

HONG KONG POLYTECHNIC
DEPARTMENT OF NAUTICAL STUDIES

COURSE : CERTIFICATE OF PROFICIENCY IN SHIP COMMAND
CLASS : PART B
SESSION : 1990/91
SUBJECT : COMMERCE AND LAW
DATE : 12 June 1991
TIME ALLOWED : 3 HOURS

Instructions to candidates : Attempt questions 1, 2 and 3 and any FOUR of the remainder.
This paper has nine questions

Available from invigilator :

1. (a) As Master of a Hong Kong registered vessel, you have certain responsibilities connected with the safety of navigation. State your responsibilities, and the penalties if you fail to carry them out, in relation to:
- (i) reporting of marine casualties
 - (ii) reporting of dangers to navigation
 - (iii) signals of distress.
- (b) During a voyage you discover that two days previously during the second mate's watch, your vessel had passed a small craft with persons on the deck waving their arms up and down. No action was taken and you were not informed.

Explain how you would deal with this situation.

(20 marks)

2. You are appointed as master of a newly-registered Hong Kong vessel. The crew are from several different countries.

Explain the steps you would take to protect your employers' and your own interests, in view of the potential problems.

(20 marks)

3. (a) The authoritative (military) approach to discipline has existed within the Merchant Navy for a very long time. Where a seaman has failed to comply with certain provisions of his contract of employment the system was such that he was punished. The final form of punishment was the fine.

Outline, in your opinion, the difficulties and limitations of the above approach to shipboard discipline.

- (b) One of the qualified deck officers under your command on a Hong Kong registered vessel has consistently displayed negligence in navigating the vessel. Explain, in detail, what action you would take, taking into consideration any possible effect on the morale of the rest of the crew.

(20 marks)

4. Outline the sanctions on you, as master of a Hong Kong registered ship, under the 1990 Registration Ordinance.

(10 marks)

/.... cont'd

5. Your Cape-size ore carrier is to load a full cargo at Port Hedland (Australia) for Europort calling at Capetown for bunkers and fresh water.

Tabulate the information you would use and explain how you would calculate the tonnage to be loaded.

(10 marks)

6. Explain the position regarding notification of accidents to personnel and other dangerous occurrences.

(10 marks)

7. Outline the powers available to a state to exercise Port State Control over your vessel.

(10 marks)

8. Write short notes on the following:

- (i) Safe port
- (ii) 'Arrived' ship
- (iii) New Jason Clause

(10 marks)

9. Contrast the shipowner's obligation to provide a seaworthy ship:

- (i) at Common Law
- (ii) under the Carriage of Goods By Sea Act 1971.

(10 marks)