the exception envisaged for changes in nationality might give rise to all kinds of manipulations.

Mr. WILSON (UK), while approving the text proposed by France, also thought the time-limit should be discussed. He considered, however, that the time-limit would not cause any problems for the vessels mentioned by the representative of India because they had two load lines and the Committee had agreed in principle that their displacement should be calculated on the basis of the higher one.

The CHAIRMAN said that that question could not be settled until the Working Group had decided whether passenger spaces should be included in the net tonnage or not.

Mr. ROCQUEMONT (France) agreed. With regard to the exception for a change of nationality, his delegation recognized that such an exception might enable the regulation to be circumvented, and it was prepared to amend its proposal.

Mr. ROSELL (Denmark) suggested that the question be referred to the General Committee.

Mr. LAWRENCE (Liberia) thought that if the exception for a change of nationality was retained, it should also apply to a change in ownership; he also considered that the term "large-scale modification" required definition.

The CHAIRMAN pointed out that a definition had been given in the amendment proposed by France to paragraph 3 of Article 3.

Mr. PRIVALON (USSR), referring to the problem of frequent changes of load line, suggested that certificates should be drawn up in such a way as to indicate to the port authorities what changes had been made previously.

Mr. ROCQUEMONT (France) agreed that the question of certificates would have to be more fully studied.

Referring to the comments made by the representative of Liberia, he said that exemption from the five-year time-limit in the case of a change of ownership would not be appropriate because the Committee already considered that the exemption in the case of a change of nationality was not sufficiently restrictive. As far as large-scale modification was concerned, it would certainly be advisable to include in paragraph 3 the definition to which the Chairman had referred.

The CHAIRMAN feared that that definition might be detrimental to ships which underwent minor modification to allow them to carry either passengers or cargo.

Mr. ROCQUEMONT (France) pointed out that if a passenger ship lost its superstructures, its depth was automatically altered by a substantial amount. The Conference had expressed a wish that tonnage changes should not be frequent and it was therefore the Committee's duty to strike a fair balance between the requirements of trade and the risks of fraud.

Mr. WILSON (UK), referring to the problem of change of nationality, said that the United Kingdom invariably re-measured every vessel registered in the United Kingdom, whatever its original flag.

Mr. CONTOGEORGIS (Greece) objected to the text of paragraph 3 as submitted by the French delegation. It seemed unfair to prohibit a ship from obtaining a new certified displacement immediately after a change of the freeboard; the value of Proposal C lay in the fact that it replaced the system of a tonnage mark by a certified displacement, thus permitting an easier change of tonnage, but it seemed that if paragraph 3 were adopted, one of the main advantages of Proposal C would disappear.

His delegation agreed that the certified displacement should not be changed too often, but considered that a time-limit of six months would be reasonable. It also agreed with the Norwegian delegation that if the certified displacement could be altered when there was a change of nationality, many maritime powers would see large numbers of their ships passing under other flags.

The CHAIRMAN asked the French representative how the loading of the special craft mentioned in paragraph 5 could be checked:

Mr. ROCQUEMONT (France) replied that the working of international competition would make it necessary to provide regulations to restrict the loading of hydrocopters. Until international regulations were adopted, each State would have to determine the displacement of those craft when fully loaded.

Mr. CHRISTIANSEN (Norway) thought the case of special craft would have to be considered, as it seemed likely that a large number of them would come into service within the next fifteen years.

Mr. ROCQUEMONT (France), replying to Mr. GRUNER (Finland), said that the tonnage certificate of a special craft should indicate the total take-off weight authorised by the national legislation.

Mr. WILSON (UK) suggested omitting the reference to 75 kg. as the weight of each person who could be carried in the special craft, because national regulations might contain different provisions.

Mr. ROCQUEMONT (France) agreed to withdraw that figure, as it was only an incidental item in his proposal.

Mr. NOZIGLIA (Argentina) asked whether cargo submarines would be classified as special craft in regard to certifiable displacement.

Mr. ROCQUEMONT (France) said that when submerging a submarine filled its ballast tanks, and then a ballast correction could be applied. For a submarine which was on the surface, as it always was, of course, on arrival in or departure from a port, the maximum displacement on the surface was taken into consideration.

Regulation 5

Mr. ROCQUEMONT (France) proposed that consideration of Regulation 5 be deferred, because the methods of calculating displacement and gross tonnage were closely related and they could be considered together.

Regulation 6

The CHAIRMAN proposed that a small working group should be set up, composed of representatives of France, Norway, the Netherlands and the United Kingdom. The group should submit its conclusions to the Committee at its twelfth meeting.

It was so agreed.

Regulations 7 and 8

The CHAIRMAN pointed out that the Committee could not usefully consider those regulations until it knew the results of the study by the working group on coefficient "a".

The meeting rose at 5 p.m.