



The Log

Newsletter of the Melbourne Branch of the Company of Master Mariners of Australia

Nov/Dec 2013

In This Issue:

Branch Master's Report	2
CMMA Happenings	3
Noticeboard	4
Events	5
Speaker Summary	6
Members' Lounge	8
Industry Issues	10



The courtyard at the Mission for Seafarers decked out for last years' Christmas Party

Master

Her Excellency Ms Quentin Bryce,
Governor General of the
Commonwealth of Australia



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From the Branch Master

Hi everyone. Although this issue includes a report on the last Federal Court meeting, I have to admit that I wasn't strictly at it, so I will be referring to a report from our treasurer Ian French, who was part of the conference call (whereas they ran out of phone lines and there wasn't one for me). Luckily Ian takes minutes with the same efficiency as he looks after our money so I have great notes to go by.

Secondly it is with regret that I have found the tyranny of distance has taken its toll on the time I have had available to attend CMMA meetings and generally put as much into the role of Branch Master as I feel it deserves, so I have baked my last Branch Master's Christmas Cake (unless the new one wants a consultant in that area) and will be hosting my last party on November 29th, so I very much hope you will all come and enjoy it with me. I will still get up to Melbourne for dinners when I can and will still be attending the Maltese and Seafarers' Sunday events every year, because I feel these are very important to support, as well as enjoyable to be at. I would really like to see attendance at these events growing in the younger ranks, as a lot of effort is put into these by their organisers, and they do it to thank us. It's been a challenging two years as CMMA tries hard to become increasingly industry relevant, thus ensuring we will be an attractive organisation for the new generation of seafarers to join. The Court too has put a lot of effort into ensuring this is not to the cost of



the social side of Branch life, which is the main drawcard for many of our retired members. Looking back over this year, I think we've had a very good calibre of speakers, a good mix of event times and formats, and several events that partners can also enjoy. These events take a lot of hard work by our secretary. A monthly newsletter is also quite a commitment and many similar organisations do not match us in this respect either. So I think CMMA is in a

healthy place, however it is essential that members support these efforts in the best way they can, and that is to ensure the events are a success by attending as many as possible (and booking in good time) and by providing feedback to the Court on what you want if we're not providing it. Just because all is good now, doesn't mean it will stay that way – you don't know what you've got 'til it's

gone, so the saying goes!

With that in mind, a last reminder that RSVP for the Christmas party is November 22 – we know you normally get more time than that, but the menu is rather special and needs lots of planning and preparation. Joanna has worked really hard and twisted lots of arms and I believe the raffle prize pool is already over \$1,500, so at \$5 a ticket, the odds are looking very good. In fact, bring lots of \$5 and give the Mission a Christmas to remember. Thanks to all members who have supported our Court this year in any capacity – we wish you all a very merry Christmas holiday season. year ahead.



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CMMA Happenings

Honorary membership plaques presented



The Melbourne Court's two newest honorary members formerly received their plaques at the October meeting. They were presented by treasurer (and plaque organiser) Captain Ian French and secretary Alex Evered. Captain John Turnbull's contribution to the industry and to CMMA was featured in a recent Log, and we will feature Peter in the next issue.

Federal Court Meeting Update

Much of the Federal news will be in the next Master Mariner magazine, but a few points to note are:

- The congress held earlier this year made a \$6,400 profit – less than the \$20,000 from the WA congress, but more than expected. This and a one-of donation from Brisbane Branch of \$2,500 will result in a small surplus this year.
- The commemorative book project requires additional funding of around \$5,500 to turn the material into a proper manuscript. This will be covered by Federal funds, with a decision on who will cover the cost of printing still to be made.
- Melbourne Branch presented a paper on the possibility of setting up technical groups, made up of CMMA members, who can help formulate a CMMA position on policy matters. This will now be discussed by the branches (more in the next newsletter).
- Past Federal Master Allan Gray has been granted a life membership.
- After discussion, the current system of branches setting and raising their own membership fees is to continue.



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Noticeboard



The Christmas cake is made,
The champagne is on ice.

The moustache is being grown,
some sample French Sailors are
already down the hatch and all is ready for a
VERY convivial evening on November 29!

All that's going at snail's pace is
YOU – if you haven't already
booked, that is...

So get your name to Alex or
Joanna rapidement, as RSVP
is a week before the party and
time is running out!

See you there!!!

**Raffle prizes worth
over \$1,500!**

Make sure you bring plenty of fivers to load
up on tickets from a fantastic prize pool.
Tickets are only being sold on the night, so
your chances of taking home a great prize
will never be better! And all money goes to
giving the Mission a happy Christmas...

Prizes include:

- ❖ A Luxury Getaway to Portland - worth \$1000
- ❖ Dinner for two on the Tramcar Restaurant
- ❖ French wines & champagnes
- ❖ Plus other French gourmet and restaurant prizes

PLUS!

There's a bottle of Bolli
for the most French guest, so
put your thinking berets on!!!



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Events



CMMA, NI and IMarEST Christmas Party

Place: Mission to Seafarers, 717 Flinders St, Docklands

Time: 18:30 – 22:00 hrs

Cost: \$60 members and partners, \$65 non-members

Comments: We're making the most of the Mission to Seafarers' delightful enclosed courtyard, plus the lovely chapel, to send out the year in style. This year we will be joined with both IMarEST and NI, so do try to get to this great evening. Partners and friends welcome – you can come over all French or arrive in your normal attire for some food, fun and a touch of fundraising!



Don't forget to have a wonderful Christmas!



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Speaker Summary - August

In August, AMSA IMS auditor Tim King gave the branch an overview of the much-awaited Maritime Labour Convention 2006, which came into force in the same month. The following is a summary of his powerpoint presentation...

The long-planned Maritime Labour Convention 2006 is a far-reaching document which combines and modernises the existing legislation which regulates the work and living conditions for seafarers. It is considered to be the ‘fourth pillar’ of maritime legislating, along with IMO SOLAS, STCW and MARPOL.

The aim is for the convention to receive universal acceptance, and so far 54 countries have signed up. It has also been designed to promote tripartite consultation between

governments, shipowners and seafarers’ organisations.

The actual document is split into three levels, the Articles; the Regulations and the Mandatory Standards and Non-Mandatory guidelines.

The Articles set out the basic rights of seafarers, their fundamental rights and principals (namely freedom of collective bargaining, elimination of forced and child labour and elimination of discrimination) and their employment and social rights (for example a safe

workplace, fair employment terms, decent living and working conditions and health, medical and welfare protection. They also cover flag state implementation and enforcement responsibilities.

The Regulations cover such aspects as minimum age, medical certification, training and

qualifications of seafarers, their conditions of employment (for example wages, hours of work and rest, leave entitlements, compensation and manning levels). It also covers accommodation, recreational facilities, food and

catering and the availability of medical care.

In practical terms, enforcing the convention will involve the granting of certificates of maritime labour compliance to the flag state. Certificates will be valid for five years with verification required halfway through. Certification will cover 14 different areas of seafarer’s welfare. Port State Control officers will inspect the certificates and can carry out inspections if they find any anomalies. Finally, if there are serious breaches of the convention, ships can be detained.



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Speaker Summary - October

In November we heard from Jenny Bazakas, a senior associate with law firm Holman Fenwick Willan, who gave us an update on the issues and implications of acts of piracy.

The best news that came out of Jenny's presentation is that acts of piracy off the coast of Somalia and the Gulf of Aden appear to be reducing and in fact there are currently no ships under hijacking conditions anywhere in the world.

This is significant, given that the 2013 statistics so far are 206 attacks and 11 hijacks. Those figures represent a decline in piracy acts from a high in 2010-2011.

In her role as a legal representative, Jenny has first-hand experience of the actual act of paying a ransom, and this aspect of her talk, which covered how a ransom is demanded, justified and paid was extremely enlightening. Some statistics are that the average ransom is US\$5.4 million, and the estimated total cost to the industry in 2011 was US\$5-6 billion.

As a lawyer, Jenny and her colleagues must also tackle the issue of whether the paying of a ransom is legal or not. This depends on the jurisdiction. In the UK the payment of ransom is 'neither illegal nor against public policy', however, in the US, there must be compliance with President Barak Obama's US Executive Order which renders illegal the payment of ransom to 'blocked persons,' eg terrorists listed in the Executive orders. Just as complex an issue is that of insurance – both for the ransom monies and

for the numerous expenses relating to an act of piracy. Not only will this differ from insurer to insurer, but will impact differently on ship owners, charters and cargo owners. As an example, P&I Clubs will not pay insurance for ransom money, but will cover other liabilities such as crew compensation claims, loss of life/personal injury/trauma/stress, crew repatriation, wreck removal and pollution.

Jenny's talk also touched on the possible reasons for the reduction in acts of piracy, including industry initiatives to reduce the likelihood of a hijacking. These include the Best Management Practices, which are currently in their fourth iteration – BMP4. Some of BMP4's recommendations include carrying out a risk assessment for likelihood and consequence of pirate attacks, review of the Ship Security Plan, crew training, defensive measures (such as increased watch, use of dummies, fire hoses, razor wire and citadels), zig-zag manoeuvres, higher speeds, ensuring no access to internal spaces, use of navigation lights and keeping AIS turned on.

Even the use of armed guards, which has proved successful, has legal implications, ensuring Jenny will be much in demand for some time!



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Members' Lounge



This is the place to escape to for a laugh, to share a memory or a good yarn, or perhaps an idea, opinion or even a gripe with your fellow members.

Not all members can attend meetings, so consider this your 'monthly catch-up on a page'.

Contributions are welcome... email joanna@northandtrew.com or phone me on **03 5250 6323**

How to get out of Christmas-card-duty!

Well this is the last Log for the year – and where HAS the time gone? We hope to see you at the party, but if you can't make it, have a wonderful Christmas, hopefully with family and friends somewhere in the mix.

Already it's time to get onto the Christmas cards! If you have basic computer literacy, there's a couple of websites you can use to help you get out of that tedious task, yet garner you some real kudos from the family. They're quite user-friendly and the results are really memorable. The basic versions of both are free, too.

For the Grandkids – www.portablenorthpole.com

All you need here is some basic information about the recipient (name, age, favourite toys etc) and a photo if possible and your grandkids will receive the most delightful personalised video message from Santa on Christmas Eve! The instructions are clear, and the results are brilliant – you may well also be tempted to send the slightly 'naughty' options around some adults you know! (Note: It only starts up sometime in November)

For everyone – www.jibjab.com

We first received a Jib Jab card from Alex last year and it was so much fun we now use it all the time. All you need are pics of your own or your friend's faces (or pets even) and you can create hilarious mayhem in a few deceptively easy steps. It's truly not as difficult as it might look and is a great alternative to a card.

**Funnies
from
Facebook
Land**



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Funnies you shouldn't read if easily offended!

Paddy says to Mick, "Christmas is on Friday this year". Mick said, "Let's hope it's not the 13th then."

Since this Christmas snow came all the wife has done is look through the window. If it gets any worse, I'll have to let her in.

I've been charged with murder for killing a man with sandpaper. To be honest I only intended to rough him up a bit.

Seven wheelchair athletes have been banned from the Paralympics after they tested positive for WD40.

A mummy covered in chocolate and nuts has been discovered in Egypt. Archaeologists believe it may be Pharaoh Rocher...

IT'S A BOY" I shouted "A BOY, I DON'T BELIEVE IT, IT'S A BOY"
And with tears streaming down my face I swore I'd never visit another Thai Brothel.

Great new Christmas present idea!!! Japanese scientists have created a camera with a shutter speed so fast, they can now photograph a woman with her mouth shut.

A boy asks his granny, 'Have you seen my pills, they were labelled LSD?'
Granny replies, bugger the pills, have you seen the dragons in the kitchen?!

Little Billy asks his dad for a telly for Christmas. Dad reluctantly agrees. Some time afterwards Billy comes downstairs and asks, 'Dad, what's love juice?' Dad looks horrified but takes a deep breath and tells Billy all about sex. Billy just sat there with his mouth open in amazement. Dad says, 'So what were you watching?' Billy says, ' Wimbledon .'

Wife gets naked and asks hubby, 'What turns you on more, my pretty face or my sexy body?'
Hubby looks her up and down and replies, 'Your sense of humour'.



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Industry Issues

Recent ATSB Report

Collision between the boat Norma Jean and the barge Seatow 61 off Carnarvon, WA, 18 March 2007

What happened

At about 0610 on 18 March 2007, in near total darkness, the recreational fishing boat Norma Jean departed the Carnarvon boat harbour. About 15 minutes later, Norma Jean collided with Seatow 61, a barge that was anchored off the port. Norma Jean sank almost immediately and all four of its occupants died as a result of the collision.

The ATSB initiated a safety investigation into the collision and, in May 2008, the ATSB's final investigation report (Marine Occurrence Investigation Report No. 237) was released.

In 2010, a coronial inquest into the deaths of the four persons on board Norma Jean was held in Carnarvon. During the inquest, evidence that was not provided to the ATSB at the time of the initial investigation was put before the Coroner. As a result of this information, the ATSB re-opened its investigation into the accident for the purpose of correcting the public record that was contained in the initial safety investigation report. This report is the result of the re-opened investigation and examines all of the available evidence, including that provided at the time of the coronial inquest.

What the ATSB found

The ATSB found that Seatow 61's navigation

lights were probably not illuminated at the time of the collision. Furthermore, the intended use of only the barge's navigation lights, not supplemented by illuminating its deck flood lights had not appropriately taken into account its location outside the harbour and the recreational boating activities in the area.

The investigation also determined that Norma Jean's skipper did not identify the barge in time to avoid the collision and that the boat's occupants were not wearing personal flotation devices.

What has been done as a result

The operators of Sea-Tow 61 have applied luminous 'GlowMax' paint in strips on all their barges and fitted them with bulwark mounted solar powered lights. They have also added a 'Barge Anchoring Procedure' and 'Barge Anchoring Flow Chart' to their safety management system.

The Western Australia Department of Transport has reviewed its operational procedures as a result of this accident, operational experience and ongoing auditing processes.

Safety Message

All seafarers should take appropriate action to ensure that their anchored vessels are clearly identifiable at night. Such action should, at times, include the use of lighting that is above the minimum required by the collision regulations.



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