

Tailored Instruments for Traditional Ship Operation

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Thank you Mr Chairman for having the floor once again. Once again because this congress was also in session three years ago in Helsingør and I was asked then, as a humble member of the Safety Council, of which my splendid predecessor Jan Fock is the chairman, to explain our ideas about training and certification of seafarers on traditional ships.

I ended that speech wishing the congress would agree to carry on with the work of the Safety Council to realise mutual acceptance.

And, the congress did indeed support the Council's work, and so the Council developed the Safety Philosophy, as just described so clearly by Mr Fock and this philosophy culminated in the Memorandum of Understanding.

The safety philosophy contains three tailored instruments. First, I will mention the instruments themselves and later I will explain the tailoring.

In merchant shipping, three instruments can be distinguished:

1. First, the technical rules for ships. Internationally, these rules are standardised by the Solas Treaty for most of the cargo- and passenger vessels. But, there are some exceptions possible and I will mention them later.

Next to Solas, there are European directives but I will leave them out today to avoid a too technical speech.

2. The second instrument is the number and qualification of crews. Internationally, this matter is regulated by the STCW convention (STCW stands for Standards of Training, Certification and Watchkeeping).

In STCW, the minimum requirements for the qualification of captains, mates, engineers and crewmembers are specified. The actual legislation of many items is up to the national administration and can be discussed with ship owners and their organisations nationally.

3. The third instrument is the ISM code (the International Management Code for the Safe Operation of Ships and for Pollution Prevention). This code states that most of the ships should have audited safety management systems on board by July 2002 at the latest.

Why should we tailor these instruments for traditional ships? This is explained in the Safety Philosophy as just discussed by Jan Fock.

In short: as we want to sail our ships to keep history alive we are at the same moment caught by modern regulations.

To avoid endless discussions in formulating new rules and harmonising the existing rules for traditional ships, we have chosen to convince the administrations of the European countries by tailoring their own instruments. This compromise is as close as possible to the original instruments (so it can be defended by civil servants and politicians) and it is as reasonable as possible for traditional shipowners (so they can carry on sailing their ships).

Having established the instruments and the reason to adapt them for our ships, I will now give you, in short, what we changed.

■ FIRST INSTRUMENT: THE TECHNICAL RULES FOR SHIPS

The tailoring of the technical rules was the easiest part. As we have seen, starting with the first congress in Amsterdam, different shipping inspectorates together with national organisations have developed technical safety rules, that are optimum adapted to the fleets in those countries. Actually, we did not change a bit and just proposed accepting these rules mutually. This brought us technical rules tailored for regional differences in shipbuilding, shiptypes and ways of using ships.

To convince administrations whether deviating from Solas is possible, even when you are sailing with more than 12 guests on board, we point out the exceptions in Solas itself, like the exemption of non-engine powered vessels, the exemption of the comparatively small vessels and the definition of passengers, being persons not involved in the handling of the ship. Last but not least, we will mention the argument of equivalency, which can and may be used for special categories such as traditional ships.

■ SECOND INSTRUMENT: THE NUMBER AND QUALIFICATION OF CREWS

Our second task has concerned the certification of the crew. There are differences to similarities with the normal merchant fleet.

Some of the very clear differences with traditional ships are:

- The majority of crews on traditional ships consist of non-professional sailors. They start their career as yachtsmen and sail for only a limited time of the year as volunteers.
- The ships don't carry cargo.
- The main propulsion is given by sails or engines of historical value, both demanding for a large number of crew.
- Ship operation is generally restricted to a season from May till October and, when possible, to fair weather conditions.
- The cultivation of maritime tradition is to be comprised within the understanding of pleasure and not primarily in commercial trade.

Until now, the differences and now some of the similarities with other types of shipping are:

- Most of the topics for good seamanship are the same.
- To ensure the safety of the people on board, the level of competence should be no less (at least be equivalent).

Comparing the existing educational systems in Germany, Sweden, UK and the Netherlands, we developed the «Minimum Requirements for Certification for Masters, Mates and Engine Operators on Traditional ships».

To spell out all the details would be extremely tiresome and way out of the time given to me.

But, to give you a rough idea, I will show you some examples of tailoring in our proposal compared to STCW:

1. Officers on navigational watch on board ships up to 24 m can suffice with a standard of competence of a yachtskipper. This is to facilitate yachtsmen of start a career on board traditional vessels.
2. The qualifying seetime is up to the Administration and can consist of both real time at sea and time during the winter season on board ships laid up for maintenance

and repair. This is to acknowledge the seasonal use of the ship.

3. Officers on charge of navigational watch and masters on traditional ships up to 500 gross tonnage abandon, for example, cargo handling, automatic pilot and calculation of stress forces, but have to study extra manoeuvring and handling of ships under sail, principles and forces in the rig, stability under sail and integrating all the persons on board into the ship is organisation, especially in sailing ships.

4. Revalidation of certificates after five years can be established by approved sea-going service on board traditional ships for a period required by the administration. Although this is normally one year during the last five years, it is possible within our standard to negotiate this period with an administration down to one sailing season in five years.

■ THIRD INSTRUMENT: THE ISM CODE

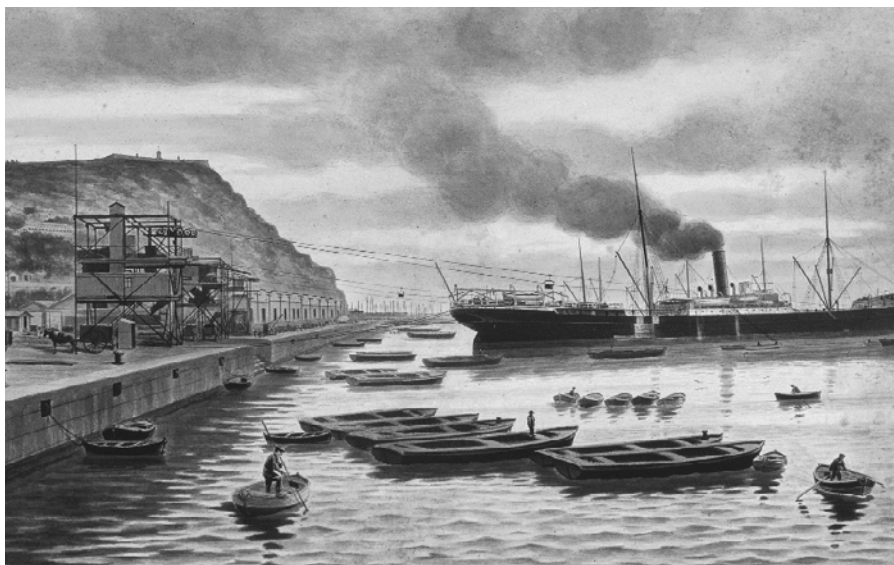
The third instrument we had to deal with is rather new and, for smaller cargo vessels, is not compulsory until July 2002. It is the question of safe management according to the ISM-code, as adopted by IMO, to provide an international standard.

Again, with the same philosophy of finding an equivalent for the ISM-code in merchant shipping, we started to write the 'Safe Management System of Traditional Ships' and an SMS skeleton as an example for everyone to use. We gratefully used the approved SMS-handbooks from Denmark, Sweden and the Netherlands.

Here, I have to stop telling you what we have done, because this job is not yet finished and some problems have

still to be faced and special solutions have to be found. For example, following the ISM-code there must be a DPA (Designated Person Ashore) as a safety manager in a shipping company. Who must this be in the situation of a captain-shipowner?

ISM requests two types of certificate: The DOC (Document of Compliance) which states that the shipping company has an approved management system in the office. And for every ship, an SMC (Ships Management certificate) that states that the company policy is carried out on board. Is there any added value for the situation of a



one-ship shipping company to have both certificates? Is it really necessary to audit the DOC every year, or would it be feasible to audit DOC and SMC together two times every five years?

The Safety Management System, SMS, must be checked by an auditor. The administration can appoint qualified auditors, for example, the well-known class-societies such as Lloyds Register or Bureau Veritas. Or they can do it themselves, for example, the shipping inspectorate. But, would it be possible, and even desirable, to appoint

people from our own traditional shipping organisations, as they can do the job with specialised knowledge on this kind of shipping, and then may be even cheaper?

During the first meeting of the Committee of the participating authorities in the MOU, Mr Franson of Sweden summarized this problem clearly when he said: We will all have to learn from each other while we are all still ploughing this field.

These questions show that our work is not the finished and even new work will have to be done when IMO or European Council decides to pass new regulations, but on the basis of the Safety Philosophy and equivalency, we will find new tailored instruments.

My conclusion (and of course the conclusion of the Safety Council) is that we can bridge the gap between maritime heritage and modern shipping rules by these tailored instruments. The undersigning of the MOU shows that at least seven countries agreed with us and we hope others will follow soon.

