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**INTERNATIONAL CONFERENCE ON
TONNAGE MEASUREMENT OF SHIPS, 1969**

SUMMARY RECORD OF THE FOURTH PLENARY MEETING

held at Church House, Westminster, London, S.W.1,
on Wednesday, 28 May 1969, at 3.55 p.m.

President: Admiral E.J. ROLAND (USA)
Secretary-General: Mr. Colin GOAD
Executive Secretary: Mr. V. NADEINSKI

A list of participants is given in TM/CONF/INF.1/Rev.2 and Corr.1

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AGENDA ITEM 5 - PROPOSED COMMITTEE STRUCTURE OF THE
CONFERENCE AND ORGANIZATION OF WORK
(TM/CONF/3-12 and Addenda) (continued)

Mr. ERIKSSON (Sweden) said that the Conference's real choice lay between two proposals: on the one hand, that of Norway, and on the other hand, another which might be termed BC. Norway had put forward a compromise solution which delegations had not been able to consider in detail for lack of time, but he hoped that the Norwegian representative would speak in amplification of it before it was submitted to the Technical Committee.

His feeling was that the Technical Committee should be asked to present recommendations on both proposals, namely, the Norwegian proposal which replaced Proposals A and B, and the second proposal, which was based on Proposals B and C. The Committee might, after due consideration, be able to suggest improvements to the two proposals and possibly take from both of them features that could be brought together.

Turning to the question of the coming into force of the new system, he agreed with the view of the Netherlands representative that existing ships might retain the previous system for a transitional period of perhaps five years. That would make it possible to compare the old and the new methods. Perhaps the Conference could set up a special working group to look into the problems involved in the application of the new system to existing ships.

Mr. CHRISTIANSEN (Norway) recalled the fact that his Government had tried to simplify the Conference's work by eliminating one of the basic proposals; in the light of the comments submitted by a number of governments, it had since suggested certain amendments to some of the Regulations it had proposed.

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One of the advantages of the Norwegian proposal was that it retained as parameters both gross and net tonnage, keeping them as close as possible to their present values. That meant that the new tonnage measurement system could be applied to all ships within a reasonable space of time, unhindered by difficulties arising from national legislation or international conventions. In addition, it did not involve reference to exempted spaces, deductible spaces, closed spaces or completely open spaces; it provided for the determination of gross tonnage by the calculation of the volume of under-deck spaces, multiplied by a conversion factor to take account of the volume of the ship's superstructures.

That method would allow the shipowner to provide bigger crew spaces, such as living accommodation and spaces for social amenities for the master and crew, without incurring a penalty.

His delegation's proposal retained the concept of the "open" shelter-deck, because even if shelter-deck vessels were destined to disappear, it was essential at the present time to devise a tonnage measurement system which could be applied to them.

In his view, the Technical Committee should scrutinize Proposal A, with the alternative suggestions contained in the Norwegian proposal, in addition to Proposal C, and should attempt to work out a text acceptable to the protagonists of both formulae.

Mr. PROSSER (UK) said that while the Norwegian proposal which replaced Proposals A and B contained interesting features, his delegation considered Proposal C to be more satisfactory.

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The aim of the Conference was to draw up a Convention which could be accepted by those countries which owned the greater part of the world's tonnage; admittedly, the Norwegian proposal had been supported by Japan, Liberia and the United States, but Proposal C had the approval of quite a number of maritime powers. It was going to be difficult to reconcile the different points of view; and if the Conference asked the Technical Committee to consider the two basic proposals, it should assign very definite terms of reference to the Committee and ask it to pick out possible points of agreement as well as divergent features, since the actual decision would be taken by the Conference itself in plenary session. The Conference ought also to draw up a very precise timetable and to fix a deadline for the submission of the Technical Committee's recommendations.

Mr. GRUNER (Finland) pointed out that a tonnage measurement system based on displacement would be detrimental to ships of under 1,000 tons, and they constituted half the world's tonnage. For that reason he considered that if the Technical Committee was to be asked to formulate recommendations, it should take due account of vessels of that category.

Mr. GUPTA (India) commented that the Technical Committee was composed of Members who were also participants in the Conference; they could not adopt one attitude in committee and another in plenary session. Accordingly, it was for the full Conference to decide what procedure should be used to deal with the various proposals.

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Mr. WIE (Norway) recalled that at the Load Lines Conference two proposals, those of the Soviet Union and the United States, had served as working documents, and said he saw no reason why the two tonnage measurement systems proposed should not be examined concurrently.

Mr. ROCQUEMONT (France) said that the procedural question was of minor importance. The main point was to reach a decision as soon as possible. The Technical Committee might, after all, arrive at a decision which the Conference in plenary session would not confirm. It was essential to know what was to be decided. It had been suggested that the Norwegian proposal and Proposal C might be harmonized. That might be feasible in the case of some items, such as the question of gross tonnage, and Norway might perhaps be asked to make a further effort to that end. On other points, however, the two proposals ran counter to each other. Proposal C provided for the certification of displacement. The Norwegian proposal employed the concept of net tonnage, making allowance for the types of space and their position on board by applying a relatively elaborate conversion factor. It was doubtful whether the Technical Committee would manage to solve that question any better than the plenary session.

Beyond that, it was worth pointing out that although a number of delegations had said they would accept two parameters, gross and net tonnage, their agreement was in fact an agreement on words only, since net tonnage, as envisaged in Proposal A, was to be calculated by deduction, while under the terms of Proposal B it would be calculated directly; the Norwegian proposal (TM/CONF/9/Add.1) embodied a new method of calculation;

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and the Soviet Union's proposal again was different from the rest. There was, then, on the one hand Proposal C, which was clear and had not changed, and on the other hand an apparent agreement between a number of delegations which in reality were not of the same view.

Mr. MURPHY (USA) supported the United Kingdom representative's suggestion to refer the two proposals to the Technical Committee. That Committee would examine them with a view to arriving at a compromise or to singling out the points on which there was disagreement; and that would enable the Conference to discuss them and to find a final solution in plenary meeting.

Mr. MUENCH (Israel) recalled that the Sub-Committee on Tonnage Measurement, which was highly technical, had realized that it was impossible to arrive at a speedy solution or compromise and that the only way was to submit the three proposals to the Conference. There was therefore a certain risk attached to the United Kingdom proposal. Moreover, the fact of making a choice did not dispose of the technical difficulties. For instance, if the Conference decided to abolish the tonnage mark, the question would still have to be discussed at length from the technical standpoint. That would also be the case if a decision were taken in regard to the nature and number of parameters. It therefore seemed preferable that the Conference should give definite instructions to the Technical Committee, which could then make a thorough study of the Technical questions.

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Mr. PROSSER (UK) explained that he had merely taken up a proposal submitted by the Norwegian delegation which had seemed to him to be good, provided the procedure which he himself had indicated was followed.

Mr. SPINELLI (Italy) thought that it would be better to entrust the study of the problem to a small committee which would be able to work more quickly. The Conference could not, however, refer the matter to the Technical Committee before it had taken a decision on a number of specific points. It seemed to be too early to set up a technical group to study the question of existing ships. If the Conference decided to instruct the Technical Committee or any other group to seek a compromise formula, that body should be sufficiently representative to ensure that the discussion would not have to be taken up again in plenary meeting.

Mr. de JONG (Netherlands) considered, as did the Italian representative, that the Conference should first of all take a decision on a number of points such as, for instance, the abolition of the tonnage mark and of the number of parameters and their nature.

Mr. ROCQUEMONT (France) once again stressed that, in his view, the question whether the proposals would be discussed in plenary meeting or in committee was only of secondary importance. What was important was to determine what questions were to be solved and in what order. Among the questions which arose, some were false and others were real. There were three in the former category. Should there be one or two parameters? Even if it were decided forthwith that two were required, it would still be necessary to determine

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whether gross tonnage and net tonnage or total volume and displacement were to be adopted. Another question related to the need to have tonnages as close as possible to the existing tonnages. The usefulness of computers had been stressed. It must, however, be recognized that shipowners used different tonnage systems and that a difference of 20 per cent between two ships of identical design was quite usual. The important thing therefore was to have in future a tonnage system which made it possible for two identical ships to have identical tonnages. Finally, the question of transitional provisions was of no immediate importance. It would appear that those provisions would have to be the same irrespective of the tonnage system chosen because, in any case, the values would be different from the existing values. The important thing therefore was to reach agreement on what would be the ideal system for the future. The problem of transitional provisions should be dealt with independently from the choice of the tonnage system.

There were two real questions. The first concerned the tonnage mark. Could a certified parameter have several values entered in the tonnage certificate and used according to the draught of the vessel? The second question related to displacement. Should the displacement parameter be entered in the certificate? When the Conference had answered those two questions it would have taken a considerable step forward.

Mr. CHRISTIANSEN (Norway), referring to the experience of his country's shipbuilders and owners, who bought and sold ships abroad, thought it could be said that with a few exceptions (for example, the treatment of water-ballast, more particularly

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for ore carriers), the differences between the tonnage measurement systems used were basically fairly slight.

Mr. SPINELLI (Italy) thought that the Conference should answer as soon as possible the basic questions formulated by Denmark in the observations in TM/CONF/3. For its part, the Italian delegation was in favour of a single parameter: displacement tonnage. If the majority of the Conference accepted that view, it would have to decide whether it was content with that parameter or whether it wished to combine it with conversion factors for the various kinds of ships, so as to bring the results of the new system close to existing figures. Such action would make it possible to shorten the transition period - which would have to be provided for in any case.

Mr. BREUER (Federal Republic of Germany) hoped that the Conference would be in a position to vote as soon as possible, at least on some questions.

The PRESIDENT noted that one of the essential questions was whether there should be one or two tonnages.

Mr. PROHASKA (Denmark) thought the Conference should reflect carefully on all aspects of that question before coming to a decision. So far, the majority of those in favour of a system with two tonnages took their stand essentially on tradition. But it had to be admitted that neither gross tonnage, which was supposed to indicate the real size of the ship, nor net tonnage, which was supposed to indicate its "earning capacity", any longer served the purposes which they were intended to fulfil. In fact, the best idea of the size of a ship

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was most easily given by its displacement tonnage; and as, when he had a ship built, the owner chose the displacement which would yield him the greatest profit, it was still the displacement tonnage which gave the best idea of "earning capacity" - although that was itself very difficult to define, since it depended on variable factors.

The best system seemed, therefore, to be to define gross tonnage by displacement, taking, for example, a unit corresponding to 2 cubic metres. Starting from that gross tonnage, a net tonnage could be defined; but, in his opinion, that was unnecessary. At the present time port authorities were completely changing their methods and using net tonnage less and less.

In any case, there was no technical reason why two tonnages should be retained.

Mr. de JONG (Netherlands) remarked that the system of two parameters gave port authorities a certain latitude. If there was a move towards a single tonnage, perhaps some compensation would have to be sought by the introduction of other independent parameters.

Mr. CUNNINGHAM (USA), in reply to the Italian representative's statement in particular, observed that the system decided on must be devised with reference to the needs of the countries possessing the largest fleets and of the port authorities. In that connexion, he recalled the observations made by the representative of the International Association of Ports and Harbors. If the Conference decided to adopt the principle of a single tonnage, it would have great difficulty - as experience had shown - in adapting it to the different types

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of ships. Should therefore the risk be taken of favouring certain types of ships, which all owners would then want to have built, or should it be left to the port authorities to solve that awkward question?

Proposal C, which had been submitted briefly to the Sub-Committee on Tonnage Measurement at its penultimate meeting, had received cursory and incomplete consideration. As far as he understood, it was intended to authorize all combinations of cubic capacity and displacement, leaving it to the port authorities to make a choice. Confirming what had been said by the Norwegian representative, he pointed out that the current tonnage system was applied in a very similar way in the various countries, and that its reform should be envisaged primarily with a view to its simplification.

The proposal to adopt displacement tonnage as the only parameter would result, for example, in making the same dues payable by ore carriers as by oil tankers. It seemed difficult to find any justification for such a system on economic grounds.

Mr. MILEWSKI (Poland) noted that, despite the technical arguments put forward by the Danish representative in favour of a single tonnage system, the largest shipowning countries were still in favour of the double criterion, so that the Conference would doubtless have to come round to that view. Moreover, he who could do more, could do less, and such a solution would therefore not greatly hamper those who wished to retain only one of those criteria.

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Mr. ROCQUEMONT (France) recognized that the method of tonnage measurement should be independent of the type of ship concerned. Care should be taken to avoid creating a disadvantage which did not exist under current practice. He wished, however, to refute the allegations that Proposal C had not been sufficiently discussed; it was true that that proposal had been drawn up rapidly - because it was simple; but it had been possible for all the countries represented at the Conference to study it thoroughly, since it had been circulated by the Secretariat a year previously.

In preparation for subsequent discussion, the French delegation intended to hand to the Secretariat a note* on the way in which it considered it advisable to formulate the main problems which the Conference would have to solve.

The PRESIDENT invited the delegations to reflect carefully, especially on the basis of the observations made by Denmark (TM/CONF/3, page 5), so as to prepare for the subsequent discussions in plenary Conference, which should lead to clear decisions on the principal points raised.

The meeting rose at 5.35 p.m.

* subsequently issued as TM/CONF/WP.2