



IMCO

FOR PARTICIPANTS ONLY

INTERNATIONAL CONFERENCE ON
TONNAGE MEASUREMENT, 1969

Technical Committee

PROVISIONAL SUMMARY RECORD OF THE FIFTH MEETING

held at Church House, Westminster, London, S.W.1,
on Monday, 2 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 3 - CONSIDERATION OF MATTERS AS INSTRUCTED
BY THE CONFERENCE (continued)
(TM/CONF/WP.3; TM/CONF/3; TM/CONF/6;
TM/CONF/7; TM/CONF/9/Add.1; TM/CONF/C.2/1 to 3;
TM/CONF/C.2/WP.1 to 6)

Mr. ROCQUEMONT (France) thought that, on the basis of the indications provided by the votes taken at the previous meeting, it should be possible to establish a coherent system fairly close to Proposal C which could be applied universally without hampering the shipping trade.

Professor PROHASKA (Denmark) did not think that the decisions just taken could permit the adoption of Proposal C. The Committee had decided that the shelter-deck concept should apply to new ships, whereas Proposal C was based on a constant total volume for all parts of the ship. That proposal could not therefore be adopted unless the Committee were to take a vote on a new idea. He was also surprised that the majority of the Committee should have voted in favour of the use of volume to determine gross tonnage and displacement for net tonnage. The reverse would have been more comprehensible. The Committee would, however, have to continue its work with due regard for the result of that vote, a fact which would undoubtedly give rise to lengthy discussions.

Mr. CHRISTIANSEN (Norway) said that in principle his delegation approved the decisions taken, which should make it possible to reach a compromise between the Norwegian Proposal and Proposal C. He would have preferred the use of the volume concept for net tonnage but it was essential to try to arrive at a universal system. In regard to the comments of the Danish representative concerning total volume, it was to be hoped that the Committee would decide that the volume concept

should produce a gross tonnage as close as possible to existing values. The Committee would have to discuss the details concerning the calculation of gross tonnage, as there was a certain disparity between the French and the Norwegian Proposals. In the case of net tonnage, a fixed figure must be laid down.

Mr. SABET HABACHI (Suez Canal Authority) expressed reservations concerning the parameters chosen by the Committee. Gross tonnage was expressed in cubic metres and net tonnage in long tons. The concept of net displacement was unfair, because it penalized certain special types of ship and favoured shelter-deck ships. The Suez Canal Authority treated all ships on the same footing and applied a single tariff. The new system would involve the introduction of a tariff scale which would be difficult to calculate.

Mr. ROCQUEMONT (France), replying to the Danish representative, said that under the proposal to certify displacement, low-draught ships like open shelter-deckers would be treated appropriately, a low displacement being entered on the certificate. Such ships would therefore get favourable treatment in regard to port dues. Furthermore, there seemed to be little justification for using the term "shelter-deck" in connexion with ships of the future. The concept stemmed from the old regulations and, as a representative of United Kingdom shipowners had said, new ships would probably be built on the basis of the new regulations and there would be no further mention of shelter-decks.

In regard to the comment of the representative of the Suez Canal Authority, it had already been pointed out that displacement could be expressed in tons as well as in volume.

That was a secondary matter which should not trouble the Suez Canal Authority.

Mr. MURRAY SMITH (UK) pointed out that the vote on question 2 had shown that 16 representatives were in favour of the application of the open shelter-deck concept to new ships, but that it had not been decided whether that concept should apply to gross tonnage only or to net tonnage as well. In regard to displacement, most of the members of the Committee had probably considered that gross tonnage should be a fixed figure indicating the volumetric size of the ship and that the shelter-deck concept would be expressed in the form of a variable displacement in the case of net tonnage. If that were so, it would be better to state it clearly.

Mr. ERICSSON (Sweden) said that, in his opinion, the intention of the Committee, in deciding to retain the shelter-deck concept for new ships, had been to arrive at a system of tonnage measurement which could be applied immediately and would enable shipbuilders and shipowners to construct ships that were satisfactory both from the economic and technical point of view. Such ships might be of the current shelter-deck type but they might equally well be of a new type. The displacement system would be more flexible in that respect, but it should be expressed in volume.

Mr. DE JONG (Netherlands) recalled that the votes at the previous meeting had shown that 23 representatives were in favour of volume as the parameter for gross tonnage and of displacement for net tonnage. That could mean that many countries were in favour of Proposal C. The majority had expressed themselves in favour of retaining the shelter-deck

concept and to that end it would be advisable to take account of displacement alone. A gross tonnage based on volume could be obtained by using total volume, but it could also be obtained from a combination of the total volume and the displacement in order to arrive at existing figures.

He wished to draw the Committee's attention to document TM/CONF/C.2/WP.4. It should be borne in mind that the Suez Canal Authority used a net tonnage which did not tally with that obtained by applying displacement as the parameter. The Committee should take a decision which would assist the Canal Authority in its task. For example, a conversion factor could be applied to the total volume, and the deductible spaces mentioned on the certificate.

Mr. CHRISTIANSEN (Norway) pointed out that the Committee, by voting as it did, had not adopted Proposal C. It had chosen the parameter of volume to determine gross tonnage and of displacement to determine net tonnage; it had decided that two tonnage figures should be mentioned on the certificate and it could subsequently decide how those tonnages were to be calculated.

Mr. CUNNINGHAM (USA) endorsed the comments of the Norwegian representative. The Committee had not voted in favour of Proposal C which, as everyone knew, many countries could not accept. For the time being it would be better not to take decisions on too many matters before interpreting the

votes of the previous meeting. The Committee would have to give careful thought to the points made by the representatives of Norway and the Netherlands.

Mr. DE JONG (Netherlands) pointed out that the Committee had not cleared up the question of the second deck when voting to retain the open shelter-deck concept for existing ships. That was a vital point, for it was important to know whether the design of the ship would be influenced by the measuring system.

Mr. MUENCH (Israel) considered that the Committee's decision to retain the system of dual tonnages - despite the fact that two port authority representatives had stated that it was not, in their view, indispensable - stemmed from the desire to ensure the survival of the current system and to obtain figures as near as possible to the existing ones. The question, then, was whether the results obtained by using volume as the parameter for gross tonnage and displacement as the parameter for net tonnage would be close to the existing figures.

Mr. PRIVALON (USSR) considered that the results of the voting at the previous meeting were sufficiently clear for the Committee to be able to submit its report to the plenary. Many countries were currently using net tonnage to calculate harbour dues. The Committee had voted in favour of displacement for determining net tonnage, but no indication had been given of how to obtain results close to the existing ones. The possibilities were numerous and the question was a technical

one which would have to be discussed. What means could be used to obtain net tonnages, based on displacement, which would be comparable with existing net tonnages? It had been suggested that two net tonnages might be adopted once the question had been decided in plenary.

Mr. CHRISTIANSEN (Norway) pointed out that the Committee had decided to retain the shelter-deck concept, which meant having both gross and net tonnages. The Committee would subsequently have to discuss the difficulties inherent in such a system. As the representative of the USSR had stated, the questions which the Conference had referred to the Committee appeared to have been answered by the results of the Committee's voting.

Mr. WASILEWSKI (Poland) considered that displacement should be calculated in such a way as to be adaptable to the lowest load line.

Mr. ERICSSON (Sweden) said that his delegation could agree to the use of two parameters, but was not in favour of a dual system. The parameter adopted should give a clear indication of the size of the ship.

Mr. CUNNINGHAM (USA) stated that over the previous few days his delegation had examined the various compromise proposals. The use of displacement as a parameter would produce a 5 per cent deviation in the case of gross tonnage and a 13 per cent deviation in the case of net tonnage.

Mr. DE JONG (Netherlands) pointed out that the Committee had voted on whether there should be one or two tonnages but no-one had said that the two tonnages should be gross and net. Nevertheless, 23 delegations had voted in favour of volume for determining gross tonnage and 20 in favour of displacement for net tonnage.

The CHAIRMAN proposed that the Committee should vote on the question put forward by the United Kingdom representative, namely whether in the case of existing ships the shelter-deck concept should apply to net tonnage only or to gross tonnage as well.

It was so decided.

The CHAIRMAN put the question to the vote.

(In a preliminary vote, the Committee decided that the open shelter-deck concept for new ships should apply to net tonnage only.)

Mr. CHRISTIANSEN (Norway), supported by Mr. GUPTA (India), considered that if the open shelter-deck concept was to continue to be applied to existing ships, it was illogical that it should apply to net tonnage only in the case of new ships.

Professor PROHASKA (Denmark) noted that throughout its debates the Committee had always considered that existing ships, with or without shelter-deck, should retain their tonnage during a long transitional period.

Mr. DE JONG (Netherlands) requested the Committee, following the decision it had just taken, to make a ruling on the problem of the second deck.

Mr. CHRISTIANSEN (Norway) pointed out that under its terms of reference the Committee was only required to recommend to the Conference the choice of a parameter or parameters.

Mr. GUPTA (India) added that the question of the second deck was of minor importance and could quite well be discussed at a later meeting.

Mr. MUENCH (Israel) pointed out that the Committee was empowered to decide whether the net and gross tonnage values should be close to the old figures.

Mr. ROCQUEMONT (France) said that in his view it would be preferable to recommend that in the case of gross tonnage, the mean values should be close to the old figures. The problem was less important where net tonnage was concerned.

As to the deviation resulting from the choice of displacement as a parameter, the consequences were obvious: inevitably some ships would either be at an advantage or a disadvantage, as the case might be, if the system of measurement was changed. In any event the new system would be no more unfair than the current practice; existing ships would keep their present tonnage and two identical ships, flying different flags, would receive the same treatment.

Mr. PRIVALON (USSR) said he felt that the Committee should give itself time to think before rejecting the Israeli representative's proposal under which the parameters chosen should give results similar to the old values.

Mr. NOZIGLIA (Argentina) agreed with the views of the French representative.

Mr. WILSON (UK) recalled that the Sub-Committee on Tonnage Measurement had tried in vain to work out new values which would be close to the old ones. Since the methods of calculation were different, the Committee should try to arrive at figures which, as far as reasonably possible, did not differ too widely from existing values.

Mr. DE JONG (Netherlands) did not think that, in taking six decisions at its fourth meeting, the Committee had entirely fulfilled its terms of reference. It still had to define volume, specifying whether it meant total volume and defining the spaces included in that volume.

Professor PROHASKA (Denmark) thought that a deviation of 5 to 6% between the old and new values would be acceptable. Under the existing system, net tonnage represented 55% gross tonnage, but if the displacement parameter together with a conversion factor were adopted, the net tonnage would be higher than the gross.

Mr. GRUNER (Finland) said that, in his view, the new gross tonnage should be of the same order of magnitude as the old, in order to avoid having to alter all the statistics and figures in international conventions and agreements. Net tonnage should constitute a reasonable fraction of gross tonnage.

Mr. ROCQUEMONT (France) considered that, since displacement was a new concept, it was in no way essential to approximate the new net tonnages to the old.

Mr. CUNNINGHAM (USA) thought the Committee should not be content with values calculated in the light of figures in the conventions but should aim at values which were "as close as possible to the existing ones".

Mr. WILSON (UK) observed that if values close to the existing ones were to be obtained, coefficients would have to be applied to different types of ships and he gave an analysis of graphs 6 and 7 in Annex 2 which had been transmitted by the United Kingdom Government.

Mr. PRIVALON (USSR) said he was sure that all the members of the Committee wanted to establish values which would not result in excessive deviation and thus create difficulties for small shipping companies.

Mr. DE JONG (Netherlands) thought that if "mean" values were mentioned, deviations might nevertheless be very wide in the case of certain ships.

The CHAIRMAN suggested that the term "standard deviations" be substituted for "mean values".

Professor PROHASKA (Denmark) said that the standard deviations could not be the same for all ships. Moreover, it was not a concept the Committee was called upon to discuss at the present stage in its work.

Mr. MURRAY SMITH (UK), Mr. CHRISTIANSEN (Norway) and Mr. ERICSSON (Sweden) endorsed the views of the representatives of the USSR and Denmark.

The CHAIRMAN pointed out that at its morning meeting the Committee had reached only provisional conclusions, and that those should be confirmed, unless the Committee preferred, in the light of the debate which had just been held, to take a further vote on the various questions.

The Committee decided unanimously to confirm the conclusions it had reached during the morning (TM/CONF/C.2/WP.7).

The CHAIRMAN suggested that document TM/CONF/C.2/WP.7 should be submitted to the Conference along with the result of the supplementary vote on the application of the open shelter-deck concept to new ships for net tonnage only.

It was so agreed.

Mr. GUPTA (India) said his delegation considered that the open shelter-deck concept should be applied to new ships for both gross and net tonnage.

Professor PROHASKA (Denmark) wondered whether the decision taken on the application of the open shelter-deck concept to new ships for net tonnage only had not been taken prematurely. Some delegates, when they voted, seemed to have been under the impression that net tonnage was always used as the basis for port dues, whereas in fact some ports used gross tonnage. He therefore, proposed, that a new vote be taken on that question.

Mr. GUPTA (India) and Mr. GRUNER (Finland) supported Professor Prohaska's proposal.

Mr. PRIVALO (USSR) pointed out that document TM/CONF/10, dated 31 January 1969, gave all the information available to IMCO at that date on national practices regarding port dues, and that it was clear from that information that the majority of States used net tonnage. In the circumstances it seemed unnecessary to take another vote.

Mr. CHRISTIANSEN (Norway) emphasised that the Committee had decided that the open shelter-deck concept should be applied to new vessels for net tonnage only, and had merely mentioned that efforts should be made to obtain for those vessels, values as close as possible to the existing values.

Mr. GUPTA (India) suggested that, since a decision had already been taken in favour of net tonnage, the discussion should be limited to the question of whether the open shelter-deck concept should also be applied to gross tonnage.

Mr. GRUNER (Finland) said that in the third plenary meeting Lord Simon, speaking for the International Association of Ports and Harbors, had indicated that port authorities might prefer in the future to assess dues on the basis of the gross tonnage.

Mr. RUSSEL (South Africa) was concerned lest the port authorities should be led to impose the tonnage mark again. It might be a good thing to consult the International Association of Ports and Harbors on that point.

Mr. GUPTA (India) thought it undesirable, at such a late stage in the discussions, to approach an association which was not part of the Organization.

The PRESIDENT invited the Committee to state its position.

The Committee confirmed, by 19 votes to 13, its view that the open shelter-deck concept for new ships should apply to net tonnage only.

The CHAIRMAN suggested that the result of the vote should be included in document TM/CONF/C.2/WP.7, which would be transmitted to the Conference.

It was so decided.

The CHAIRMAN stated that the Committee had concluded its examination of the general questions referred to it by the Conference. In order to speed up the work, members might wish to proceed at once to a preliminary exchange of views on the exact nature of the volume which was to serve as the parameter for calculating gross tonnage.

Mr. HUSSEIN (Kuwait) thought it would be better to wait until the Conference had reached a decision on that point.

The CHAIRMAN thought that in view of the short time available to the Committee there would be no objection if it started to fill in the details of the answer which it had thought fit to give to the question submitted to it.

Mr. PRIVALON (USSR) said that the terms of reference given to the Committee expressly mentioned both Proposal C and the Norwegian Proposal, since amended by document TM/CONF/C.2/WP.6.

It was therefore the Committee's duty to consider both proposals. The Soviet delegation for its part considered both the concepts of volume, as set out in the two Proposals, perfectly acceptable for determining gross tonnage.

Mr. ROCQUEMONT (France) said that if the Conference decided to use volume as the parameter for calculating gross tonnage, the Committee would have to choose between the two concepts of volume. As it was important to make the rules as simple as possible, the French delegation much preferred the concept set out in Proposal C, because the use of total volume avoided the need for complicated definitions and for any references to constructional details or the nature and use of spaces.

Mr. CHRISTIANSEN (Norway) pointed out that in document TM/CONF/9/Add.1, his Government had clearly stated its view on how gross tonnage should be determined; by the use of a conversion factor it was possible to take certain spaces into account without the need for measuring them. Proposal C, on the other hand, would require a definition of completely open spaces and of cargo spaces.

Mr. ROCQUEMONT (France) said he had already pointed out that if the Norwegian Proposal were accepted it would be absolutely necessary to define closed spaces by reference to open spaces, whereas Proposal C would entail the measurement of closed spaces only and would abolish the fiction of tonnage openings. It was also necessary to provide for the case of vessels without a deck.

Mr. ERICSSON (Sweden) said that there was really very little difference between the two proposals. Proposal C had its drawbacks, of course, particularly for small vessels, but it could not be denied that the concept of total volume had the great advantage of simplicity. Perhaps the revised Norwegian Proposal might make a good compromise, but cargo spaces would have to be defined.

Mr. WILSON (UK) stated that his Government's main objection to the conversion factor proposed by Norway was that its application to vessels of less than three thousand tons would ensure that no small Norwegian vessel would suffer an increase in tonnage. He had, moreover, already taken an opportunity of emphasizing the difficulty of defining cargo spaces.

The United Kingdom Government had submitted, in document TM/CONF/C.2/2, a draft amendment to Regulation 6 of Proposal C, which would have the effect of substantially reducing certain figures.

Mr. CHRISTIANSEN (Norway) said that his delegation intended to withdraw its proposal to introduce a conversion factor for small vessels.

Professor PROHASKA (Denmark) thought it would be a good thing if the Norwegian delegation was invited to submit a revised text of its proposal, so that the Committee could consider in detail what spaces would be included in the calculation of gross tonnage under the terms of that proposal.

Mr. HÜNNICH (Federal Republic of Germany) said he favoured the adoption of the total moulded volume, which gave a true idea of the dimensions of a vessel. If the Norwegian Proposal was adopted, a definition of cargo spaces would become necessary, and that would inevitably have an effect on ship construction.

The CHAIRMAN hoped that the Norwegian delegation would be able to revise its proposal.

Mr. CHRISTIANSEN (Norway) said that as soon as the Conference had stated its views on the Committee's future work, his delegation would revise its proposal to the extent that it considered this necessary.

The meeting rose at 5.20 p.m.