

HONG KONG POLYTECHNIC  
CENTRE FOR MARITIME STUDIES

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Course : Post Experience Diploma in Ship Command  
Class : Part B  
Session : 1991/92  
Subject : Commerce and Law  
Date : Wednesday 10th June 1992  
Time allowed : 3 hours

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Instructions to Candidates : Attempt Questions 1, 2 and 3 and any FOUR of the remainder.

This paper has NINE questions

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Available from :  
Invigilator

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1. (a) A major objective of a master is to ensure that the vessel remains safe and seaworthy and to ensure that its certificates are in order to confirm the seaworthy state.

With these objectives in mind, design a ship's certificate filing system for a Hong Kong registered VLCC.

- (b) State your actions relating to the ship's documents on change of command.

( 20 marks )

2. (a) Your vessel is on a voyage charter and is bound for a port to discharge bulk coal.

Catalogue the messages you would expect to send from one week before your ETA until arrival at the pilot boarding station.

- (b) Itemise the assistance you would require from your "protecting agents" after berthing at the above port.

( 20 marks )

3. Your vessel is in a compulsory pilotage area in a foreign country in which the appropriate legislation states:

"If any ship is not under pilotage as required after a licensed pilot has offered to take charge of the ship, the master of that ship shall be liable on conviction to a fine not exceeding double the amount of the pilotage dues".

Your vessel is about to complete discharge at a river berth and you ask for a pilot. The pilot boards at 1700 hours but advises you that it is unsafe to proceed on that flood tide because it is only twenty minutes before sunset. The pilot says he will return at 0630 hours the next day and pilot your vessel out on the morning tide.

Your vessel has radar and the channel is well-marked. You are entirely satisfied that you can unberth the vessel and proceed to sea safely.

Owing to commercial pressures you consider unberthing and sailing.

Explain the consequences in relation to:

- (i) the legislation
- (ii) the charterparty
- (iii) the marine insurance policy.

( 20 marks )

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4. Your vessel, on a voyage from Indonesia to Rotterdam with a cargo of rubber, coffee, spices and tobacco, encounters a severe storm in the Bay of Bengal. The MacGregor covers at No. 2 hatch are damaged and seawater enters the "tween decks". You decide to return to Singapore to assess and repair the damage. Explain your actions before and during your stay in Singapore so as to protect the interests of the shipowner and the cargo owners.

( 10 marks )

5. Explain the effect of the following clauses in the Institute Time Clauses (Hulls) 1983 attached to a Marine Policy:

- (i) Breach of warranty
- (ii) "Sister Ship" clause
- (iii) "Sue and Labour" clause

( 10 marks )

6. (a) Describe the procedure leading to, and the conduct of, a Marine Court of Inquiry in Hong Kong.
- (b) State the sanctions available to a Marine Court.

( 10 marks )

7. (a) State the issuing authorities for the following certificates:

- (i) IOPPC
- (ii) Compulsory Insurance Certificate

(b) Name the Conventions which require their carriage.

(c) Explain how their validity is maintained.

( 10 marks )

8. The most important right of a seaman under a Crew Agreement is to receive the agreed remuneration.

Explain how this right is protected by the Crew Agreement if the employment comes to a premature end.

( 10 marks )

9. Write notes on the following:

- (i) Employment and Indemnity Clause
- (ii) Laytime
- (iii) Lien on Cargo

( 10 marks )