

### **RECOMMENDATIONS FOR VESSELS CALLING TUNISIAN PORTS**

In view of recent increase of cargo claims in Tunisia region, Ingosstrakh's P&I Correspondent for various African ports TCI Africa shared a comprehensive guidance on recommendation for vessels trading to Tunisia.

Essentially, an increase of claims is observed for alleged shortage in bulk grain shipments with origin from Russia, Romania, Ukraine and Argentina. This origins are reported to be generally more subject to claims than cargoes from other countries.

Bulk grain importation is carried out by a State-owned Company, who is the single largest wheat and barley importer. As receiver of the cargo, they are no longer recognizing a trade allowance (0.5 %) and allegations of shortage are generally made randomly, based on a 1% of the Bill of Lading's stated amount of cargo. Claims are usually presented two or three days prior to discharging completion, which gives a small frame of time to issue the corresponding guarantee letter / engagement letter.

Bulk commodities importations for animals, are usually ordered by private importers, who are generally more flexible in terms of claim shortage. In what concerns the trade allowance, it is accepted by them within the limits of the cargo insurance conditions, and therefore they could end up requiring a bank guarantee to secure the alleged shortage as estimated by the preliminary report issued by cargo underwriter's surveyor.

Moreover, in terms of alleged damages to commodities, private importers are more open to negotiate in order to find a solution which would be acceptable by all parties.

In view of the above, we would like to remind Owners of some points that should be considered when operating in Tunisian Ports:

**- VERIFY THE SHORE SCALE CERTIFICATE:**

As Owners might be aware, bill of ladings generally state the figures obtained by the port of origin shore scale. So the first recommendation would be for Master to require the shore scale certificate prior to beginning operations.

**- DRAFT SURVEY CARRIED OUT BY AN EXPERIENCED SURVEYOR:**

It is also recommend that a Draft survey is carried out, although we need to bear in mind that draft surveys can be subject of technical manipulation, namely the sea density, the deductible weights and the conditions of sea; all of which can alter the results.

Those Insureds frequently trading to Tunisia, are well aware, that Ingosstrakh always recommends to appoint local surveyor on discharge, so to protect interests of Owners in a best manner and decrease related exposure. Thus, when planning a voyage to Tunisia, it is highly recommended to contact Ingosstrakh for getting latest update and information.

### **CHINA: REMINDERS OF THE NAVIGATIONAL AREA AROUND MIAODAO ARCHIPELAGO FOR VESSELS ENTERING INTO OR SAILING FROM BOHAI BAY**

Ingosstrakh's P&I Correspondent for China Huatai Insurance Agency & Consultant Service Ltd. reports on recent increase of cases related illegal passages of vessels through the navigation-restricted areas around Miaodao Archipelago. As advised by Yantai MSA,

ten cases happened annually in the recent three years. According to Law of the People's Republic of China on Maritime Traffic Safety and other relevant regulations, domestic/foreign commercial vessels are not allowed to sail in any channel in the Miaodao Archipelago except for Changshan Channel and Laotieshan channel. The aforementioned navigation-restricted areas have been published on the ECDIS, navigation warnings and Notice to mariners. However, accident of vessels passing through the navigation-restricted areas happens from time to time since sailing vessels, especially foreign vessels, were not familiar with/ aware of the restriction on navigation. Although it might reduce sailing time and distance for vessels sailing in such navigation-restricted areas around Miaodao Archipelago, there are submerged reefs and fishery farms wherein which may result in vessels' grounding and/or damaging the fishery farms. This office has handled several fishery farm claims in this area. On the other hand, vessels passing through the navigation-restricted areas will face the local MSA's maritime investigation onboard and potential administrative penalty in terms of relevant regulation. This may lead to time and economic loss to ship owners.

As such, Owners' special attention shall be drawn that only Changshan Channel and Laotieshan channel are navigational areas for vessels entering into or sailing from Bohai Bay. Other sea area is prevented from commercial vessels sailing. Please kindly refer to detailed charts of the aforementioned two channels on P&I Correspondent web-site via [this link](#).

#### **POEA MEMORANDUM CIRCULAR: DEPLOYMENT AND CREW/CHANGE BAN IN TRIPOLI, LIBYA**

Philippine law firm Del Rosario Pandiphil Inc reports on recent news regarding employment of Filipino crew in Lybia. The POEA Governing Board issued Governing Board Resolution No. 3, Series of 2019 on 10 April 2019, imposing a deployment ban on the processing and deployment of all Overseas Filipino Workers, including crew change and shore leave of Filipino seafarers in Tripoli and the following areas within the 100-kilometer radius, as follows:

To the East: Tajoura, Ghot Romman, Qaraboli, Qasr Khiyar.  
To the West: Aziziya, Warshifana, Zawia, Surman, Sabratha.  
To the South: Esbea, Tarhuna, Bani Waled, Gharyan

The POEA Governing Board has reaffirmed the ban in Governing Board Resolution No. 4, Series of 2019 due to the worsening security situation brought about by the heightened violent clashes between the armed forces of the Libyan National Army and the Government of National Accord in Libya.