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INTERNATIONAL CONFERENCE ON
TONNAGE MEASUREMENT, 1969
Technical Committee

PROVISIONAL SUMMARY RECORD OF THE TWENTY-FOURTH MEETING

held at Church House, Westminster, London, S.W.1,
on Monday, 16 June 1969, at 2.30 p.m.

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

A list of participants is given in TM/CONF/INF.1/Rev.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 (TM/CONF/C.2/WP.19/Add.3,
TM/CONF/C.2/WP.41; TM/CONF/C.2/WP.42/Add.1;
TM/CONF/C.2/WP.45) (continued)

Mr. PROHASKA (Denmark), referring to Draft Regulation 3 (TM/CONF/C.2/WP.42/Add.1) pointed out that the Committee had decided to express the volume in cubic metres. In regard to Regulation 4, he preferred the original text to the new draft.

The CHAIRMAN said that the Committee should decide whether the expression "in register tons", appearing in square brackets in Regulations 3 and 4, should be retained.

Mr. ROCQUEMONT (France) said that there was no difficulty about the French version but that in the English text the word "tons" might lead to confusion.

Mr. WILSON (UK) considered it essential to define what was meant by "tons".

Mr. NOZIGLIA (Argentina) suggested that the expression "tonnage units" should be used.

Mr. MURPHY (USA), supported by Mr. PROHASKA (Denmark), proposed that the words in square brackets be deleted.

The United States proposal was adopted.

The CHAIRMAN invited the Committee to consider the report of the ad hoc working group on the international tonnage certificate (TM/CONF/C.2/WP.45).

Mr. SEAGO (UK), speaking as Chairman of the working group, said that it had taken as its models for the front of the tonnage certificate the 1960 certificate (Convention for the Safety of Life at Sea) and the 1966 certificate (Convention on Load Lines). After the name of the country it had added "for which the Convention came into force19..", because the ratification dates would not be the same for all signatories.

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For the dates of keel-laying and of modifications undergone by the ship, it referred to the relevant articles of the Convention. Three dimensions had been included: overall length, moulded breadth, and moulded depth to the upper deck; the tonnages were expressed in tons, but since the Committee had deleted that term in Regulations 3 and 4, it would doubtless not wish to include it in the tonnage certificate.

The working group had decided to put on the reverse of the certificate all the information needed to identify the spaces included in the tonnage, but had considered that an enumeration of those spaces together with a conversion factor might give rise to errors, and the port authorities might wish to base their charges on the highest figure. To indicate the existence of an open space, an asterisk was to be added to the spaces included in the tonnage, but the working group had not wished to include details which would have required a third page. In regard to passengers, the number of those in dormitories was to be omitted in accordance with the decision taken by the Committee.

The CHAIRMAN said that the Articles referred to on the front of the certificate were 3(2) and 3(2)(b).

Mr. HABACHI (Observer, Suez Canal Authority) suggested that the certificate should show the name and address both of the shipyard and of the owner.

Mr. OVERGAAUW (Netherlands) thought that the first version of the certificate had been better drafted than the new one. He felt that the units of volume should be expressed in cubic metres and that all spaces capable of containing cargo should be indicated; it would also be advisable to add an explanatory note concerning the overall length and to provide a space in which the Administration would record any modifications which might be made during the life of the ship.

Mr. BONN (Canada) said that in many cases the port authorities were accustomed to volumes expressed in cubic feet and urged that that unit should appear alongside the cubic metres.

Mr. ROCQUEMONT (France) supported the suggestion that the names of the shipyard and the owner should be shown on the tonnage certificate. In his view, the calculation of the gross and net tonnages, with the conversion factor, should be shown on the reverse of the certificate, because otherwise the Conference might be accused of deliberate obscurity.

Mr. CHRISTIANSEN (Norway) agreed with the representative of France about the references to the owner and builder and suggested that the date on which the ship had been delivered should also be shown.

Mr. MUENCH (Israel) asked that the dates in the fourth column on the front of the certificate should be expressly indicated, instead of a mere reference to the articles of the Convention.

Mr. WILSON (UK) said he could not see the point of including on the tonnage certificate information which was already given in the ship's register. He regretted, on the other hand, that the working group had not kept on the back of the certificate the sketch which had appeared in the original version.

Mr. PROHASKA (Denmark) pointed out a slight error on the front of the certificate; The formula should be as follows: "This is to certify that the tonnages of this ship have been ascertained".

With reference to the tonnage calculation, he pointed out that the Load Line Convention indicated the results but not the detailed calculation of the freeboard.

Mr. PRIVALOV (USSR) thought that the working group had shown wisdom in limiting the information to be given on the tonnage certificate and in not requiring the inclusion of information which was already shown in the ship's register. In regard to the main dimensions, it would be useful to mention the regulations which laid down how they were to be measured. Again, the working group had rightly fought shy of giving the impression that dual tonnages were involved by including a second figure. The regulation dealing with the closing of open spaces was useful for verification purposes and this would be made easier if a sketch was included in the document. The value of the blank page which the representative of Norway had advocated was not immediately obvious; at all events it would not be needed to show any change of flag, because in such a case the tonnage certificate would have to be modified, too.

The CHAIRMAN, summing up the points of agreement, said that there was a majority in favour of deleting the word "tons" in gross and net tonnage. To meet the point made by the representative of Denmark the signed statement would have to read: "This is to certify that the tonnages of this ship have been ascertained...".

There was less general agreement on how to indicate the main dimensions. Was it, for example, adequate to write "length" instead of "overall length" and to refer to the regulation which indicated how the length was to be calculated?

Mr. CABARIBERE (France) thought it was essential to keep the expression "overall length".

Mr. WILSON (UK) acknowledged the validity of the objection. The reason for including the main dimensions on the certificate was to facilitate verification, but was it necessary to mention a length which could be easily verified?

Mr. GUPTA (India) thought it was perhaps enough that the length was shown on the ship's register.

Mr. SASAMURA (Committee Secretary) pointed out that the indications required by the Conventions were intended only to show whether or not the ship was longer than 24 metres, and not to enable control officers to verify the length.

Mr. ERIKSSON (Sweden) said he thought there were other ways of identifying a ship than by measuring its length.

The CHAIRMAN said it had been proposed and seconded that only the word "length" should be mentioned, without any other details, reference being made to the articles in the Convention on Load Lines which laid down the methods of calculation.

The proposal was approved by 30 votes to 4.

Mr. HABACHI (Observer, Suez Canal Authority) pointed out that the ship's register was not always kept on board and that port authorities needed to know the dimensions of ships.

The CHAIRMAN invited the Committee to discuss the question of whether, as in the case of length, only the word "breadth" should be mentioned, reference being made to the definition contained in the Convention on Load Lines.

Mr. HABACHI (Observer, Suez Canal Authority) asked why it was necessary to refer to another convention instead of drawing up a self-contained document.

Mr. WILSON (UK) considered that it was easier to speak of overall breadth than overall length.

Mr. FILIPPOVICH (USSR) enquired why dimensions should be recorded on the tonnage certificate at all. If it was for identification, that was no longer necessary. If it was for the convenience of port authorities, that was quite a different matter. The question was to know what was intended.

The CHAIRMAN thought that an indication of the moulded depth was essential, but that the usefulness of the other two dimensions was less obvious.

Mr. ERIKSSON (Sweden) pointed out that it was unnecessary to mention length on the tonnage certificates since it was already given on the load line certificate.

The CHAIRMAN said he inclined to the conclusion that length and breadth need not be mentioned and that an indication of the depth would be sufficient.

Mr. CABARIBERE (France) thought that in that case it might have been simpler to indicate only gross tonnage and net tonnage on the load-line certificate.

The CHAIRMAN noted that there was a majority in favour of retaining the main dimensions on the tonnage certificate. Since length had already been defined by reference to the Convention on Load Lines, the same could be done for breadth.

The proposal was approved by 20 votes to 3.

Mr. de JONG (Netherlands) recalled that in the Convention on Load Lines the length had to be known in order to determine whether the ship was over 24 metres in length. The overall length and overall breadth should be given on the first page of the document, and all information concerning load-lines on the second page.

Mr. WILSON (UK) felt that, since length was indicated by reference to Article 2(8), it would be normal to define the other two dimensions similarly.

The CHAIRMAN remarked that there was no longer any objection to that proposal, and invited the Committee to consider another point - namely, the suggestion by the Observer of the Suez Canal Authority, supported by Norway, that the names of the ship-builder and shipowner and the date of delivery should be mentioned on the tonnage certificate.

Mr. HABACHI (Observer, Suez Canal Authority) proposed that the Committee should see a specimen of a ship's registration papers so as to determine whether it met the Committee's requirements.

Mr. STITT (USA) felt that there was no objection to recording any information which was not likely to be altered, such as the name of the shipbuilder and the delivery date. The name of the shipowner was quite another matter, however, for if that were recorded on the tonnage certificate the certificate would have to be changed when the ship changed hands.

Mr. SEAGO (UK) pointed out that arguments for and against that proposal had been discussed in the working group. There were a number of certificates in existence which did not bear the information in question, and that did not give rise to difficulties. Why should the same not apply to the tonnage certificate?

The CHAIRMAN put to the vote the question of whether the name of the shipbuilder should be included on the tonnage certificate.

The votes were equally divided, 12 in favour and 12 against.

The proposal was not approved.

Mr. de JONG (Netherlands) said that it was sometimes difficult to know who the shipbuilder was, for instance, when a ship was built in sections.

Mr. WILSON (UK) urged that only information relating to tonnage should be mentioned on the tonnage certificate.

Mr. NOZIGLIA (Argentina) thought it necessary to mention the name of the shipowner since, if the ship changed hands, a new certificate might have to be issued.

The CHAIRMAN pointed out that the General Committee had decided to omit the regulation concerning change of ownership.

Mr. KING (Kuwait) suggested that where an Administration required the name of the shipowner, it should request that information on the port entry papers.

The CHAIRMAN put to the vote the question of whether the name of the shipowner should be included on the tonnage certificate.

The proposal was rejected by 20 votes to 6.

The CHAIRMAN put to the vote the question of whether the delivery date should be included on the tonnage certificate.

The proposal was rejected by 20 votes to 4.

Mr. de JONG (Netherlands) suggested that, in order to ensure that the tonnage certificate did in fact refer to the ship in question, the number should be altered in the event of any change.

Mr. PROHASKA (Denmark) thought that it was unnecessary to indicate the number of passengers on the second page of the tonnage certificate. The important thing was to give details which would enable the ship to be identified. The second page should be as simple as possible.

The CHAIRMAN drew the Committee's attention to the problem of applying Regulation 5(3), which provided that when the characteristics of a ship were altered, a new international tonnage certificate should be issued, but that the value of the

net tonnage shown on that certificate should be the same as that shown on the current certificate until twelve months had elapsed. In that case the information on pages 1 and 2 would no longer agree and the impression might be created that the owner had falsified the figures. It might therefore be advisable to leave a blank space on the second page to indicate whether Regulation 5(3) had been applied.

Mr. CUNNINGHAM (USA) thought that that question would raise no problem provided the Regulation was interpreted correctly. It might perhaps be possible to word the phrase concerning the twelve month period somewhat more simply.

Mr. CHRISTIANSEN (Norway) thought that the second page should be left blank. In his opinion there would be little point in referring to particular regulations, as the port authorities would not take the trouble to look up all the details.

Mr. CUNNINGHAM (USA) recalled that the working group had discussed the matter and that it had been suggested that the date on which the tonnage had been reduced should be recorded on the certificate.

The CHAIRMAN thought that the suggestion of including a blank page for observations might be the answer to the problem.

That proposal was adopted by 15 votes to 1.

The CHAIRMAN reminded members that it had been suggested that the second page should be altered to contain details of the spaces included in the tonnage.

That proposal was rejected by 17 votes to 15.

The CHAIRMAN said that the Committee had to decide whether to include mention of the total number of passengers.

Mr. CHRISTIANSEN (Norway) did not think it necessary to record the number of passengers on the certificate. The figure was already given on the ship's papers.

Mr. SEAGO (UK) thought it essential that the number of passengers shown on the certificate should tally with the number of passengers indicated in the formula $N_1 + N_2$, which had been adopted for the determination of net tonnage. The working group had regarded the passenger figure as a means of verifying the net tonnage.

Mr. PROHASKA (Denmark) felt that port authorities would not take the trouble to verify the figures on a certificate issued by the competent authorities of a country. In his view, the second page served no useful purpose. If the Committee thought it absolutely essential to indicate the number of passengers, that figure could appear at the bottom of the first page.

The CHAIRMAN pointed out that it was essential to include details of the number of passengers and spaces for the application of Regulation 5.

Mr. CHRISTIANSEN (Norway) agreed with the representative of Denmark that the second page was unnecessary.

Mr. WILSON (UK) said he thought the number of passengers should appear on the certificate because it would play a part in the calculation of net tonnage under the formula which had been adopted for that purpose. It was a vital piece of information for port authorities.

Mr. PRIVALOV (USSR) also thought that factors such as the number of passengers and the draught, which served to determine net tonnage, should be recorded on the certificate; they provided a means of verification.

Mr. SEAGO (UK) reminded members that the working group had drawn up the tonnage certificate on the basis of the regulations which had been established and, in particular, of Article 12 of the Convention relating to control. The number of passengers and the draught played a considerable part in the determination of the tonnage. If those indications were not included in the certificate, the Conference would be failing to supply the means of exercising the control for which that Article provided.

Mr. ROCQUEMONT (France) urged that the number of passengers should be retained on the certificate.

Mr. PROHASKA (Denmark) said that when he had questioned the need to indicate the number of passengers, he had not been aware of the provisions of Article 12. He now therefore agreed that that figure should be included but, in his opinion, it should appear on the first page.

After an exchange of views in which Mr. GUPTA (India), Mr. de JONG (Netherlands) and Mr. MUENCH (Israel) took part, the CHAIRMAN put to the vote the question of retaining the figures for the number of passengers and the draught on the certificate.

The Committee decided, by 28 votes to one, to retain those figures.

Mr. PROHASKA (Denmark) thought that all open and enclosed spaces should be mentioned on the certificate. He was in favour of page 2 in the form in which it had been submitted by the working group:

Mr. SEAGO (UK) considered that if the certificate were to mention all the spaces that were not included in the gross and net tonnages, the initial measurement would be greatly complicated.

Mr. OMAR (United Arab Republic) asked whether the certificate would include sketches.

It was decided, by 20 votes to 11, that no sketches would appear on the certificate.

Mr. MUENCH (Israel) recalled that he had suggested that, on the first page, the dates themselves should be indicated and not the articles, as proposed by the working group.

The CHAIRMAN thought the Drafting Committee might consider that suggestion.

It was so decided.

Mr. de JONG (Netherlands) said he was in favour of indicating the freeboard and the number of the load line certificate.

Mr. WILSON (UK) pointed out that load line certificates were changed every four or five years whereas the tonnage certificate might not be altered for many years. If the number of the load line certificate were indicated, the tonnage certificate would have to be altered.

The Committee decided, by 25 votes to one, to mention only the moulded draught.

Mr. SASAMURA (Secretary of the Committee) thought the Secretariat would have some difficulty in establishing the text of the certificate to be submitted to the Drafting Committee for consideration. He therefore suggested that the members of the working group assist the Secretariat in drafting a text which would first be submitted to the Technical Committee, before being considered by the Drafting Committee.

It was so decided.

Regulations 3 and 4

The CHAIRMAN invited the Committee to examine the proposed re-draft of Regulations 3 and 4 contained in TM/CONF/C.2/WP.42/Add.1.

Mr. PROHASKA (Denmark) proposed that the text of Regulation 4 (Net Tonnage) should be clarified by the insertion, after the formula, of the explanatory sentence "In this formula the factor $(\frac{4d}{3D})^3$... etc.", taken from Annex XIII to TM/CONF/C.2/WP.19/Add.3 and by the deletion of the corresponding items from the definitions in paragraphs (1) and (3) of TM/CONF/C.2/WP.43/Add.1.

It was so decided.

The CHAIRMAN, referring to the definition of $N_1 + N_2$, enquired what action the Committee wished to take in regard to the alternatives placed in square brackets - "ship's certificate" and "International Tonnage Certificate (1969)".

Mr. GUPTA (India) suggested the adoption of the term "passenger certificate", which had been widely used for many years to denote the Safety Certificates.

Mr. MURRAY SMITH (UK) said it was important to be specific, as ships had many different certificates. He suggested the use of the term "International Passenger and Safety Certificate" in the case of ships engaged on international voyages and "Passenger Certificate" in other cases.

The CHAIRMAN proposed that the words in square brackets should be replaced by the term "Ship's Passenger Certificates".

The Chairman's proposal was adopted.

Mr. PROHASKA (Denmark) thought it advisable to include a definition of the "cabins" referred to in connexion with factors N_1 and N_2 . Members of the Committee understood that the reference was to cabins containing not more than eight berths, but the point should be made clear in the text.

The CHAIRMAN suggested that the definitions should read as follows:

N_1 = total number of passengers in cabins containing not more than 8 berths,

N_2 = total number of other passengers.

It was so decided.

Document TM/CONF/C.2/WP.42/Add.1, as amended, was approved.

Regulations 1-7

The CHAIRMAN invited the Committee to consider those portions of document TM/CONF/C.2/WP.42 on which a decision had not yet been taken. He pointed out that pages 1-5 and Regulations 3-4 had already been dealt with.

Mr. MÜNICH (Federal Republic of Germany) suggested that the definitions of "weathertight" and "breadth" should be inserted, as previously agreed.

It was so decided.

The CHAIRMAN proposed that in Regulations 5(1) and (3) the square brackets should be removed and the term " N_3 " should be deleted.

It was so decided.

Mr. WILSON (UK) pointed out that paragraph (ii) of Regulation 5(3), in square brackets, should be deleted, in accordance with the decision of the General Committee.

It was so decided.

Mr. MURRAY SMITH (UK) stated that the reference to alterations or modifications "of a major character" in Regulation 5(3)(iii) was too vague, and suggested the replacement of the last three lines of the sub-paragraph by the words "involving a change in gross tonnage of 10 per cent or more".

Mr. MÜNNICH (Federal Republic of Germany) said he understood that the General Committee was no longer in favour of the wording suggested by the United Kingdom representative.

Mr. MURRAY SMITH (UK) said that the same information had just reached him and he would withdraw his proposal.

Mr. CUNNINGHAM (USA) said he assumed that the words "and displacement" would be deleted throughout Regulations 6 and 7.

The CHAIRMAN said that that would be done.

Mr. GRUNER (Finland) suggested that some mention should be made of the logarithmic formula.

The CHAIRMAN said it would be mentioned in the table which was to be appended. He suggested that when the table was drafted the points should be chosen so that a straight interpolation would still keep the order of approximation mentioned at the previous meeting.

Mr. MURRAY SMITH (UK) said his delegation hoped to provide three sets of intervals from which the Committee could choose.

The CHAIRMAN said that discussion of TM/CONF/C.2/WP.42 was completed.

STATEMENT ON BEHALF OF FRENCH PORT AUTHORITIES

Mr. PAGES (France) said that, in his capacity as Manager of the Port of Bordeaux, he wished to make some observations on behalf of a group of users of the tonnage measurement regulations - the French port authorities.

He understood the Conference's desire that the new tonnages should be widely used as a basis for the assessment of port dues and pilotage and towing charges. The authorities responsible for levying those charges enjoyed a wide measure of freedom, however, and in order to secure widespread adoption,

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the system would have to be as simple and logical as possible, free of ambiguity and capable of being checked rapidly by officials of average skill, and the certificates presented must be entirely above suspicion. Finally, there must be only one tonnage system for each ship, regardless of draught or load.

It was clear that shipowners and shipping authorities wanted to benefit by the lowest possible port charges. The port authorities had the same objective; there was keen competition between ports, both nationally and internationally.

The port authorities were interested in two criteria: the external features of a ship (length, breadth and draught) which governed the design of locks and canals, and the commercial capacity, and they were anxious that the new tonnage measurement system should reflect those two criteria very clearly. They took full account of the commercial needs of shipping and often gave favourable terms to ships loading or unloading small quantities of cargo or to special types of ships, such as liners, cruise ships and vehicle ferries.

If the port authorities gained the impression that their hand was being forced by new regulations intended systematically to reduce tonnages, they would be forced to raise their charges. Again, if the new tonnage measurement regulations were too complicated, illogical or artificial, the port authorities would become suspicious and would either ignore the regulations completely - assigning their own dues - or add to existing taxes a safety margin to cover doubtful cases. That would be against the interests of shipowners.

Finally, it was to be hoped that the new regulations would not have an unfavourable effect on ship design and construction or militate against a rational structure for port charges.

Mr. de JONG (Netherlands) said the Committee had fulfilled all the previous speaker's requirements except for the stipulation that ships should have only one tonnage regardless of draught. It was difficult, however, to reconcile that stipulation with the speaker's statement that authorities needed to know the length, breadth and draught of every ship. The Committee believed that draught was an important criterion in tonnage measurement, and a correction had been made for draught in the formula for net tonnage, though not in the formula for gross tonnage.

The CHAIRMAN said the comments of the two previous speakers would be noted. The Committee had now completed its work, unless the Conference should decide to refer any further matters to it, and he wished to thank all those who had co-operated in enabling it to achieve its tasks.

Mr. CHRISTIANSEN (Norway) and Mr. GUPTA (India) thanked the Chairman for his great patience and competence.

The meeting rose at 6.10 p.m.