1988

Classification societies: their role with the government and maritime development in Nigeria

E. Oye. Oluwadare
World Maritime University

WORLD MARITIME UNIVERSITY.
MALMOE, SWEDEN.

CLASSIFICATION SOCIETIES: THEIR ROLE WITH THE GOVERNMENT AND MARITIME DEVELOPMENT IN NIGERIA.

By.

E. OYE. OLUWADARE.
NIGERIA.

A PAPER SUBMITED TO THE FACULTY OF THE WORLD MARITIME UNIVERSITY, MALMOE. IN PARTIAL SATISFACTION OF THE REQUIREMENTS FOR THE AWARD OF A

MASTER OF SCIENCE DEGREE

IN

MARITIME SAFETY ADMINISTRATION (ENGINEERING).

THE CONTENTS OF THIS PAPER REFLECT MY PERSONAL VIEWS AND ARE NOT NECESSARILY ENDORSED BY THE UNIVERSITY.

SIGNATURE:

DATE: 21st. Oct. 1988

SUPERVISED AND ASSESSED BY:
Prof. E. HANSEN-TANGEN.
Professor, World Maritime University, Malmoe.
CO-ASSESSED BY:
Prof.Dr.Ing. G. BOSSOW.
Managing Director,
DDR-Schiffs-Revision und -Klassifikation.
German Democratic Republic.

AKNOWLEDGEMENT.

Time flies people say, and thus the two- year Master of Science degree programme at the World Maritime University has come to become part of history. The programme, for all it worth has been an action packed one with a lot of exposures and experiences to cherish. I am greatly indebted to many people, organisations, and maritime administrations for making the programme a unique one for me.

My thanks to the Secretary General of the I.M.O. for taking the initiative to establish this noble institution for training of the manpower that has been lacking for many years in the developing nations.This will surely help to bridge the gap in our search for highly trained and qualified technical personnel to handle various maritime related matters within our developing maritime nations. We, the graduates of the University pledge to live up to the expectations and make the establishment worthy of the charter that established it.

My sincere gratitude to Carl Duisberg Gesellschaft e.V. (CDG) of the Federal Republic of Germany for providing the fellowship to enable me to partake in this course of study. It has been two years of worthy achievements.

I will like to express my heart felt appreciation to the Government Inspector of Shipping of the Federal Ministry of Transport for the various roles he played during the admission and the fellowship processes.

My sincere gratitude to my employer,- the Nigerian National Shipping Line Ltd (N.N.S.L.) for nominating me to

undertake this course and for catering for my needs during the period of study in Malmoe.

Finally ,I will like to express my deep sense of appreciation to the following for their various roles in making the course a successful one:

- My entire family who has been very tremendous to me in all my undertakings in this sea career. Their backing and confidence in me has been the crest on which I rest my believe.
- My course Professor, Prof. E. Hansen-Tangen, who has painstakingly guided me through the course and supervised this project.
- Dr. Prof. Ing. G. Bossow, who has willingly taken his valuable time to co-assess this work. His immence contributions will always be a very important tool to my future endeavours.

Above all, I will like to thank all my colleagues whose experience and knowledge has been shared in all aspects during the two-year programme.
Wishing you all the very best in our future endeavours.

OYE OLUWADARE.
MALMOE
OCT,1988.

D E D I C A T I O N .

DEDICATED TO MY LOVING PARENTS :

AMOS. *and* IBITOLA. OLUWADARE.

whose support, advice, and believe take me so far.

PREFACE.

My interest in ship safety and surveying started in the early part of 1985. The opportunity for me to have an in-depth involvement in surveying came in the latter part of 1986 when I was employed by a Nigerian indigenous inspection company in their survey section as an assistant to a non exclusive surveyor to a number of members of the classification societies. This geared up my interest in the various roles that the members of the classification societies are playing in the shipping and the offshore activities in Nigeria.

Having had the opportunity to enrol for a maritime safety administration course at the World Maritime University in March 1987, I conceived the idea of evaluating concisely the various roles of all the members of the classification societies operating in Nigeria and their involvement and cooperation with the Government Inspectorate of Shipping which is the sole organ responsible for the safety of shipping and navigation in Nigeria. The idea is what is being given birth to in this project.

The study has been able to identify among other things:

- The roles of the classification society members with the shipping, offshore activities and other industrial ventures in Nigeria.
- Their mode of operation with few among them that has the authorisation from the government to carry out their various functions.

The work went on further to evaluate the type of agreement that could be developed with these members of the

classification societies with the aim of improving on their performance and have an effective control on their various activities by the government. All these can be feasible through a proper government legislation and having the manpower required to carry out all the various recommendations as highlighted in the project.

Apart from the various recommendations in terms of personnel, tools, and other infrastructure that are required for a good and effective maritime administration, the study went on to propose a training programme for various arms of the workers in the maritime administration with the aim of enhancing their performance to an optimum level.

It is the author's candid opinion that with careful interpretations and implementations of various recommendations as specified in this project, it will give the government and people of Nigeria a viable maritime control arm that will be a pride to the people in achieving a maritime safety regulation and the protection of various coastlines in Nigeria against pollution and other harzards that are threatening these coasts daily.

TABLE OF CONTENTS.

AKNOWLEDGEMENT.		i
DEDICATION.		iii
PREFACE.		iv
CONTENTS.		*PAGES.*

CHAPTER ONE:
INTRODUCTION AND HISTORY OF MARITIME ACTIVITIES IN NIGERIA.

1.1.	INTRODUCTION.	1.
1.2.	HISTORY OF MARITIME ACTIVITIES IN NIGERIA.	3.
1.2.1.	OIL.	3.
1.2.2.	FISHERIES.	3.
1.2.3.	SHIPPING.	3.
1.3.	MODES OF CONTROL.	4.
1.3.1.	THE MARITIME INSPECTORATE.	4.
1.3.2.	THE CLASSIFICATION SOCIETIES.	5.
1.4.	AIM OF STUDY.	6.

PAGE.

1.5. METHODS OF STUDY. 7.

1.5.2. OUTLINE OF THE WORK. 8.

CHAPTER TWO.

CLASSIFICATION CONCEPT AND EVOLUTION OF CLASSIFICATION SOCIETIES.

2.1. DEFINITION OF CLASSIFICATION. 10.

2.1.1. LISTING OF SHIPS. 11.

2.2. BRIEF HISTORY OF THE CLASSIFICATION SOCIETIES. 12.

2.2.1. FUNCTION OF THE CLASSIFICATION SOCIETIES. 14.

2.3.1. MODES OF OPERATION. 15.

2.4. INTRODUCTION TO IACS. 17.

2.4.1. BRIEF HISTORY. 17.

2.4.2. PRESENT STATUS. 18.

2.4.3. PURPOSE OF IACS. 18.

2.4.4. GOVERNING BODIES OF IACS. 19.

PAGE.

2.4.5. UNIFIED REQUIREMENTS. 19.

2.4.6. ASSIGNMENT OF DUTIES. 21.

2.4.7. SCOPE OF OPERATION. 21.

2.4.8. IACS COOPERATION WITH OTHER BODIES. 22.

2.4.9. IACS STATUTORY SERVICES. 23.

2.5. INTRODUCTION TO OTSC. 24.

2.5.1. OTSC's AIM OF AGREEMENT. 25.

2.5.2. FUNCTION OF OTSC. 26.

2.6. SOME MEMBERS OF IACS. 26.

2.6.1. LLOYD'S REGISTER OF SHIPPING. 26.

2.6.2. AMERICA BUREAU OF SHIPPING. 28.

2.6.3. GERMANISCHER LLOYD. 29.

2.6.4. BUREAU VERITAS. 30.

2.6.4.1. ORGANISATION OF BUREAU VERITAS. 32.

2.6.5. DET norske VERITAS. 32.

PAGE.

CHAPTER THREE.

CLASSIFICATION SOCIETY's ACTIVITIES IN NIGERIA.

3.1.1. CLASSIFICATION SOCIETIES AND SHIPPING. 35.

3.1.2. STATES WATER TRANSPORTATION. SERVICES. 37.

3.1.3. GOVERNMENT AND FISHING INDUSTRY. 39.

3.2.1. OIL EXPLORATION. 40.

3.2.2. TRAFFIC THROUGH PETROLEUM PRODUCT. 41.

3.3. OTHER AREAS OF ACTIVITIES. 42.

3.4. PRESENT AND FUTURE TRENDS. 44.

CHAPTER FOUR.

RELATIONSHIP BETWEEN GOVERNMENTS AND THE CLASSIFICATION SICIETIES.

4.1. GOVERNMENT AND THE CLASSIFICATION SOCIETIES. 46.

4.1.1. STATUTORY SURVEYS. 46.

4.1.2. CONVENTIONS UNDER WHICH STATUTOTY SURVEYS ARE CARRIED OUT. 47.

PAGE.

4.1.3.	CLASSIFICATION SURVEYS.	49.
4.1.4.	SURVEY OF SHIPS IN SERVICE.	52.
4.2.	CLASSIFICATION SOCIETIES IN NIGERIA.	56.
4.2.1.	GENERAL OVERVIEW.	56.
4.2.2.	REPRESENTATION OF THE SOCIETIES.	57.

CHAPTER FIVE.

GOVERNMENT POLICIES AND INTERACTIONS.

5.1.	GOVERNMENT POLICIES AND INTERACTIONS	59.
5.1.1.	NATIONAL LAWS AND INTERNATIONAL REGULATIONS AND INTSTRUMENTS	59.
5.1.2.	METHODS OF CONTROL.	60.
5.1.3.	APPOINTMENT OF REQUISITIVE SURVEYORS.	62.
5.1.4.	AGREEMENT WITH CLASSIFICATION SOCIETIES.	63.
5.1.5.	FORMATION OF AN AGREEMENT.	64.
5.2.	GOVERNMENTS INVOLVEMENT WITH THE CLASSIFICATION SOCIETIES.	65.
5.2.1.	DELEGATION OF DUTIES.	66.

PAGE.

5.2.2. DELEGATION OF STATUTORY WORKS. 70.

5.3. GOVERNMENT INSPECTORATE OF SHIPPING. 76.

5.3.1. FEW HANDICAPS OF THE INSPECTORATE. 78.

5.4. NEED FOR A SURVEY DEPARTMENT. 79.

CHAPTER SIX.

RECOMMENDATIONS AND CONCLUSIONS.

6.1. NEED FOR TRAINING OF SURVEYORS. 82.

6.2. COOPERATION WITH THE CLASSIFICATION SOCIETIES FOR TRAINING AND UPDATING THE KNOWLEDGE OF THE SURVEYORS IN SERVICE. 84.

6.3. COOPERATION WITH INSTITUTIONS OF HIGHER LEARNING IN THE COUNTRY. 85.

6.4. CONCLUSIONS. 86.

6.5. RECOMMENDATIONS. 89.

ANNEXES. 93

BIBLIOGRAPHY. 138.

LIST OF ABBREVIATIONS. 140.

CHAPTER ONE.

INTRODUCTION AND HISTORY OF MARITIME ACTIVITIES IN NIGERIA..

1.1.INTRODUCTION

The history of the maritime activities in Nigeria is very short.The current history could be dated back to the late 1950's and the post independence era spanning the earliest part of the 1960's. Nigeria became an independent country from her colonial masters- The British on the 1st of October 1960 and subsequently a republic in 1963.

It is however worthy of note that maritime activities had been on going in Nigeria for a very long time; longer than the periods stated above. The early history of Nigeria showed that the Rivers Niger and Benue were navigated by the early explorers and thus the colonial masters by wooden vessels- (canoes) which were then the only means of transportation available to penetrate to the hinterland apart from the very oldest means created by nature -the footpaths. With this means, they were able to penetrate into the hinterland in search for green pastures that later led to the amalgamation of the Northern and Southern protectorates to form the country Nigeria in 1914; which to my opinion was named after the River Niger; that cuts across Nigeria and is a very important river to Nigeria till today. (1).

Prior to the advent of the Europeans on the shores of Nigeria at around 1470; the local kings and chiefs administered the control of the territorial waters in their

kingdom. Vessels could only trade or fish in their respective territories by the sole permission of the kings and chiefs.

When the colonial masters arrived, this authority was taken over by them and the British Royal Navy exercised jurisdiction over the shipping and port activities in Nigeria. This later led to the establishment of the Harbour Authority in 1862.

In 1908, a separate government department was carved out of the old Marine Department to handle all the civil engineering works hence leaving the Marine Department to deal solely with other marine matters. (2).

The steady growth in maritime activities over the periods forced the Nigeria Marine Department to form three separate government departments namely:

(i). The Nigeria Ports Authority;

(ii). The Nigeria Navy;

(iii). The Inland Waterways Department.

With further progress, a marine division was formed with the Federal Ministry of Transport and Aviation in 1957. On the 1st of April 1962, the Marine Division was redesignated the Government Inspectorate of Shipping with a British as the head and was then called the Government Marine Officer, which was later changed to the Government Inspector of Shipping, (GIS) which was the statutory officer responsible for the Administration of shipping laws in Nigeria, as well as Marine advicer to the government and the general information bureau to the public at large on all the maritime related matters affecting Nigeria on both internal and international scenery. This post had remained unchanged until today. Since this said period, Nigerians could register ships under Nigeria

Register and fly Nigeria flag as against the former practice of doing same under the British flag.

1.2.BRIEF HISTORY OF MARITIME ACTIVITIES.

1.2.1.OIL.

When the oil exploration started in Nigeria in the early 1950's, it was centered primarily within the shores in the South-Eastern part of the country. As time went on and due to the technological developments within the oil industries worldwide, this led to offshore explorations and drillings. As at today, the greater percentage of Nigeria's crude oil production is concentrated on her offshores.

1.2.2.FISHERIES.

Fisheries in the shores of Nigeria is as old as the country itself if not older. The major source of protein to the people living within the riverine areas of Nigeria has been and will continue to be fish. For this to continue to survive, a lot has to be done to enhance the people's capabilities to improve on their present basic tool of a canoe and local hand made nets.

1.2.3.SHIPPING.

Nigeria started its indigenuos shipping company in 1959. As time went bye, the development in trade led to an expansion in the business of the company and as at the

early 1980's, she was having a total fleet of twenty four vessels comprising mainly of break bulk and container carriers. A lot of indigenous companies had sprung up over the years and today Nigeria can see a long list of different types of ships under her register and flying the flag of the nation all across the nations of the world and through the various seas.
With all these in a nutshell, one could see that there is a lot of activities going on in the maritime cycles within Nigeria shores and internal waters.

1.3.MODES OF CONTROL.

With the ever increasing developments in our offshore industry and the obvious upward trend in the increase of Nigeria's tonnages in the shipping cycle annually, it will be appropriate for the government machineries that will regulate and promote maritime safety and the protection of the marine environment to grow and develop along with such development. The successive governments in Nigeria have never paid much attention on guidance and regulations to monitor and control maritime safety and protection of the marine environment. Even the recently promulugated decree on the country's shipping policy centered its attention on the commercial aspects while it failed to define specifically the technical aspects meaning a total snub to the importance of maritime safety.

1.3.1. THE MARITIME INSPECTORATE.

The maritime inspectorate division of the Federal Ministry of Transport is the government's body which is char-

ged with the responsibility of the maritime safety and the protection of the marine environments as indicated in the Merchant Shipping Act of 1962, as amended. (3). The present set up in this inspectorate had been the way it was over twenty five years ago without much administrative changes or reorganisation. Hence today it is common to find that most of the statutory surveys of all the ships registered and flying Nigerian flag are carried out by the classification societies.
This is due primarily to the aforementioned reasons and the acute shortage of surveyors and inadequate facilities in the Nigeria Maritime Safety Administration.

1.3.2.THE CLASSIFICATION SOCIETIES.

The Nigeria Maritime Safety Administration is supposed to be responsible for the completeness and efficiency or all the statutory survey functions as stated in the conventions of the International Maritime Organisation (I.M.O.)., of which Nigeria is a party. Also they are to perform the close monitoring of the work of the classificaton societies for full effectiveness. It will not be a matter of total surprise if you ask a shipowner or a ship operator the question of who handles the issue of safety of their ships and the protection of the marine environment in Nigeria and one gets the answer - the classification society surveyors.
It is not uncommon to find that most ships on the coastal services and offshore operations are regulated and surveyed by the surveyors of different classification societies under whom the vessels are classed and who are represented by various companies in Nigeria. Hence you will find that most of these jobs are being handled in

by non exclusive surveyors to some of the classification societies.

1.4. AIM OF THE STUDY.

The aim of this study is to access the role of the classification societies in the maritime activities in Nigeria. It is the ultimate aim of the author to address the government's attention to the type and suitable status to be granted to some of the members of the classification societies as it is apparently obvious that as at today, there is no legal backing as to their operations in the shores of Nigeria and every work they do presently is undertaken "as a matter of good faith" that had been existing long in the shipping cycle.
To evolve a very stable and highly developed relationship with these members of the classification societies which will enhance the positive development of the government's need to form a very strong survey team capable of promoting the maximum safety of maritime activities and protection of marine environment. It will also help to create an effective forum for monitoring of all the ships that operate in our territorial waters by maximising on the economical use of manpower resouces as it is available to the government of Nigeria today.

This will in the long run be of immence benefit to the maritime communities in Nigeria and a bedrock for a good governmental involvement and cooperation with all the parties concerned and an overall evolution of a well defined maritime policy that will include:

- The Classification Societies.
- The Insurance Brokers.

- The Shipping Companies.
- The Inland Waterways.
- The Offshore Industries.
- The Ship Repair and Drydock Industries.
- Marine Research Centres.
- Marine Engineering and Equipment Manufacturers.
- Marine Training Institutions.
- Maritime Security, Search and Rescue.
- Membership of International Bodies related to the maritime affairs of which I.M.O. is a major force.

All these will help to open up a proper channel for the formation of a strong maritime administration, under the umbrella of which our maritime development and viable road to greatness will evolve.

1.5. METHOD OF STUDY.

1.5.1. This study has been carried out by;

(a). Personal interviews and subsequent write ups of the dialogues as carried out with notable members of the maritime community in Nigeria; that includes:maritime administrators, the shipping company executives, the offshore industry and marine operators,and the major ancilliary companies that participate in our oil industries and others.

(b). Extraction of a lot of information from various members of the classification societies with reference to their bronchures which were collected for this purpose.

(c). By the various lectures received from numerous maritime experts in their various fields that had come to WMU as visiting lecturers and professors.

(d). All the various exposures/experiences gained during the author's field training exercises in the

Nordic countries and others including Poland, West Germany to mention a few.

1.5.2. OUTLINE OF THE WORK.

As seen this chapter, (chapter 1), has centered mainly on the general layout of the project. It has covered the general history and background of shipping and offshore industries in Nigeria. It touched on the fishing and fisheries as it was done before and how it is to be done these days, the evolution of a National Shipping Company, the formation of the Maritime Inspectorate Divisioin to cater for the needs in shipping and other related activities. Other bodies like the classification societies and their involvement in the ship related activities in Nigeria.

The second chapter,(chapter 2), will deal with such subjects as the brief history and reasons behind classification. A general description of the classification societies with the mentioning of the general functions of International Association of Classification Societies. (IACS), Organisation for Technical Ship Safety and Classification, (OTSC), Association of European Classification Societies, (EURACS),etc, and also a general overview of some leading members of the IACS. These are considered according to their representation in Nigeria. Some of their areas of activities as well as scope of activities are considered.

The third chapter is concerned with the classification societies and their involvement in shipping in Nigeria. It touches on the Offshore and other related activities. The industrial and shore based interests are considered

and the trend as it is now and the future prospects are viewed in a nutshell.

The fourth chapter is concerned with the relationship of the classification societies with various administrations with a particular reference to Nigeria. An insight look into the various activities of the classification societies that are represented in Nigeria will be touched upon.

Chapter five gives a broad look into the national and international regulations that prompt the governments to seek relationship with the classification societies. It is in this chapter that all the international regulations that Nigeria is party are briefly previewed, the need for good and properly defined agreement with the classification societies will be highlighted, and also the government's policies on shipping and other related matters are all generally discussed. The government inspectorate of shipping, and the problems confronting the inspectorate are touched upon.

The sixth chapter deals with the need for training of surveyors of the administration both incoming and the ones in service. The possibility of cooperation with the classification societies with the aim of benefiting from their training programmes to the advantage of both parties advocated. Also the roles that some leading institutions of higher learning in Nigeria could play in this respect are enumerated.
The chapter runs the author's conclusions and recommendations to various problems highlighted in the whole project and how possibly these solutions can be achieved.

CHAPTER TWO.

CLASSIFICATION CONCEPT AND THE EVOLUTION OF THE. CLASSIFICATION SOCIETIES.

2.1. CLASSIFICATION.

"Classification is the systematic placement into categories." (4). It is the grading of merchant ships into 'QUALITY' categories and quality is the distinguishing characteristics of the ships being classified.

With these definitions, the concept of classification had been applicable to shipping since about two centuries ago Infact, the begining of classification of ships dated back to the second half of the 17th century. 'Certain particulars of ships were tabulated then for the guidance of underwriters and shippers. These lists were the simple basis of classification that enabled good risks to be distinguished from bad risks and this arose the reliable organisation for the inspection and maintenance of the fitness of the merchant ships.' (5). Initially, lists of ships were kept which offered information of a ship's name, the master, the owner, the port of registry and probably the ports of call to those interested in shipping such as:

- Marine underwriters.
- Cargo underwriters.
- National ship safety authorities granting sailing permits.
- Charterers.
- Shipowners (when having a ship built or when purchasing, selling, or chartering a ship).

- Banks and commercial houses granting loan to ship-builders.
- Shipyards that construct and build the ships.
- Subcontractors, and,
- Any others interested in shipping.

As time went by, experience increased and further information was added to the listing of the ships. This listing of the ships was performed by the experts who were then mostly seamen, i.e.the former masters etc.

2.1.1. **LISTING OF SHIPS.**

The listing of ships included the grading of a particular ship according to:

(i). her qualities and,

(ii). the equipment she had.

These were graded according to an identification by letters and figures. All these were based on the visual inspection and the general ship's condition and not much technicalities involved. The classes assigned were as follows:

A-------- for the best of the ships.

B-------- for the next best.

C-------- for good but average.

D-------- for below average.

Also certain figures were added, supplemented by the provisions of information in the condition of the equipments. These systems in the early days made the classification of the ships a case of more or less an individual judgement which could lead itself to arbitrary decisions in nature in some cases.

However, in the 19th century, a fundamental change occurred when the rules for construction were published for the first time. These rules set a standard by which the quality and workmanship of a ship's hull were measured and beyond this, the classification of a ship was performed by a committee of surveyors set up for the purpose of the basis of reports to be submitted by these surveyors on their findings. This could be said and led to the origin of the classification societies, a body of impartial judge to administer the classification of a ship according to her quality category.

2.2. BRIEF HISTORY OF THE CLASSIFICATION SOCIETIES.

As mentioned earlier,there had been indications of the unification among the classification societies which had now developed among the major maritime centers around the second world war. While a shipowner is not compelled to build his ship according to the rules of any classification society, it will be found that a vast majority of the world's merchant ships have been constructed according to the rules of these societies.This is due to the fact that that the design, construction, and safety of ships are considerably influenced by the rules of a regulatory body such as the classification societies.
Because of their various long history in shipping, the classification societies have been able to establish rules of construction that have enhanced the safety of the ships in performing the intended trade that they were built for.

Today, the major classification societies find a common

umbrella to cooperate under the three major groups (two of which will be described later). These three groups are

(a). The International Association of the Classification Societies. (IACS).

(b). The Organs for Technical Supervision and Classification. (OTSC) or OTAK). and.

(c). The European Association of Classification Societies. (EURACS).

Apart from these three main organs, there are chains of classification societies who are neither members of none of these groups. Infact, it could be rightly claimed that there are companies which are not classification societies according to their article of association or statutes but which perform sovereignty functions i.e. they perform statutory surveys on behalf of governments.

On the general summary, all the bodies across the world that perform functions pertaining to safety construction of vessels to make them suitable for the services they are intended can be categorised as follows:

(i). Companies or bodies which are classification societies according to their articles of association or statutes and which execute classification activities for sea going vessels, inland crafts, and offshore support and maintenance vessels which are internationally recognised and mentioned in the classification clause of the underwriters.

(ii). Companies which are classification societies according to their articles of association or statutes which execute classification for the sea going vessels and inland vessels but which are not yet internationally recognised.

(iii). Companies or bodies which are classification societies according to their articles of association or statutes which just execute classification activities for inland vessels only.

(iv). Companies which are no classification societies according to their articles of association or statutes but which just perform sovereignty functions i.e. statutory surveys on behalf of their govenments.

List of the known bodies as classified above is attached as the annex 1.

2.2.1. FUNCTIONS OF THE CLASSIFICATION SOCIETIES.

The main functions of the classification societies are the preparation of the construction rules on the basis of experience and research, material and workmanship of new-buildings and regular supervision of the conditions of ships in service, with the main aim of checking and documenting to the public the seaworthiness and technical safety of the ships. 'They grade ships into classes and thereby provide an authentic record of details of the building of the ship in relation to reliability while operating at high seas'. (6).

Necessity alone gave birth to these organisations and their utility in the world of shipping is numerous:

(i). Furnishing of reliable data for marine insurance of the hull and of the ship as a whole; and the cargoes it carries which may be regarded as the first and foremost requirement fulfilled by these organisations.

(ii). There is the essential requirement of the shi-

powner who is always keen to know the quality and the grade of his vessel.

(iii). The use by the administrations of the classification concept in relation to issuance of certain statutory certificates, e.g. Cargo Ship Safety Construction Certificate.

While the above reasons will be mostly covered by this project, the issue of cargo insurance is not the subject of this text.

The concept of classificaton had been widely spread and as a matter of national prestige, several other maritime nations of the world have set up their own classification society and its register of shipping.This register of shipping today is the most celebrated international document of such authencity as to be used by the international organisations such as the I.M.O. itself for statistical and other purposes. 'This register of ships is referred to by the International Court of Justice as its advisory opinion of the 1960 on the constitution of the Maritime Safety Committee (MSC) of the I.M.O. (6).

2.3.1. MODES OF OPERATION.

In order to be effective, the work of the classification societies must be based on the independence of the assessment, in other words, classification must be free completely of any political and financial influence whatsoever.This had led to the three principal characteristics which had become the hallmark of the major classification societies in the world viz;

- Impartiality,

- Technical Competence, and,
- Desire to assist the industry as a whole.

The primary sources available to the classification societies by which they attain the above functions lie on the men and women who work for them. These people are chosen for their skills and independence. They are constantly trained, supervised, and geared up towards maintaining the qualities of their performances and interventions.

The documentation provided by the classification societies consists of class certificates issued for individual vessels and in ships register since their inception. Classification societies have always preceeded governments in their concern with safety of ships. When the international conventions and texts concerning safety were adopted at the end of the nineteenth century, states realised that they did not have the resources to supervice their observance. Seeing that the classification societies offered every necessary guarantee of independence, integrity, and competence, they delegated certain permanent powers to them to issue marine safety certificates on the government's behalf.

'Safety at sea, as measured by statistics of ship losses and accidents, has been relatively constant. The tonnage loss per year compared with existing tonnage had been greatly reduced'. (7). This is an indication that the classification societies are really working for the safety of ships at sea and other marine structures through classification.

2.4. INTRODUCTION TO THE INTERNATIONAL ASSOCIATION OF THE CLASSIFICATION SOCIETIES.

2.4.1. BRIEF HISTORY.

The International Association of the Classification Societies can trace its origin back to the International Conference on Load Lines of 1930. The article 9 of this convention recommended that the classification societies recognised by the governments should meet and confer from time to time with a view to securing as much uniformity as possible in the application of the standards of strength on which freeboard is based.

In 1939, the first such conference of the International Classification Societies was hosted by Registro Italiano Naval in Rome. This conference was attended by representatives of the following societies:

- America Bureau of Shipping,
- Bureau Veritas,
- Det norske Veritas,
- Germanischer Lloyd,
- Lloyds Register of Shipping, and,
- Nippon Kaiji Kyakoi.

It was agreed at the conference that the cooperation between classification societies should be further developed and conferences be convened as deemed necessary. No formal organisation was formed at that time but it could be rightly claimed that the seed for the formation of an organisation had been sown.

The next conference was held in Paris in 1955 with Bureau Veritas hosting. Again at this conference, there was no formation of an organisation but all the discussions were geared towards the future formation of an organisation in the forseable future. Other meetings included the London

in 1959, hosted by Lloyd's Register of Shipping, New-York in 1965, by America Bureau of Shipping, and Oslo in 1968, hosted by the Det norske Veritas.
It was at this Oslo meeting that the seed of the organisation sown as far back as 1939, finally germinated and hence led to the formation of "INTERNATIONAL ASSOCIATION OF THE CLASSIFICATION SOCIETIES". It would not be surprising to note that the core of the initial members of this organisation stemmed from the first meeting of 1939.

2.4.2. PRESENT STATUS.

Today, the International Association of the Classification Societies comprise of eleven full members, and two associate members. (see annex 2). The memberships are selected according to the following criteria:

- Tonnages of ships under the class of the society;
- Technical Competence;
- Its representation all across the major ports of the world.

2.4.3. PURPOSE OF IACS.

The IACS was formally established in 1968 with three main purposes:

(i). To promote improvement of standards of safety at sea.

(ii). To consult and cooperate with relevant international bodies and maritime organisations.

(iii). To maintain close cooperations with the World's maritime industries.

Since IACS is not a closed club, there are provisions for

admitting in new members. These aspirants among other things should:

- Show some degree of ability to participate actively in technical discussions; and must
- Meet the initial condition to be qualified as a member as spelt out in the constitution of IACS.

2.4.4. GOVERNING BODIES OF IACS.

The governing body of IACS is the council. The council consists of one senior executive from each member society The council meets regularly once a year to conduct the activities of the association. However, more meetings to deal with immediate matters of concern could be frequently arranged and held at short notice. The principal objective of the council is:

- To establish and approve of the general policy of the association;
- To solve policy problems; and,
- To plan for the future.

At its regular meetings the council reviews the work of its subsidiary bodies and the programmes for the ensuing year.An example of the policy problems of the society's council decision is the recently admission of two more members of the association into full membership. These two new full members are;

(i). Korean Register of Shipping.

(ii). Chinese Register of Shipping.

2.4.5. UNIFIED REQUIREMENTS.

The council considers and adopts resolutions on technical issues within the classification society's scope of acti-

vity. The council has agreed on numerous unified requirements and on unified interpretations of international codes and conventions among them include:

- Minimum longitudinal strength standard;
- Special survey of oil tankers;
- Loading guidance information;
- Use of steel grades for various hull members;
- Cargo containment on gas tankers;
- Hull and machinery steel castings;
- Prototype testing and test measurement on tank containers;
- Inert gas generation installations on vessels carrying oil in bulk.

There are more of the unified requirements and the above listed are just but a few that are relevant to this project.

In order to facilitate the effective work of the organisation, working groups are established by the council in accordance with the charter of the association. The working groups include both the permanent working parties and ad hoc groups. The working groups are mandated with general terms of reference which includes:

(i). Drafting of unified rules and requirements between the various members of the association.

(ii). Drafting of responses to the requests of the I.M.O. and to prepare unified interpretations of the conventions, resolutions, guides, and codes.

(iii). Identifying problems related to the working group's area of activity, and to propose IACS's action.

(iv). Monitoring the work of organisations related to the expertise of the working group and to report

such to the council.

2.4.6. ASSIGNMENT OF DUTIES.

Topics are assigned as the main responsibility of individual working groups. Such topics include;

(a). Bulk chemicals;
(b). Containers;
(c). Drilling units;
(d). Engines;
(e). Fire protection;
(f). Gas tankers;
(g). Inland waterway vessels;
(h). Marine pollution;
(i). Materials and welding;
(j). Mooring and anchoring;
(k). Strength of ships;
(l). Subdivision, stability and load lines;
(m). Surveys reporting and certification.

The annex (3) shows the structure of IACS's organisation and the working groups. It is worthwhile to note that the head of each working party is assigned to individual member of the IACS on rotational basis.

2.4.7. SCOPE OF OPERATION.

'The eleven members of IACS between them carry out surveys on more than 50,000 different classified ships totalling 400 million grt and this is about 90% of the World's merchant fleet'(IACS).
Each passing year, more than 7,500 surveyors in 140 different countries undertake some 350,000 surveys on ships in service. In addition to this, IACS members carry out

similar surveys in the course of:

- Design;
- Approval and certification of materials and components for marine and industrial use.

Each year IACS members carry out and sponsor numerous research programmes and these further their expertise on ship construction, maintenance, operation, communication,and navigation. Through the working groups, the knowledge achieved is communicated to all members and to the benefit of the entire maritime community. This is achieved through publishing of IACS resolutions and by participating in various international bodies and forums.

2.4.8. IACS COOPERATION WITH OTHER BODIES.

IACS liases with various bodies internationally for exchange of views and information on common problems and they shared meetings to enhance further research and discussions. Such bodies include:

- International Standard Organisation.
- International Labour Organisation.
- Marine Insurers.
- Various Shipbuilders.
- Various Shipowners.
- International Chambers of Shipping.
- Oil Companies.
- European Community, (EEC). and,
- The Internatinal Maritime Organisation; but to name a few.

At the International Maritime Organisation (I.M.O.), IACS enjoyes a consultative status since 1969. It has a permanent representative at I.M.O. and participates as observer at the I.M.O.'s assembly meetings, Maritime Safety

Committee meetings, Marine Environmental Protection meetings, and some other sub committee and working groups of the I.M.O. Also a representative of I.M.O. has a permanent attendance at the IACS's council meetings.

Apart from the classification services, IACS members carry out statutory work on behalf of National Maritime Administrations upon their authorisations. The authorization is based on the internationally adopted standards for the safety of life at sea as laid down in the:

- International Conventions;
- International codes and recommendations;
- National regulations and in some cases, design approvals

The authorization includes the issue of relevant certificates, offering of guidelines on specific items, and to serve in an advisory function in the international forums.

2.4.9. IACS's STATUTORY SERVICES:

More than 100 government administrations around the world have taken the advantage of the IACS's statutory services and have authorised IACS members to carry out various surveys on their behalf. Most authorizations are based and in connection with:

-Tonnage Measurements;
-Load Lines;
-SOLAS;
-MARPOL;
-IMDG codes.

The statutory function of IACS with majority of administrations is in two types;

(i). General authorizations;
(ii). Case by case.

The general authorization involves the system whereby the members of IACS have been given the general authorization to survey and issue the appropriate certificates but in few cases full term certificates will be issued by the administration.

The case by case authorization involves the system whereby authorization have been given to the society to carry out specific surveys and issue defined certificates or act on behalf of the government under a specific authorization.

The extent of the authorization in many cases will depend on such factors as;

- General administrative policy;
- National laws and regulations;
- Technical capabilities of individual administration
- The size of fleet;
- The economy.

For the reasons of manpower resources, technical expertise, and representation all across the globe, and also with well qualified and competent surveyors, the IACS members will always surpass the national administrations but will always be available to help out the National administrations in carrying out surveys as delegated to them.

2.5. INTRODUCTION TO THE ORGAN FOR THE TECHNICAL SUPERVISION OF SHIPS AND CLASSIFICATION.(OTSC).

On December 15 1961, the governments of seven East European countries met and signed an accord on "AGREEMENT ON COOPERATIONS IN THE FIELD OF TECHNICAL SUPERVISION OF SHIPS AND THEIR CLASSFICATION." The countries include:

BULGARIA;
HUNGARY;
GERMAN DEMOCRATIC REPUBLIC;
POLAND;
UNION OF SOVIET SOCIALIST REPUBLIC, (USSR);
ROMANIA; and,
CZECHOSLOVAKIA.

The classification organs which were present and existing in the individual countries were entrusted with the tasks stated in the agreement and this classification organ was called the " ORGAN FOR TECHNICAL SUPERVISION AND CLASSIFICATION". Hence this agreement gave birth to the unification of ships safety and classification in the East European countries. Other countries like;

YUGOSLAVIA;
NORTH KOREA;
VIET NAM;and,
CUBA, all acceded to the agreement at later dates and became full participants in the OTSC.

2.5.1. AIM OF THE AGREEMENT.

The basic aim of the agreement was defined to include:

(i). Favourable condition for technical progress.
(ii). Extention of materials and technical ideas in the field of shipbuilding and navigation.
(iii). Expansion of scientific and technical cooperations

2.5.2. FUNCTION OF THE OTSC.

The functions of the agreement are based on:

- The exchange of rules and regulations in force concerning the classification and construction of ships.
- Unification of all the different rules and regulations in force in each of the countries.
- Coordination of plans for science and technology.
- Research work in the fields of technical supervision of ships and their classification.
- Exchange of specimen of ship's document.

All the above stated objectives were able to be accomplished by the printing of the unified edition of the rules for the sea going vessels and circulating same among all the members of the organ.

With all these advanced approaches to the shipbuilding and classification, OTSC has been able to make a great impact on the development of safety of life at sea and classification of ships in general. Three founding member of the OTSC are full members of the IACS and this fact has demostrated the global cooperations and hence an evolution of international standards in the system of ship construction, supervision and classification.

2.6. SOME MEMBERS OF IACS.

2.6.1. LLOYD'S REGISTER OF SHIPPING.

Lloyd's Register of Shipping was founded in 1760. It is the Worlds' oldest and largest ship classification society. In 1764, the first ever register of ships was publi-

shed for the use of merchants, shipowners, and underwriters. This practice has continued and today, the register of ships is one of the reference work available on the characteristic of the Worlds' merchant fleet.

Lloyd's Register of Shipping, being an independent ship classification society, employ over 1800 fulltime engineers (Marine engineers and Naval architects), metallugists, and other specialists and professionals stationed all around the ports of the world.Their task is to provide inspections and technical advisory services primarily for ships but also for an increasing number of engineering projects of all kinds both marine and non marine biased in recent years increasingly in the offshore engineering and computer practice.

It is worthwhile to mention that the description 'SHIPS CLASSIFICATION SOCIETY' originated from the 18th century when the practice of awarding different classes to ships according to their conditions began.
The highest class was designated by the symbol "A1" and soon the words "A1" at Lloyds became a popular idiom denoting the highest possible quality.

Today, Lloyd's Register of Shipping sets one standard only for most classed ships. That only standard is denoted "100A1". For offshore and land based industrial projects,inspection is often undertaken to ensure conformity with the recognised National and, or International inspection code and standards At the present moment, Lloyd's Register of Shipping is one of the major classification society that has the greatest involvement in shipping and maritime/industrial acticities in Nigeria. This is not

unconnected with our past history of Britain being the former colonial masters. Lloyd's Register of Shipping has two exlusive survey offices in Nigeria manned by both indigenous and expertriate surveyors. The country's main shipping company -the N.N.S.L. has all her ships classed by Lloyd's Register of Shipping.

2.6.2. AMERICA BUREAU OF SHIPPING.

America Bureau of Shipping (ABS) was originally conceived as the America Shipmasters Association which was incorporated on 22nd April 1862. It was on 23rd of July 1862, that the organisation was established on a working basis as a National Classification Society of the United States. "The change in the charter title to the America Bureau of Shipping was granted on 22nd September 1898"(6) It has attained today as one of the foremost classification society in the world.

In January 1917, the Bureau reached an agreement with the British Corporation for the survey and registry of shipping in connection with the construction of vessels with trans oceanic services because of its international importance. This agreement motivated the urgent need for the construction of steel vessels in order that they be brought up to the standards of the best mordern practice. Similar agreement was made with:

- Registro Naval Italiano on March 1917,
- Teikoku Kaiji Kyakoi, (imperial Japanese Marine Corporation).

All these agreements ensured harmonious action and an interchange of ideas at the owners,and builders advantage

on both sides of the Atlantic without interferring with the independence or National character of either societies.

Today, ABS. is a leading member of the IACS, with a greater percentage of tonnages of the world's fleet registered by ABS. She is a leading force in the field of submarine technology and offshore rigs.
ABS. is exclusively represented in Nigeria and has a leading role in surveying and inspection in our shipping and offshore oil industries.

2.6.3. GERMANISCHER LLOYD.

Germanischer Lloyd is one of the oldest classification societies. It was founded in 1867 as an international register for the classification of ships.In 1869,GL had appointed surveyors in 22 branch offices around the world The first ship register book of GL was issued in 1868; listing 273 ships flying the flags of 8 different countries. In 1870, the society issued the second classification register listing 735 ships, a very remarkable increas on the first. Six years later, 2665 ships were contained in the register.

In 1889, it was decided to change the corporate from the previously being based on the corporate principle; with the imperial government, which, subject to the article of the association, had been entrusted with the surpervisory control of the society to a non profit making joint stock company. This further reflected the general article of the classification society to be non profit making, and

an impartial judge.

The fact that the ships classed by the society traded world wide, has necessitated maintenance work world wide and to accomplish this, GL concluded contracts in Germany and abroad with 137 surveyors and 90 agents before the second world war. The basis still stand until today. GL has a world wide recognition and surveyors in major parts of the world.
Although GL is being represented in Nigeria by an engineering company who acts as their agent, their surveyors are very much around for their necessary tasks when required.

2.6.4. BUREAU VERITAS.

"Bureau Veritas was originally founded in Antwerpen, Belgium on 2nd July 1828; under the title "INFORMATION BUREAU FOR MARITIME UNDERWRITERS". (6).This was as a result of three men who were interested in collecting information for marine underwriters. In 1829, it became Bureau Veritas with its symbol as its figure of prove.

By 1831, Bureau Veritas had classed 10,000 ships. In 1833, it moved her headquarter to Paris in France but it was not until 1908 that the government of France gave official recognition to this classification society.This came about from the law enacted on April 17, 1907. The decision to recognise Bureau Veritas was issued on September 5, 1908 as an application of this law and of the derived administrative procedures.

Bureau Veritas unlike some other classification societies

had diversified its interests into many fields of activities in the early part of the century. The following will butress this ascertion:

(i). 1910. Creation of Marine and Industrial Materials.

(ii). 1922. Creation of Aeronautical Service section.

(iii). 1929. Creation of Civil Engineering Inspection.

From the above, it will be seen that Bureau Veritas had developed to be a very wide classification society with its inspection services covering such wide areas such as:

- Aircraft;
- Automobile;
- Industrial Services;
- Civil Engineering;
- Containers; and ,
- Data processing.

The marine branch of B.V.is the most senior and the largest. It has surveyors who are Naval architects and Marine Engineers in most parts of the world collecting large volumes of information and technical data concerning the quality of ships both during construction and the service life of the vessel.These data are evaluated and translated to a class symbol which will represent the degree of confidence the ship has earned. This, with the construction marks, service and navigational notations will be mentioned on the certificate delivered to the ship and also documented in the ship's register called "The Register of Ships". The Register of Ships contain a list mof all types of ships and this register is kept updated by the establishment of a strict central system of gathering information which are linked to a central data processing system.

2.6.4.1.ORGANISATIONAL SYSTEM OF THE BUREAU VERITAS.

The organisational system of B.V. is made up by bodies of committees which were established in various parts of the world. Such committees include:

(i). French committee in 1920.
(ii). Dutch committee in 1922.
(iii). Spanish committee in 1949.

All these committees had been totally renovated and expanded in recent times. It is very common these days to find general committees, local committees, and technical committees etc. This made the performance of the society to be effectively enhanced and improved all across the board.

B.V. as mentioned earlier has a global recognition and is currently represented in Nigeria by an Engineering firm on a non exclusive basis. It is anticipated that this position will improve as the shipping situations in the country as a whole improves.

2.6.5.DET norske VERITAS.

Det norske Veritas is the Norwegian Classification Society with the headquarters at Oslo. A very widely known classification society, she was founded in 1864. DnV. has very high developed rules for the shipbuilding and offshore vessels. These rules are maintained and developed by extensive research and use of experienced personnel.
DnV. has a very extensive resources to support her services and these include:

- 280 survey centres world wide.
- Approval centres distributed in the major shipbuilding centres of the world.

- Resource centres in the major angles of the globe.
- Computer programme packages for a wide range of computations on mainframe and desktop machines:computer based systems for monitoring new buildings, approval processes, technical condition ofthe classed fleet, survey status of each classed object by Sprint (which is a computer system).
- A communication system linking the head office, centres and survey offices and also giving access to databases.
- A staff of about 400 specialists employed in the head office backed by some 1,000 dedicated personnel in the world wide organisation in the ship related activities.
- The Veritas Training Centre for staff resources.

DnV. has laboratory testing centres. It publishes its Register of Ships, rules for classification, guidelines for design and technical books.

DnV. is recognised all over the world by the governments, underwriters, financials and charterers, etc. The services include and apply to aircrafts, mobile offshore drilling units and materials.

DnV. has its activities diversified into suh fields as:

- Offshore and Petroleum development and production:
- Land based industries:
- Information technology:
- Real Estate, and,
- Other subsidiaries.

Presently, DnV. is represented in Nigeria by a firm of inspection company on a non exclusive basis with a wide range of industrial and shipping activities.

The author could go on to be describing the each and eve-

ry member of the classification societies but the scope of this project will not allow such. The few handpicked and briefly described are done on their representation and activities in Nigeria. With this it will enable the government to know where to concentrate its attention when the issues of dealing with the classification societies come into mentioning.

CHAPTER THREE.

CLASSIFICATION SOCIETY'S ACTIVITIES IN NIGERIA

3.1. CLASSIFICATION SOCIETIES AND SHIPPING.

3.1.1.

In one of its definitions, Rochdale Commision report of 1970 define flag of convinience or the Open Registry as a situation where "there is no administrative or legislative means to control ships and shipping companies." (7). Judging by this definition, ship registry could have been the case of open registry today but for very limited legislative tools available and the role of the classification societies in making such legislative tools a practable reality in Nigeria.

With the coming into force of UNCTAD code on shipping on OCT.1983, Nigeria pressed to move along this line of major development in the shipping community. With this in mind, the ruling authorities in the country deemed it necessary and enacted a well articulated shipping policy designed to promote the following:

- Indigenous shipping interests;
- Conserve the country's foreign exchange;
- Increase the level of the country's visible and invisible earnings through shipping; and,
- Reduce the country's dependence on foreign shipping companies and entrepreneurs.

When this policy finally came into effect in 1987, (see annex 4 on Nigeria's shipping policy), it is not surpri-

sing to find in certain clauses in the policy the need for control, protection and development of ships and shipping technology.

- Article three paragraph (e) states that "promote the acquisition of shipping technology by creating and diversifing employment opportunities in the shipping industry through the stimulation and protection of indigenous shipping companies".
- Article 12 of the shipping policy addressed the issue of maintenance of national carrier's vessel and other Nigerian flag vessels.
- Article 13 focussed on the ship acquisition and ship building.

The Federal ruling authorities in Nigeria, having realised the numerous advantages and benefits of the shipping industry have decided to participate fully in the UNCTAD code of shipping by making necessary legislation to encourage the indigenous shipping companies to increase their present size and number of fleet. Part of these encouragement measures include the guarantee for the flag ships to have full participation in the UNCTAD's 40-40-20 where it is presently discovered that the country will have to have a massive increase in its present fleet size to be able to cope with the obligations as specified in the code.

The country's main shipping line -the N.N.S.L. is hoping to double her present fleet size by the turn of the 1990's by introducing various types of ships into her fleet so that she can be able to meet up with her share and quota of cargo as being allocated through the govern-

ment's shipping policy. As at now, there are possitive indications on the other sector i.e. the indigenous shipping companies in their efforts to purchase and own their fleet.

The other major shipping companies include:

- Africa Ocean Lines Ltd. (AOL), with presently two multipurpose ships under Nigeria flag and some others being chartered.
- Nigerian Green Lines. (NGL), with also two ships and others on charter.
- Nigerbrass Shipping Line, with also a ship and some others on charter

Added to this list is a lot of shipping companies which are deep into chartering market and with favourable improvements in our shipping activities in terms of policy and operational guidelines could like to own their own fleet. All these added together are positive indications to the favourable increase in Nigeria's fleet and hence much more jobs for the classification societies to perform on our merchant fleet.

3.1.2. STATES WATER TRANSPORTATION SERVICES.

In furtherance of the shipping activities as highlighted earlier, an extensive activity is being pursued by the states that are located in the riverine areas and also by those that are blessed with good waterways. Most of these states both as government and other private entrepreneur participate in the ferries and boat services to convey passengers and goods across the sections of the states. Some private individuals use local boats of primitive build to carry out their business all in the efforts to enhance the commercial activities in these states. Such

states include:

- Lagos State that has a government transportation network part of which is based on water in terms of ferry ownership. The state is presently hoping to alleviate the teething problems facing the transportation system by investing heavily on the number of boats by means of increasing their number. In 1987 alone, the government of Lagos state spent a sum of well over three and a half million Naira on purchasing 100 passenger ferries and boats and in 1988, similar amount is being earmarked for similar purpose.

- The Bendel State with a network of estuaries and waterways that are navigable to a greater extent and also a greater part of the population of the state resides by the riverine areas. With this there is a government department that supervises the provision of boats and ferries to serve the people within these areas.

- The Rivers State is another state with a high density of the population concentrated in the Riverine areas. This State has an intensive government department that organises an intergrated water transportation system to link up all the rural communities with each other. This State has quite a number of boats and ferries operated by the government department and other local and private operators to boost this service.

- The governments of Cross River State and the newly created Akwa-Ibom State have a government water transportation systems to cater for the people that

lives around the water areas.

To buttress all the above activities, the Federal government has an Inland Waterways Department in the Ministry of Transport that operates ferries in certain areas along the coast and also a government division that operates badges and tugboats within the navigable portion of the Rivers Niger and Benue respectively. The Central Water Transportation Company of the Federal Ministry of Transport is solely responsible for these operations. (see the map of Nigeria with her Navigable waters.).

3.1.3.GOVERNMENT AND THE FISHING INDUSTRY.

Within the fishing industry, Nigeria has on her register quite a number of fishing trawlers, purseseiners, factory ships, shrimp trawlers, and all other types of fishing vessels within the coast lines since the majority of the population within Nigeria's over 600 Nautical miles coast line make their livelyhood by fishing. Most of the bigger vessels are under class and thus conform to the rules and regulations of the classification societies that classed them since there are no national rules of any form for these vessels. With the future coming into force of the 'UNCLOS'convention, Nigeria is bound to enjoy a boost in her fishing activities. Already, there are governmental departments responsible for the fishing industry of which the Nigeria Fish Company is the main coordinator. This company came about by the attempt of the government to harness all efforts towards tapping the living resources in the ocean to provide quality foods for the population.

56

With all the above stated potentials in the shipping and fishing industries, there is a clear evidence that the classification societies play a very important role in the mentioned activities. Their role is much more pronounced since the Maritime Safety Inspectorate of the Ministry of Transport has not been able to get a good grip of the maritime activities in the territorial waters of Nigeria. All the ships, ferries, boats and all other water craft are built according to the rules of the classification societies.

3.2.1.OIL EXPLORATIONS.

The vast development in the exploration and exploitation of oil and gas in the coast of Nigeria have prompted the introduction of various types of crafts into our offshore locations. These crafts include:

- Mobile offshore drilling units;
- Semi-submersibles;
- Jack up rigs;
- Support and maintenance vessels;
- Supply ships;
- Anchor handling and towing vessels;
- Fire fighting vessels;
- Fixed offshore production platforms;
- Oil recovery and anti-pollution boats,
- Pipe laying barges;
- Heavy lift barges;
- Crews and work boats;
- Offshore storage tankers; to name a few.

Most if not all these craft are foreign owned and registered. They are flying the flags of various states. All the craft are required to comply with the requirements of

the national authority of the country in whose water they operate in addition to those of their flag state. Such requirements may be in excess or in addition to the IMO's mobile offshore drilling units (MODU) codes and relevant IACS unified requirements.

In the case of Nigeria, with reference to the Maritime Safety Inspectorate, there are no statutory requirements for fixed and mobile offshore installations to carry out effective control over all the territorial waters in which these craft are sited or situated. In the light of this, the prudent owners have been left with no option but to resort to the certification of the safety arrangements as stipulated by the classification societies. Hence it is evident in the number of craft available and various number of IACS members involved in their surveys, certification and updating all the safety requirements on these craft.

3.2.2.TRAFFIC THROUGH PETROLEUM PRODUCTS TRANSPORTATION.

In the recent years, apart from the heavy traffic that the Nigeria offshore petroleum has experienced in terms of both crude oil tankers and product tankers carrying respective products along the over 600 Nautical miles of coast line and outwards, especially refined products from our refineries that are situated in both Warri and Port-Harcourt, there is a new development in the liquified natural gas (LNG) explorations which the government of Nigeria is investing a huge amount with foreign interests to make the project a viable one. This will further introduce into our waters large LNG carriers of various

sizes and designs to carry the products into various outports in Europe and America. This will again require the long and the expertise handling of the classification societies both in the function and operational aspects of these vessels. Most of the vessels will have to be surveyed in accordance with the requirements as laid down under the SOLAS and MARPOL conventions and other applicable codes.

3.3 OTHER AREAS OF ACTIVITY.

The majority of the members of the classification societies have a lot of diversified interests in various areas of activities in Nigeria. All these areas could be summed up thus:

- Industrial Services:
  The extent of this involves heavy industrial outfits and installations like hydro-electric power stations, manufacturing of cranes and heavy lifting equipments for the oil, gas and chemical industries container manufacturing, steel manufacturing including pipelines, etc. The classification societies engage extensively in ensuring the quality assurance and type approval on the major aspect of these industries. They help to do the type testing, installations of most of the material component of the factories and certify thus for the intended purpose.

- Laboratory Services.
  This area involves the testing related to the standards for all components that the classification society is involved with. Also analysis of compo-

nents are accessed during and when an accident do occur. Non destructive testing of material components are carried out on a world wide level by the majority of the members of the classification societies. Also fuel analysis, damage investigation, material testing, strength and environmental testing are all of coverage under the scope of the laboratory service:

- Civil engineering and Real Estate;
  This is undertaken by some classification societies at the request of some insurance companies requiring certain information on the risk they are likely to cover.

- Aeronautical Services;
  Some classification societies do carry out technical inspections on civil aircrafts.

- Data centres, publications, are basically undertaken by all classification societies. They publish their rules and regulations backed up by other relevant information and notices on ships and shipping. Most of the technical publications are also printed by the classification societies. Computer applications and use of microfische are the bases of operation of most of the classification societies.

All these activities listed above are the areas of involvement of the classification societies in the Nigeria industrial facets. Infact most of these activities are represented in Nigeria by quite a number of associated engineering companies, laboratories, and other research

centres.

3.4. PRESENT AND FUTURE TRENDS

Today, Nigeria on the shipping scenery has a total fleet of about 213 various ships totalling 593,582GT registered under her flag. "These tonnages comprise of:

TYPE.	Number of.	TONNAGES.
OIL TANKERS	16	223,136.
OIL/CHEMCIAL TANKERS	2	4,166.
LIQUEFIED GAS CARRIERS	1	853.
GENERAL CARGO	43	319,460.
FISH CARRIER/FACTORIES	3	4,923.
FISH TRAWLERS	101	22,929.
PASSENGER/FERRIES	7	2,012.
SUPPLY/BUOY TENDERS	8	2,732.
TUGS	20	4,755.
DREDGERS	2	4,320.
RESEARCH VESSELS	1	714.
NON TRADING. etc.	8	3,582.

(Source Lloyds Statistical Report Tables) 1987 edition.

Majority of the vessels and craft listed above are classed with one type of the classification society or the other. The trend for the future looks bright as well.
On the shipping scenery, since the country is a party to the UNCTAD code of conduct for shipping and with the new policy just adopted, (see the annex on the shipping policy), the country is bound to enjoy some boost in the number of ships that will be registered in Nigeria.

On the fishery scene, the present trend towards the drive for the self sufficiency in food production by the government will cause a drive towards purchasing of more fishing fleets and hence an upward projection.
On the inland water transportation sector, various state governments who are blessed with water transportation facilities are making an upward trend in improving their water transportation network by purchasing more ferries. The Federal government is giving a boost to this through its mass transportation policy.

A lot of development is going on in the offshore industry There is going to be an increase in the flow of traffic in the product tanker fleet as it has been reported that the NNPC the country's sole representative for the oil exploration will be purchasing ten product tankers with tonnages ranging from 5,000 GT to 20,000 GT within the next five years. (Source West Africa Magazine). Also the LNG project will take off in the early 1990's introducing some sophisticated carriers into the Nigeria's territorial waters.

All the above will be accompanied and led to a lot of other ancilliary industries springing up and hence a need for the expertise and know how of the classification societies whose cooperation in circumstances like this can always be relied upon.

CHAPTER FOUR.

RELATIONSHIP BETWEEN THE GOVERNMENTS AND THE CLASSIFICATION SOCIETIES.

4.1. CLASSIFICATION SOCIETIES AND THE GOVERNMENT.

The Classification societies came into existence in the 18th and 19th centuries. Most of them are still developing up to their main tasks and functions while some will still try to spring up in the nearest future. They all fulfil the need that is shared by all business connected with the operation of ships.

While the classification societies fulfil a very important function in maitaining standards of construction and securing the safety of the ships and hence the cargoes they carry, it has been the responsibility of various governments for many years to see about the safety of life at sea.

In order to attain this safety at sea, the most important way is to achieve the safety of the ship itself. Hence it is seen here that there is a common interest between the classification societies and the respective governments. Each party is working towards the same goal but with the approach at different angles. Thus there is the need to distinguish between the classification surveys as carried out by the classification societies, statutory surveys as carried out by the classification societies on the government's behalf and the statutory surveys as carried out by the government surveyors but with all centered on the common entity - the ship.

4.1.1. STATUTORY SURVEYS.

Statutory surveys are the surveys covered by both the National regulations and the International conventions which are all in force. These binding international conventions are based on the safety of life at sea, safety of properties, crew personal safety and the hygiene of crew accomodations, crew training, prevention of marine environment against pollution and investigation into the occupational accidents and illness.

Since the history of governmental and hence international involvement in safety is very often the history of marine tragedies, many of the statutory functions have been as a result of main maritime tragedies.(see the annex on the major historical events on the development of international standards). Recent or not too long ago examples include:

- The loss of Titanic with over 1500 lives lost which led to the first SOLAS conference and hence subsequent SOLAS developments.
- The stranding of Torrey Canyon which brought the international support for the routeing of ships and also inspired the Brussels convention on oil pollution of 1969 and the subsequent development into MARPOL.

4.1.2. CONVENTIONS UNDER WHICH STATUTORY SURVEYS ARE CARRIED OUT.

The main international conventions under which statutory surveys are carried out include;

- SOLAS 1974/78 with 1981 and 1983 amendments.
- MARPOL 1973/78 and 1978 protocol to SOLAS 1974.
- LOAD LINES 1966.

- TONNAGE MEASUREMENT 1969.
- I.L.O.Convention 92 and 133.
- I.M.O. Bulk and chemical codes.
- I.M.O. Gas codes.

Annex 6 shows the historical development of international standards.
Annex 7 shows the list of the I.M.O. standards.
Annex 8 shows the status of various safety conventions.

In order to facilitate the provisions in the conventions, guided codes, recommendations, and interpretations are issued both by the body drafting the conventions and the national administrations during their process of adopting the conventions. These have led to the various certificates being issued to prove that the vessels have conformed with the provisions in the conventions.(see annex 9 for the list of requirements concerning surveys and certificates in force).
Also since most of these conditions are still expressed in general terms, most government administrations decided that a general frame was required to enhance the construction of the vessels as to the interpretations in the conventions and this was filled in by the classification societies.

To facilitate their operations, the administrations will require certain documents on new constructions and for unclassed ships especially those that are going to trade in domestic waters. These documents will include various plans such as;

- Safety plans.
- Damage control plans.

- Passenger and crew accomodation plans.
- Life saving and appliances location plans.
- Navigational equipment and shapes location plans.
- Radio equipment installation plan.
- Intact stability calculations.
- Grain Loading information.
- Pump and pumping arrangement plans.
- Dry docking plans; and,
- Emergency lighting systems and provisions.

All these control plans will be studied and seen to be in conformity with both national regulations and the international conventions as deemed applicable. The other general guides will be the trading routes, functions of the vessel etc, so that area restrictions could be imposed on the vessel if need be.

4.1.3. CLASSIFICATION SURVEYS.

One of the main functions of the classification society is to lay down standards for the construction and subsequent maintenance of ships. To ensure that these standards are fully met or complied with, classification surveys are used.

The main roles of the classification surveys cover hull, equipments, machinery, and other ancilliary marine structures.

The classification surveys are carried out by the surveyors of the societies to see that a classed ship conforms to a 'standard'. These standards are published by the classification societies in form of rules. Some of the rules are:

- Rules and regulations for the classification of ships.

- Rules for floating docks.
- Rules for inland waterway vessels.
- Rules for mobile offshore units.
- Rules for refrigerated stores on land.
- Rules for refrigerated cargo installation on board.
- Rules for submersible and divingsystems. and,
- Rules for yachts and small crafts, but to mention a few.

A critical look at these rule books would reveal that the provisions in them go far beyond merely requiring that the vessels in terms of the strength of the hull and the reliability of the machinery were satisfactorily constructed for the service for which it is intended as stated in the conventions. To enhance the development of the rules, the provisions in the rule books are not static, they give all available possibilities to the applications of new developments, and a wide room for upgrading from time to time.

Classification surveys cover most of the ship's requirement for the issuance of a safety construction certificate (SAFCON). This certificate is issued to a vessel having complied with a detailed provision which are tailored in the rule book to the type of ship and her intended services.

Classification surveys can be divided into two parts:

(i). Work leading from the design stage to the delivery of the newbuilding i.e. plan approval stages upwards to the issuance of the classification certificate;

(ii). Work verifying that the ship, while in service, continously meets the requirements for keeping

the classification running which implies the continous validity of the classificatioin certificate by meeting up with the requirements of the issuance of this classification certificate.

Classification covers all phases of the ship's design and construction and all levels from the material, component, and equipment to the entire ship as a whole.

To make the tasks of the classification societies attainable, certain requirements are set in their rules as to tha classification of a new building. The following are some of the requirements as set by a typical example - the GERMANISCHER LLOYD. (Source- "Excerpts of Germanischer Lloyd's classification rules").

"- The drawings and other documents in respect of structural parts requiring approval are to be submitted to GL who will examine them and enter a notation of approval.

- Proof is to be provided that the materials which are to be used for new building, replacements, and required parts have been tested in accordance with the requirements of the GL's rules for materials.
- Parts requiring approval and intended to be used for the machinery and hull will be checked by the GL surveyors as to the conformity with the approved drawings and documents.
- As far as practicable, machinery and equipment will be subjected to the operation tests on the manufacturer's test bed under conditions equivalent to those prevailing on board ship. This applies also to engines produced in series. Where the machinery, equipment, or electrical installations are novel design or have not yet sufficiently pro-

ved their efficiency under actual service conditions on board ship, GL may require a test under especially severe conditions.

- The surveyor of GL will supervice the assembly of the ship, installation of the machinery and the electrical plants and will examine the workmanship and carry out the required lightness and service tests.
- Upon completion of the ship, all equipment of the ship, machinery, and electrical installations will be subjected to a final test under working conditions during a trial trip."

With all these broad over views on what is required of a new building,classification is a complete quality assurance system and it involves a wide variety of technical works to be performed. The description of the details of the works is beyond the scope of this present work.

4.1.4.SURVEY OF SHIPS IN SERVICE.

This will involve the routine for keeping the classification certificate valid. After the initial survey has been carried out and a certificate issued, various surveys have to be carried out to maintain this certificate in validity.
The followings give the general idea of the prevailing principles:

- The annual class survey for keeping hull, closing devices, machinery, safety devices, in a satisfactory condition in between class renewals (special surveys).
- The ship should be preferably be presented unloaded

partial cargo, may be accepted provided the necessary access to structural parts is possible.

- Ship papers are checked.
- Shell above waterline, weatherdecks, superstructures, companionways, trunks, bulwalk, are all examined internally.
- Cargo holds and service spaces are inspected at random.
- Doors in the outshell are examined for watertightness, proper closing and securing and structural integrity.
- Particular attention is paid to the cargo hatches and their covers.
- Small hatches, weathertight doors and the skylights are checked for their structural strength, for effectiveness in their closing devices including the conditions of the gaskets.
- Ventilators, vents and sounding pipes are examined particularlly their attachments to the weatherdeck and scuttles are checked for weathertightness and working conditions of the deadlights.
- All kinds of scuppers and overboard discharges are checked at random including their remote control.
- Anchors and cables are inspected as far as possible without the tackle. Bollards and hausepipes are externally inspected for their conditions at random
- Fireflaps, dampers, are checked and emergency routes and exits are inspected for their clearances.
- Watertight doors in bulkheads, firedoors, other bulkhead penetrations are function tested to an extent deemed necessary.
- Main and emergency steering gear including control systems, pipings and direction indicators are inspected and function tested.

- The machinery, its auxilliaries and appurtenances are sujected to an external examinations of various parts.

The list of these surveys is endless and the scope is far beyond the one outlined above. Also there will be the requirement for various forms to be used when performing all these surveys and examinations.

So in the whole bases, the regulations require the following surveys:

(i). For a Passenger Ship;
  (a). Initial Survey;
  (b). Periodic Survey;
  (c). Additional surveys.

(ii). For a Cargo Ship;
  (a). Initial Survey;
  (b). Periodic Survey every 5 years;
  (c). Intermediate Survey for Tankers 10years of age or more.
  (d). Additional Surveys;
  (e). Unschedule Inspection/Mandatory annual surveys.

All these requirements are clearly defined both in the classification rules and in the conventions concerned. Hence from reading its meaning, it is certainly evident that the detailed examination, approval, and certification, supervision of workmanship, the attendance at the tests and trials, ultimately working conditions require a large number of surveyors of various trades and expertise

both in various offices and at the manufacturer's sites as well as the shipbuilding yards.
This is a comprehensive network of requirement for surveyors to cope with such tasks and this is even far beyond the scope of any well established and developed maritime administration of any nation to accomplish.It is almost impossible for an administration to provide such sufficient experienced and qualified personnel to do the various jobs at all stages. Since the SOLAS 1974/78 convention chapter 1 regulation 6(a) states:

> "The inspection and survey of ships, so far as regards the enforcement of the provisions of the present regulations and granting of exemptions thereof, shall be carried out by the officers of the administrations. The administration may, however, entrust the inspections and surveys to a nominated surveyors for the purpose or the recognised organisations by it." (SOLAS consolidated text of 1974 SOLAS convention, the 1978 Protocol and the 1981 and 1983 SOLAS amendments).

The explanations to this is that the convention realises the situations that it may not be possible for an administration to provide such a manpower required to fulfil the provisions in the conventions and consequently introduced the possibility of delegation of convention related statutory work. Two alternatives are provided for this power and these are:

- The flag state delegates the survey and certification to another government which is a party to the convention.
- Recognised organisations are entrusted to work on behalf the onus of which falls to the classifica-

tion societies recognised by the government. This is where it is of immence importance for an administration to look into and consider her work being delegated to an internationally recognised classification societies which may be a member of IACS or any other world acclaimed bodies of such repute.

The convention went on further in the regulation 6 part (e) to state:

> " In every case, the administration shall fully guarantee the completeness and efficiency of the inspections and surveys, and shall undertake necessary arrangement to satisfy this obligation". (SOLAS consolidated text of the 1974 SOLAS convention, the 1978 Protocol, the 1981 and 1983 SOLAS amendments).

This implies that the administration shall not just delegate and rests on its oars, but efforts must be made towards the ensuring that the works are done to the satisfactory of the administration since all the responsibility still rests on the administration.

4.2. CLASSIFICATION SOCIETIES IN NIGERIA.

4.2.1. GENERAL OVERVIEW.

The majority and prominent members of the reputable classification societies are present in Nigeria today. They make their presence felt in the fields of shipping, industrial services, offshore industries, and in some other areas of diversification. Most of their offices are concentrated in the riverine areas of the country where all the aformentioned activities are situated and cente-

red.

4.2.2. REPRESENTATION OF THE SOCIETIES.

As at today, only two full members of the International Association of the Classification Societies are represented on exclusive basis in Nigeria. These two are:

- Lloyd's Register of Shipping, and,
- America Bureau of Shipping.

These two are prominent and leading members of IACS, with defined areas of specialisation to back up their deep involvement in shipping.

The Lloyd's Register of Shipping has nearly all the merchant ships flying the flag of Nigeria classed under her register as it classed all the fleets of the Nations flag bearer- the N.N.S.L. Lloyd's Register of Shipping's presence is highly felt in other industrial ventures both marine and land based.

ABS. is much more prominent in the offshore industry as the majority of the craft operating in the offshore industries are being classed by ABS.

Other prominent members of the classification societies in Nigeria include:

- Germanischer Lloyd who is being represented in the three survey districts in Nigeria, (Apapa, Port-Harcourt and Warri.) by the Ocean Inchcape Ltd, (OIL) on a non exclusive basis. Their activities are growing because of their involvement in the dredging and other constructional equipment in the building of ports and bridges.

- Det norske Veritas is being represented in Nigeria by an indigenous inspection company- The Nigerian Inspections Ltd, on a non exclusive basis. There is a great job being carried out on the surveys of the offshore structures and the ships that call in Nigerian ports and under the class of the society.

- Bureau Veritas. This is also being represented on a non exclusive basis by an indigenous engineering company - Associated Engineering Company Ltd., with its offices at Apapa and Port-Harcourt. Bureau Veritas's activities are centered on the offshore and industrial activities. More duties include that of survey jobs on the society's classed ships that call in the Nigeria ports.

Other classification societies which are represented in Nigeria on non exclusive basis are:

- N.K.K. of Japan.
- Korean Register of Shipping.
- China Register of Shipping.
- R.I.N.A. of Italy.
- Panama Register Corporation. and,
- Hellenic Register of Shipping of Greece.

It is worth to note here that most of the above listed classification societies have a strong link with the embassies or consulates of the 'home' country where clarification need to be obtained with regards to certain surveys to be carried out on some of the classed ships calling at Nigeria ports

It is the author's anticipation that the fortunes of most of these societies will change for better when the new

shipping policy will finally grip its foot and more ships are introduced into Nigeria's register and waters.

CHAPTER FIVE.

GOVERNMENT POLICIES AND INTERACTION.

5.1. GOVENMENT POLICY AND INTERACTIONS.

5.1.1. National Laws and International Regulations and Instruments.

Government interactions with maritime safety and the protection of the marine environment is bound to be a very important factor when one considers the status of shipping and other maritime related activity matters as it affects the general economy of Nigeria.
In principle, safety standards should be the same for all types of ships, but in reality, one has to consider the economic situations and be able to decide and strike a balance between the safety standards and the economic costs to the industries affected as a whole.

In Nigeria today, even though there are some adequate national regulations to safeguard shipping and other related activities in the maritime fields, backed by numerous international conventions and regulations, one aspect is still lacking which the author of this text prays that should not happen and that is a real major maritime casualty/disaster that would arouse the opinion of the general public and influence people to ask "What is happening to our maritime legislations and who are the people charged with the responsibility of enforcing such legislation?"
The possibility of this can not be overruled when we have to judge the level and intensity of the maritime activi-

ties that are on going within our coast with respect to shipping and offshore oil explorations.

In order to enhance a meaningful safety control of ships and hence safety of life in general, it is the responsibility of the government to establish through its maritime administration, national laws and regulations for ship's safety in general, based on the internatioal standards, national safety standards for the design, construction, and operation of ships and also the government should be able to ensure that all the standards set are met and complied with by the vessels.Implementation of the conventions and national legislations will depend on such factors as:

- Methods of control;
- Appointment of requisitive personnel to ensure that the control measures are met;
- Good and workable relationship between the government and the classification societies in form of an agreement.

5.1.2.METHODS OF CONTROL.

The methods of control are the statutory powers by which the maritime administration shall carry out its duties. The Nigeria maritime safety administration which is the Government Inspectorate of Shipping (G.I.S.), derived these statutory powers from;

- The Merchant Shipping Act of 1962 as amended. This act (delegation of powers) act of 1962 gave the Federal Ministry of Transport through the minister the powers for general supritendence of all matters

related to the development of the Nigerian shipping industry. Chapter 91, section 414, of the shipping act addressed the issue of "administration of act and delegation of powers". Sub section 1 of section 414 state "Subject to the provisions of this act, the minister shall have the general supritendence of the matters to which this act relates, and is hereby authorised to carry the provisions thereof into effect", (Nigeria Merchant Shipping Act of 1962 as amended).

Sub- section 2 went further to state that "The minister may, by a delegation notified in the gazette by writing under his hand depute to any officer of the marine division of the ministry any of his powers or duties under this act of a routine nature, and any power or duty lawfully exercised by an officer to whom it has been delegated under this subsection, shall be deemed to have been exercised as fully as if it had been exercised by the minister himself."

This particular subsection is what gave the credence to the Government Inspectorate of Shipping (GIS) which is headed by the Government Inspector of Shipping, which is the statutory body responsible for the matters of ship's safety and other related maritime matters in Nigeria.(see annex 10 on the duties of the Government Inspector of Shipping).

Other relevant national instruments as related to the safety of ships are as specified in the Nigeria Merchant Shipping Act chapters 25 to 69 inclusive.

- The International regulations and conventions which are developed for maritime safety. (This is attached on the annex 7).

Though these are numerous and very wide in their fields of application, beneath is the list of the conventions that Nigeria as a nation are parties to:

(i). International convention of the safety of life at sea 1974/78;(SOLAS).

(ii). International Convention on Collision Regulations (COLREG) 1972.

(iii). International Convention on Load Lines 1966,;

(iv). International Convention on Tonnage Measurement 1969,;

(v). International Convention on standard of Training Certification, and Watchkeeping of seafarers 1978.

(vi). International Convention on Safety of fishing vessels. Torrimolinos, 1977. (This convention is not yet in force internationally but Nigeria had acceded to it and for future developments and hence when it becomes binding internationally it is necessary for the administration to make provisional arrangements.)

The other international instrument under the methods of control is :The I.L.O. Convention on Accomodation of Crews number 92 and 133. This deals exclusively on the living and accomodation of crew on the ships.

5.1.3 APPOINTMENT OF REQUISITIVE PERSONNEL

An effective flag state has the obligations to exercise full and continuous control over the ships that fly the flag of the state. It is the duty of that administration to promulugate laws and regulations and for taking all measures which may be necessary to give the conventions the full effect so as to ensure that from safety point of

view, a ship is fit for the service for which she is intended. Hence in order to fulfil all these duties, the administration need to employ personnel to man her directorate. Chapter 93 section 418 parts (a,b,c) of the Nigeria Merchant Shipping Act dealt with this matter and sub-section 419 discussed fully the powers of such inspector vested on her by the minister.

Chapter 25 of the Nigeria Merchant Shipping Act of 1962 as amended also give the power to the minister on the appointment of the surveyors. The duties of the surveyors were will defined and spelt out in the act.

Both types of surveyors and brief overview of their requisitive. qualifications and training will be briefly discussesd in the latter part of the work. Also quite a lot of papers had been written on this by my predecessors in this university.

5.1.4. AGREEMENT WITH THE CLASSIFICATION SOCIETIES.

In delegating certain duties to the classification societies, it is of immence importance for the administration to have a proper and detailed agreement formed and entered into by the government and with the classification societies. This is because such agreement will specifically define the duties delegated to such society and both parties will be able to know and observe their limitations while they are working together. The question of delegation of duties will be fully discusssed in the next sub heading.

5.1.5. FORMATION OF AN AGREEMENT.

Classification societies have been known to posess considerable knowledge and experience in the technological field of shipping and maritime installations and equipments and also have established world wide network of well qualified personnel representing them in various ports of the world. With this, it is to the benefit of an amdinistration to form an agreement with the classification society. Such agreement when being formulated should include among other things the following:

- A defined purpose and legality;
- A well articulated scope of activity, which should be properly defined and made open for review from time to time.
- The system of reporting should be properly laid out under this scope, provisions must be made for meetings (minimum of once a year) between the society and the administration. Together with this,copies of survey reports, recommendations etc should be made available to the administration by the classification society when the administration request for such.
- A strong cooperation should be stressed in the agreement and such cooperations to include the exchange of rules and regulations of both parties, participation of the surveyors of the administration in the surveys when necessary, room for practical training of the administration's surveyors in some few cases and access into the general developments including research when deemed appropriate.
- The financial responsibilities are to be set out as to who should pay the bill for the various services

and overheads.

- Arbitration or dispute settlement should be well defined in case of any conflicts.
- Liability of both parties are to be well defined.

Above all it is to the advantage of the administration to set out and clearly define the system at which they will be monitoring the classification societies while acting on behalf of the administration. Depending on the tonnages which the administration (flag state) have under the particular classification society, it might be advantageous for the administration to request for the classification society to set up offices in the flage state and above all, allow the administration's surveyors to participate in the committee meetings of the classification society as well as given preference to the nationals of the flag state for employment. Validity of such agreement may be stated with the termination clause sepcified with a very reasonable time window.

5.2. GOVERNMENTS INVOLVEMENT WITH THE CLASSIFICATION SOCIETIES.

With increased number of international safety conventions and also national regulations to cope with, and the trends in the developments of ships and shipping in terms of technology, it is also becoming increasingly difficult for many administrations not minding the premature safety administration we have in Nigeria, to exercise a full and a continous control over the ships that fly the flag of their states. Moreso when those ships are on international waters and seldom visiting the 'home' ports for many years. It is even then obvious that at the highest level of development on the part of our maritime safety admi-

nistration by the government, it may still not be possible to fulfil all the statutory obligations under the conventions without employing the classification societies to act on behalf of the administration.

In the case of Nigeria, we are currently seeking and anticipating an increase in our merchant fleet considering all the facts highlighted in the previous chapters. We will be charged with meeting the obligations of the international conventions even though we are not having enough qualified and experienced personnel to undertake all the neccessary statutory surveys which are now embraced in the safety measures which are traditionally part of the classification in many countries. An example of this is the assignment of load line.

An important added advantage that the classification societies possess of the administration is their ability to maintain a network of qualified surveyors even at the most remote part of the world. With this it is easily assumed that the societies have under their employment, one of the best experts available in performing statutory duties for the administration under the various international conventions.
I.M.O., which had granted the consultative status to the International Association of the Classification Societies (IACS), had made the societies to be continous in the performance of statutory duties backed by their experience in establishing rules, and this even make it easier for the administrations to delegate duties to the classification societies.

5.2.1 DELEGATION OF DUTIES.

The delegation of functions to the classification societies does not relieve an administration of its responsibilities and in particular, the administration's obligations are clearly specified in the regulations of most conventions an example of this is the regulation 6 (e) of the protocol of 1978 relating to the International Convention for the Safety of Life at Sea (SOLAS),. With this in mind, it is necessary for the administration in Nigeria to clearly define and specify which duties are to be delegated to the classification societies and at the same time, there are few considerations that need to be considered and these includes:

- A sizeable fleet of vessels in the international trades requires an international network for the implementation and control of vessels. A local fleet in territorial waters which might include a large number of fishing vessels, is probably best serviced and monitored by a national administration since these ships might fall into the category of 'non convention' ships.
- The size of the present maritime safety administration in Nigeria is very small. This will also reflect on the scope and amount of statutory survey jobs that can be handled by the administration and at the same time looking for an increase of merchant fleet in Nigera. Thus the balance between the statutory work undertaking by the administration and that delegated to the classification societies will have to depend upon the size of the administration in relation to the number of ships, the ship's trading partern, and the general understanding between the "less informed" Nigerian shipow-

ners.

- The level of expertise which currently is at the lowest ebb within the maritime inspectorate in Nigeria has to be viewed critically when considering delegation of duties to the classification societies. The choice is either to delegate all to the classification society and these few personnel available becomes a "white collar office surveyors" or be rational and bear in mind that it is not possible to develop expertise without doing the survey work itself. It is totally imprudent to delegate everything concerning shipping administration to the classification societies since the after effect will not augur well for the government and the shipowners as a whole will end up paying the bill "It will be a case of penny wise and pound foolish".I should believe that a core of skilled people in the field of maritime administration is essential.;
- While delegating duties to the classification societies, it is very expedient to establish the following and properly define them:

  (i) The authority of the Nigeria administration as the Nigeria Merchant Shipping Act of 1962 as amended and the provisions in the relevant safety conventions of international repute have to be specified.

  (ii).The standard required by the delegated classification society, we need to establish the system of quality control of the jobs delegated out and this could be in form of full participation in the committee meetings of the societies and/or sharing of the rules and regulations with the reports properly distributed to the administration for good review.

(iii). A good written and detailed agreement cannot be over emphasised as already discussed.

- The cost of running the Nigeria Maritime Administration falls on the taxpayers, when the statutory duties are delegated, the shipowners pay in full for the survey work carried out on their ships. At this stage in turn the shipowners are paying what I could term a 'double fee' for every survey visit to their ships when the whole statutory jobs are delegated out without an iota of involvement from the surveyors from the administration due to lack of personnel. To avoid this type of situation,it is important for the government to improve on the personnel requirement of the administration so that more of the delegated jobs can be retained by the administration with the shipowner to the benefit when they pay once for the services rendered to their vessels. This will be in term of taxes the shipowners pay and the services rendered tc them by the surveyors of the administration.
- While we are going to delegate, it is important to stress on the quality of surveyors to be used by the classification societies. Non exclusive surveyors should only be used when there is a particular case and when they have the proven ability to carry out such function. The advantage of the administration's surveyor is that he has the full control over the survey works and their quality.
- Nigeria is a maritime nation with some long stretch of coastline concentrated at the southern part of the country and some reasonable inland waterways (see the annex 11 on the map of Nigeria with the coastlines and survey districts). Presently, there are four district survey centres located at Apapa,

Warri, Port-Harcourt and Calabar. There are various interests in the Nigeria territorial waters leading to a complex and conflicts of control in matters of pollution prevention, search and rescue, port state control, local fishing activities, and an intergrated offshore oil and gas industries. All these are to be fully intergrated into the maritime administration and different decisions are required about the statutory obligations and hence a clear need delegation.

- It is equally essential that a number of competent technical personnel be employed by the government to give a proper interpretation to the standards required by both the national regulations and the international conventions. Since this level of technical expertise is still lacking today there is need for delegation so as to ensure that the standards being enforced are uniform, international in application and competently monitored and maintained.

Having gone through all these considerations, it is now necessary to define the duties to be retained by the administration solely and those duties to be delegated to the classification societies.

5.2.2. DELEGATION OF THE STATUTORY WORK TO THE CLASSIFICATION SOCIETY.

The current system prevalent in Nigeria is that all the ships flying the Nigeria flag are classed with one society or the other. As stated earlier, because of lack of expertise due to the lackings in the maritime admi-

nistration in harnessing the manpower resources in the maritime field, our legislation should call for all ships to be classed before they are granted the certificate of registry. While all the ships are being classed it is now up to the administration to determine its level of involvement in granting them this certificate of registry. This will be considered and the method of approach will be to consider each safety convention in turn and also the national regulations when available.

(i). International Convention on Load lines 1966.
Under this convention the following statutory survey jobs are required;

- Approval of drawings and specifications;
- Initial survey and issue of full term certificates;
- Issue of exemption certificates at initial survey;
- Annual inspections and endorsement of certificates;
- Periodical surveys and renewals of certificates;

The assignment of load line should be delegated to the classification societies on all the convention ships. Power to issue an exemption certificate should be the prerogative of the administration and classification society should consult the administration before issuing such document.
Furthermore the convention requires the stability information to be supplied to the master of the vessel in an approved form, the approval of this should be carried out by the administration on the strength of all the computations being carried out by an independent body where possible or the expertise of the classification societies could be utilised. In both cases the administration should approve the stability booklet before its delivery to the ship.

(ii). International Convention on Tonnage Measurement 1969.

Under this the followings are required;

- Measurement and computation of tonnage in accordance with the convention;
- Issue of International Tonnage Certificate of 1969

Although, the underlisted is not a convention requirement, it is required of an administration to provide the service when the shipowner requests for it.

- Issue of Panama and Suez canal Tonnage Certificate;

Since Nigeria is a party to this convention the whole job can be delegated to the classification societies who have developed a well advanced programme to compute the tonnage measurements. The power to withdraw or cancel the certificate should be retained within the domains of the administration.

(iii). International Convention on Collision Regulations (COLREG). 1972. (Majority of the requirement might have been covered under SOLAS).

Nigeria is a party to this convention and the following duties are required;

- Approval of drawings and specifications;
- Initial surveys related to the annexes 1, 2, 3, and 4.

This is to be fully delegated to the classification society.

(iv). I.L.O. Convention Crew Accomodation. (I.L.O. Convention number 92 and 133).

Under this convention the followings are required.

- Approval of drawings and specifications;
- Initial survey and survey report;

This will be handled by the classification societies and

in addition the national regulation is to be considered.

(v). SOLAS 1974, 1978 PROTOCOL AND 1981 AND 1983 AMENDMENTS.

Since the country is only a party to the SOLAS 1974 and the 1978 Protocol, this convention will be viewed differently. Although the convention requirement states for all ships above 500 grt, I will rather consider it to encompass all ships immaterial of the size and also fishing vessel.

The administration will be issuing these certificates based upon the survey reports of the classification societies where applicable.

- The Passenger Ship Safety Certificate;
- The Cargo Ship Safety Equipment Certificate;
- Cargo Ship Safety Radio Telegraphy and Telephony Certificates;

After the initial survey which will be carried out with the cooperations of the classification societies, the other surveys for certificate renewal, mandatory annual surveys, will be carried out by the administration on the ships that are trading internationally and calling at home ports. In case of the other ships, the classification societies will be used on a case by case type of delegation.

- Exemption certificates at initial survey to be on consultations with the administration.

All these other underlisted jobs to be delegated to the classification societies.

- Approval of drawings and specifications;
- Compilation of stability documentation;for submission to the administration's approval.
- Annual inspections and endorsement of certificates;
- Initial survey and issue of full term certificates;
- Intermediate surveys and endorsement of certifica-

tes;

- Periodic survey and renewal of the certificates;

All the above related to:

- Cargo ship safety construction certificate;
- Certificates concerning the carriage of liquified gases in bulk (for ships built prior to 31 Oct. 1976 and before 1 July 1986.)
- International certificates concerning the carrige of liquified gases in bulk (for ships built after 1 July 1986). (IGC code).
- Certificates concerning the carriage of dangerous chemicals (for ships built prior to 1 July 1986). (BCH code).
- International certificates concerning the carriage in bulk of dangerous chemcials (for ships built after 1 July 1986). (IBC code).
- Grain loading declaration.
- Documents of compliances with the special requirement for ships carrying dangerous goods. (ships of which keel is laid on or before 1 Sept. 1984).

Altogether the above listed certificates to be issued by the classification society on behalf of the government.

(vi). MARPOL 1973/78 AND 1978 PROTOCOL TO SOLAS 1974.

Since Nigeria is not a party to this convention,two provisions will be proposed.

(a). Letter of compliance to the ships as at the present moment;

(b). For the future hope of acceding to the convention of which there are five annexes, when the full term certificates will then be issued, they are however all delegated to the classification societies.

The following jobs are covered by the convention:

- Approval of drawings and specifications;
- Approval of 'procedure and arrangement manual':
- Initial survey and issue of full term certificates;
- Issue of exemption certificates at the initial survey after consultations with the administration;
- Annual inspections and endorsements of certificates
- Intermediate surveys and endorsements of certificates;
- Periodic surveys and renewal of certificates related to:
  (a). International Oil Pollution Prevention Certificates. (IOPP).
  (b). International Pollution Prevention Certificates of Noxious Liquid Substances in bulk. (NLS)

Having discussed all the safety conventions and their requirements, it is also important that the administration carry out the structural fire approval plan in terms of safety construction certificate even though this is covered under the classification certificate rules.

Having recognised the classification society, the administration can then carry out its delegation of duties in either of these two ways depending on the other factors as discussed earlier:

(i). General authorization: where the particular classification society is granted full authority to carry out surveys and inspections on behalf of the administration.

(ii). Special authorization: the classification society may be authorised to undertake complete or partial control measures on a specific ship, group of ships and ships in certain trades which are not included in the general authorizations.

5.3. THE GOVERNMENT INSPECTORATE OF SHIPPING.

The Government Inspectorate of Shipping is the body under the Ministry of Transport which by the power given to her by the Minister of Transport has the sole authority to take charge of the shipping and maritime activities in the coast of Nigeria. Much has been written and said by my predecessors in this university as to the need for proper constituting of this inspectorate as well as the teething problems the Inspectorate is facing. It is however pertinent for me to sum up even though most of the things I will highlight here might be repititions but they are still worth of mention.

This Inspectorate needs to be upgraded into a directorate and be designated "The Maritime Safety Directorate" of the Ministry of Transport in order for it to be able to perform its dual function as both the developmental and regulatory arm of the Ministry for all the maritime related matters as stated in the Nigeria Merchant Shipping Act of 1962 as amended.

In order to achieve this, the decree properly establishing the directorate as recently done to the National Maritime Authority should be promulugated. Its role should be further defined and expanded to include among other things:

- Coordination of the country's membership in the International maritime communities and bodies of which I.M.O. is a key body and with a view to take full and active participation in the technical meetings of the organization, coordination of I.M.O.'s technical assistance programmes and regular coalition of all assesmbly memos and papers.

- Prepare and enforce the relevant merchant shipping acts and legislations and to see to the upgrading the same to current standards and in line with, and in conformity with International conventions and other national regulations that might forth evolved.
- Develop the infrastructure and organizational charts for the maritime administration.
- Develop and enforce the instrument regarding the maritime education and training facilities with a view to bringing same in line with the general educational standards and requirements of the sea faring personnel and other related officials of the offshore and gas industries. The country's sea faring educational standards is in dying need of amalgamation to the general educational system as applicable in the country through the education ministry.
- Provide a good and working link between the various ports and maritime safety administration.
- Define the roles and functions of the maritime safety administration in relation to shipping, offshore and gas industries, fisheries, marine personnel etc.
- Coordinate and prepare the necessary contingency plans for pollution prevention and search and rescue activities.

The regulatory roles of the directorate will include;

- Implementation of the national rules and regulations as well as the international conventions.
- Preparation of the international conventions for adoption into the national laws so that it will pave way for the country acceding to important

international conventions relating to safety and marine environmental protection.

- Port state control activities and her role as the flag state for the ships flying our national flag.
- Welfare of crew;
- Marine casualty investigation.
- Coordination of all the activities of the classification societies operating within the country.

5.3.1. FEW HANDICAPS OF THE INSPECTORATE.

While all the above functions are to be achieved, it is equally important for the inspectorate to improve its present status and hold grip of power given to her firmly The present negative impression that the shipping and other maritime communities have about the inspectorate should have to be reversed and this can only be achieved by:

(i). Increasing the manpower level in the inspectorate so as to fill all the present vacant posts and hence getting it ready for upgrading into a directorate.

(ii). Publications such as instruction booklets, guidance to surveyors, nautical publications, lots of statistical data which are currently not available should be provided.

(iii). An urgent drive towards the employment of technical personnel as nautical, engineer, radio, and ship's surveyor so that they can form a strong force to help in giving a proper interpretation into the International conventions as it affects our ships and equally per-

form the surveying and certification of all the ships both on home, nearhome and international trades.

5.4. NEED FOR A SURVEY DEPARTMENT.

When the maritime safety administration is properly constituted, a well polished survey department will emerge that will be capable of seeing to the yearnings of the maritime community in the country. A strong survey team will comprise of well qualified personnel in the field of

- Nautical surveying.
- Engineering surveying.
- Naval architecture.
- Radio surveying.
- Electrical and electronics.
- A well constituted office staff.

When this develops a lot of advantages will be acrued to the shipping community. Currently, the number of international conventions in force in Nigeria is quite few for reasons highlighted earlier. Since it is being proposed for the accreditation of the classification societies, there will be need for the following:

- Proper monitoring of all the activities of the classification societies which can only be performed by marine surveyors.
- There will be development in evolving more national rules and regulations and publish same for the use of the surveyors.
- Our shipping and offshore industries are currently paying a lot of 'hard' currency for the survey jobs carried out on their ships and craft. Most of these can be saved if the administration is well staffed with qualified surveyors.

- A lot of inland and territorial waters are being plied with vessels that need to be regulated;
- A lot of accidents occur in our coast which might have been known to the inspectorate and investigated. Investigation to such accidents might have been able to provide precautions to abate such future occurence.
- There will have been enough personnel to go into type approval of the equipment to be fitted on our flagged vessels.
- Conduction of examination is currently at the lowest ebb since the number of surveyors to carry out the examinations are very few and they can only squeeze out limited time to conduct examinations.
- Approval of drawings for new building, conversions, etc, can only be carried out effectively by a well trained, qualified, and experience cream of surveyors in various discipline.
- Nigeria is increasing her participation in the fishing industry and the present day fishing vessels and gears are of varied complexities. We need a crop of dedicated surveyors to be able to keep abreast of the latest development in such fishing technology.
- Regular participation in the meetings, seminars, and other necessary businesses of the I.M.O.

Since survey duties above all include and concern the hull structure and outfits, load lines, machinery, safety equipment, complex passenger ships, and in all, a progressive test and inspection demands, it is most appropriate for claiming that the surveyors will have much to cope with to the benefit of the entire maritime community in Nigeria, and a credit to the administration as a whole.

With adequate recruitment plan, proper funding of education and exposing of the surveyors to the field practices, we shall be able to have a good survey team who will be capable of coordinating the other engineering and industrial concerns into a team of people that will be able to give birth to a national classification society the benefit of which is beyond measures and a total pride to the country having achieved a break through in laying a solid foundation for our evolution as a shipbuilding and a ship repair nation.

In all, our ocean use and planning is getting complex with a variety of interest. These activities can only be coordinated by properly trained and informed surveyors . They will be able to map out an effective control and monitoring of such activities.They will serve as coordinators for other varied interests that will include among others;

(i). Scientific Researchers.
(ii). Ocean mining and resources evaluators.
(iii). Fisheries and offshore oil/gas industrialists.
(iv). Tourism and clean beaches; and above all, prevention of sea against pollution and other environmental hazards resulting from both industrial wastes and home sewages.

CHAPTER SIX.

RECOMMENDATIONS AND CONCLUSIONS.

6.1. THE NEED FOR TRAINING OF SURVEYORS.

The current problem facing the maritime inspectorate in Nigeria today is the accute shortage of surveyors and this problem stems from the underlisted reasons and others:

- The unattractive civil service salary structure that is being offered to the cadres of incoming surveyors and the renumeration that the ones in service are operating upon.
- Lack of tools and equipment with unavailable administrative power that has led to lack of conducive atmosphere for work leading to unsatisfactory job output.
- Inproper coordinating of the fringe benefits that are supposed to be acrued to the surveyors when employed.
- Lack of change of the inspectorate to the dictate of time. The inspectorate division today is as it was set up since its inception, it needs to undergo some reorganisation to keep abreast of the job changes and the technological evolution and developments that are on going and occuring daily in the communities which the inspectorate is serving.
- Lack of spaces for office accomodation and expansion, funds and some other adequate infrastructure that are relevant to the duties of the inspectorate

The surveyors for the administration are recruited from the league of highest available qualified marine profes-

sionals through the civil service regulations.These cadres of personnel had attained a high level and stage of maturity both technically and professionally in the relevant fields of marine engineering, nautical courses, naval architecture, shipbuilding and design.These cadre of people are obtainable in the chief engineers and masters of the ocean going foreign vessels who had gone through such adequate training and qualifications. Their performance can be effectively enhanced by generous incentives from the government to commensurate with their standard of living while joining the administration.

With this full consideration for their professional exposures, they still need a proper training to be able to carry out the jobs in the best of their abilities and arouse their sense of duty as to proper judgements and the right and effective use of their discretional powers. Training could take the initial "in-training excercise" for the surveyors for a period of time upon employment. Since the inception of the WORLD MARITIME UNIVERSITY, in MALMOE in July 1983, a lot of training procedures had been undertaken in this institution by some of the serving surveyors of the administration.

Judging by the onward growing of this institution and hence its competitiveness among the nations which the institution is established to serve, it will be of great importance and immence benefit to the administration in Nigeria to maximise on the manpower resources available to her now to bring up the others by designing and instituting a programme to be called "the training of the surveyors". Whereby the serving surveyors could train the incoming ones upon employment.

This could be attained by the system whereby the serving

surveyors will draw up a training programme manual that can be made available to the incoming surveyors upon employment.

Such programme should be capable among other things, of updating and developing on the knowledge of the incoming surveyors as to the tasks ahead of them. The programme should include inter alia;

- General overview of the national regulations.
- General overview of the international conventions.
- Relevant tools and equipment that will be used by the surveyors while in service.
- Surveying and system of reporting.
- General introduction to various certificates that are applicable to the inspectorate and their uses and relevances.Also the survey forms and uses.
- General introduction into the rules and procedures for the registration of ships and related matters.
- General knowledge of maritime accidents inquiry and investigating procedures.
- General rules pertaining to examination of seafarers and how to conduct such examinations.

The above listed are a few guidelines. All efforts are to be geared towards preparing the new surveyor to the challenges he might encounter in the new career. A solid base on which he or she will build on his new exposure is vital.

6.2. COOPERATION WITH THE CLASSIFICATION SOCIETIES FOR TRAINING AND UPGRADING THE KNOWLEDGE OF THE SURVEYORS IN THE GOVERNMENT SERVICE.

While it is generally known that the shipping industry itself is complex with a series of developments going on

daily, a proper avenue should be developed for the surveyors in service to update their knowledge when it comes to the issues of development of national regulations, interpretation of the international conventions, and their implementation, computer and data handling processes to facilitate efficient survey set ups.

It will be cumbersome for an administration to meet up with all these daily changes and developments.The classification societies will be able to play an important role in this connection if asked by the administration. The classification societies have training centres of which could be of immence value to the need of the surveyors in the service.This will be possible only if the administration properly tables its request to fall in line with the scope of training programmes being offered by such classification society.

6.3. COOPERATION WITH THE INSTITUTIONS OF HIGHER LEARNING WITHIN THE COUNTRY.

If properly coordinated, there is a lot of benefits that could be derived by the administration in cooperating with some institutions of higher learning within the country who could offer facilities for the surveyors of the administration to update their knowledge in various fields of maritime development. Such institutions include

- The Maritime Academy of Nigeria, ORON,:
- The Rivers State Unversity of Science and Technology, Port-Harcourt,.
- The Lagos State University. Ojo.

All the above listed have related courses to the maritime education and training.Their cooperations could be sought by using them as centres for organising symposia, short

courses which will be of tremendous benefit to the surveyors and others in the maritime related fields. An educated,well trained and informed mind is a valuable asset to the industry and to the society as a whole.

6.4. CONCLUSIONS.

This work has tried to evaluate the jobs of the classification societies within the framework of the Nigeria shipping and offshore communities.Efforts had been made to emphasise on the importance of the classification societies when it comes to their fundamental role in marine insurance and other industrial ventures in terms of safety.

It has been endeavoured to identify the benefits of cooperations between the maritime administrations in Nigeria and the classification societies within the promotion of possitive developments of the marine and offshore industries. Mutual interactions of the two bodies have been able to enhance a possitive improvement in the safety of life at sea and the marine environmental protection. This has been possible to be achieved through the proper interpretations of the national rules and regulations the international conventions to upgrade the development in shipping and the offshore industries.

While the classification rules are tailored towards the safe construction of ships and offshore crafts,the various administrative efforts have been geared towards the implementation of the national rules and the international conventions to improve on the safety of life of

people that operate these ships and craft.Hence leading to an overall and uniform umbrella that encompasses the maximum safety at sea and the marine environmental protection in terms of structure and personnel.

A maritime safety administration irrespective of its size, composition and resources may not be able to function fully due to the international nature of shipping trade and offshore structures, and the complexities involved both technically and politically. The classification societies, because of their impartiality and neutrality, coupled with the enomous human resources and a world wide geographical spread, have been able to cover the majority of the services both statutorilly and classification wise by mutual and a well drawn agreement between the administrations concerned and a specific classification society.With the agreement, they can both cooperate and complement each other in the various duties as spelt out under the agreement.

Hence the classification societies have been able to cover and provide services in areas that are remote to the administrations to cover in terms of geographical locations and distance.This can only be practicable and meaningful by a good, well written and defined agreement. This will also be of immence benefit to the shipowners in terms of the prompt attentions that their ships will be getting and thus an increased safety of the ship and a prolonged and healthy service periods due to its classification.

While the administration is enpowered by both the natio-

nal regulations and the international conventions to be responsible for the completeness and efficiency of the surveys carried out on the ships under their register by a nominated classification body, efforts have to be made so that there will be checks and balances in such duties as delegated to the classification society.

For the administration to carry out satisfactorily its statutory functions, there is the need for the administration to be properly constituted.It should be endowed with qualified personnel for effective running of its activities which are diversified in nature. There is the need for it to empoly technically qualified staff of the highest cadre so that further avenue could be created for the development of national rules and proper interpretation of the international conventions. This is a good aspiration with which the nation would be able to liase with the long established international organs with the added advantage of improving our safety standards and a boost of encouragement to the shipbuilding and repairyards.

In a nutshell, the administration have decisions to make on the extent and to which duties will be undertaken by them i.e. such duties to be carried out by their surveyors and those to be delegated to the classification society. All these will be based on the importance of shipping to the country, (and in Nigeria's case, shipping is of paramount importance to the growth of our economy), the manpower resources, and the size of the country's fleet.

Nigeria is recording an upward trend in all the criteria highlighted and thus the maritime safety administration should grow and develop along with it.

6.5. RECOMMENDATIONS.

With reference to most of the work carried out by my predecessors in this university, extensive recommendations have been made and proposed to the government so that it could set up a viable maritime safety administration that will live up to the expectations of the development of shipping and the offshore infrastructures in terms of their safety control and the environmental protection. Hence it is hoped that the government's arm responsible for the coordinating of all these activities is upgraded in due course to be able to perform its functions satisfactorily.

Statutory and classification surveys require a bunch of technically qualified and competent manpower.This is presently inadequate in our maritime safety inspectorate. It is the author's opinion that they should pay more attention to the recruitment of the personnel that will be capable of manning all the arms of the inspectorate in order to give a full credence to its performance. The requirements in the I.M.O.conventions and incorporated into the national legislations for ships and offshore structures demand that the vessels are properly constructed and fitted with appropriate equipment. For these equipment to remain effective, it is necessary that appropriate maintenance and periodic testing is carried out. This can only be a reality by the employment of requisitive manpower in all the diversified fields of sur-

veying and inspections.

When delegating duties to the classification societies, it is important to know that the classification society has some interests in ships other than that of of the delegated statutory authority for the issuance of statutory certificates. These interests should not and must not conflict with their role as a recognised organisation It is important therefore to clarify from such society what its policy is in respect of:

- Issuing certificates to unclassed ships, provided that the administration is satisfied with the reasons for the ship not being classed.
- Performing of inspections on the ships classed by other societies.
- Casualty investigation - provision of reports and other information on behalf of the administration.

When we are going to give recognition to a classification society, we should think and judge such society with the number of ships and tonnages registered under Nigeria's flag and classed by such society. With this, it will be easy to stress on such demands as:

- Employment opportunities for the local staff when appropriate.
- Reports of survey and inspection to be forwarded to the administration upon request.
- Local representation in the country on exclusive basis
- The administration's surveyor to be participating in the committee meetings of such classification society.

The Maritime Safety Inspectorate should try to harness all the private organisations concerned with ships safety and surveying in order to form a common front on how national rules and regulations can be further evolved and developed. These will be those gained and experienced from day to day job exposures, and this will go a long way in helping the development of shipbuilding activities in Nigeria.

Presently the number of I.M.O. conventions in which Nigeria is a party are very few compared with the standards and mode of activities in our shores. Efforts should be made for more relevant conventions to be ratified so that our experience can be further developed.

The Maritime Safety Inspectorate should be much more involved in the I.M.O. meetings, seminars, and all other activities in the maritime related matters nationally and internationally. This current attitude of just sending anybody that may not even possess any knowledge about the issues being discussed is not favourable nor benefiting to the nation. We have to strive to be 'mind warmers rather than the bench warmers'. By participating in all the activities, it will be an added advantage to the nation when we shall be introducing such conventions into our national rules and regulations.

Our Merchant Shipping Act is much overdue for reviewing. This should be done with the participation of the Maritime Safety Inspectorate who will be using the outcome as its "BIBLE" when the review is done to allign with the

current dictate of time.

There are inadequate supply of tools for surveyors in the Inspectorate. These tools include the stationery for carrying out regular surveys and the technical equipment that are required by the surveyors to carry out certain duties. This situation should be regularised. Also the Inspectorate is supposed to act as the information centre for all the technical safety of ships, but today there is no single publication to the credit of the Inspectorate. Rules, guidance notes, statistical records on all the ships under Nigeria flag, accidents and casualties, are all supposed to be documented and published by the inspectorate for the digestion of the maritime communities and the populace at large.

The Inspectorate should be properly funded so that it can meet its necessary overheads, organise seminars, short courses and training programmes for its staff. This will enable the staff to be up to date in the knowledge and news available in the shipping and offshore industries.

ANNEX 1

CATEGORY			NAME OF SOCIETY OR COMPANY	FOUNDED YEAR	HEAD OFFICE RESIDENT AND/OR REGISTERED IN	MEMBERSHIP IN INTERNATIONAL ASSOCIATIONS: IACS MEMBER	IACS ASSOC. MEMBER	EURACS	OTAK	REMARK
COMPANIES WHICH ARE CLASSIFICATION SOCIETIES ACCORDING TO THEIR ARTICLES OF ASSOCIATION OR STATUTES :										
			Which execute Classification activities for seagoing vessels and for inland vessels, if any:							
			Which are internationally recognized, i.e. mentioned in the Classification Clause of Underwriters							
		1	ABS	American Bureau of Shipping	1898	USA	X	-	-	-
		2	BV	Bureau Veritas	1828	France	X	-	X	-
		3	NV	Det norske Veritas	1864	Norway	X	-	-	-
		4	GL	Germanischer Lloyd	1867	F.R.Germany	X	-	X	-
	a	5	LR	Lloyd's Register of Shipping	1834	U.K.	X	-	X	-
		6	NK	Nippon Kaiji Kyokai	1899	Japan	X	-	-	-
		7	PRS	Polski Rejestr Statkov	1936	Poland	X	-	-	X
		8	RS	Register of Shipping of USSR	1957	USSR	X	-	-	X
		9	RINa	Registro Italiano Navale	1861	Italy	X	-	X	-
		10	BC	British Corporation Register	1890	U.K.	Has been taken over by LR, but is still mentioned separately in Classification Clause			
			Which are internationally not or not yet recognized, i.e. not mentioned in the Classification Clause of Underwrite							
		11	DSRK	DDR-Schiffs-Revision und -Klassifikat.	1950	German D.R.	-	X	-	X
		12	JR	Jugoslavenski Registar Brodova	1949	Yugoslavia	-	X	-	X
		13	KR	Korean Register of Shipping	1960	Korea (S)	X	-	-	-
		14	BKI	P.T. Biro Klasifikasi Indonesia	1964	Indonesia	-	-	-	-
		15	BKR	Bulgarski Koraben Registar		Bulgaria	-	-	-	X
		16	CSLR	Cescoslovenski Lodni Registr	1948	CSSR	-	-	-	X
		17	ZC	China Classification Society	1956	P.R. China	X	-	-	-
		18	CR	China Corporation Register of Shipping	1951	Taiwan	-	-	-	-
		19	DKV	Dang Kiem Viet Nam		Vietnam	-	-	-	X
		20	FN	Fidenavis S.A.	1977	Spain	-	-	-	-
A	1	21	HR	Hellenic Register of Shipping	1919	Greece	-	-	-	-
		22	IRS	Indian Register of Shipping	1975	India	-	-	-	-
		23	OHC	Oficina Hondurena Clasificadora y de Inspectoria Maritima S.A.	1985	Honduras	-	-	-	-
	b	24	RCB	Registro Cubano de Buques	1982	Cuba	-	-	-	X
		25	RNR	Registrul Naval Roman	1966	Romania	-	-	-	X
		26	RLS	Regjistri Laknori Shqiptar		Albania	-	-	-	-
		27	RP	Rinave Portuguesa	1973	Portugal	-	-	-	-
		28	RB	Sazeman Radeh Bandi		Iran	No longer existing			
		29	SKP	Senbak Kamdok Phenian		Korea (N)	-	-	-	X
		30	SCC	Sociedad Clasificadora de Colombia ...		Colombia	-	-	-	-
		31	SRC	Sociedad de Registro y Classification Mexicana (RECLAMEX)		Mexico	-	-	-	-
		32	TL	Türk Loydu Vakfi	1962	Turkey	-	-	-	-
		33	VENUS	Venus Ship Classification Society Ltd.	1985	Cyprus	-	-	-	-
		34	RBNA	Registro Brasileiro de Navios e Aeronaves	1982	)) Brazil	-	-	-	-
		35	BCB	Bureau Colombo						
		36	SCB	Sociedade Classificadora Brasileira de Navios	1978	)	-	-	-	-
		37	BS	Bureau Securitas		)	No longer existing			
			Which execute Classification activities for inland vessels only:							
	2									
		38	RR	Rejnoj Register RSFSR	1957	USSR	-	-	-	X
		39	UN	N.V. Unitas (Inland & coastal vessels)		Belgium	-	-	-	- Subsidiary of
			Which do not execute Classification activities but perform sovereignty functions, i.e. statutory surveys on behalf of							
	3		**(a) Government(s) :**							
		40	PBS	Panama Bureau of Shipping		Panama	-	-	-	-
		41	PRC	Panama Register Corporation		Panama	-	-	-	-
COMPANIES WHICH ARE NO CLASSIFICATION SOCIETIES ACCORDING TO THEIR ARTICLES OF ASSOCIATION OR STATUTES BUT WHICH PERFORM SOVEREIGNTY FUNCTIONS, i.e. STATUTORY SURVEYS ON BEHALF OF (A) GOVERNMENT(S) :										
		42	HINSIB	Honduras International Naval Surveying and Inspection Bureau		Honduras	-	-	-	-
B		43	-	R.J.DelPan (Japan) K.K. (for Honduras)		Philippines	-	-	-	-
		44	NSA	National Shipping Adjusters Inc.		Panama	-	-	-	-
		45	PMS	Panama Maritime Surveyors Bureau Inc..		Panama	-	-	-	-

KA/Gt 10.07.85

IACS : International Association of Classification Societies
EURACS : European Association of Classification Societies
OTAK : Organs for Technical Supervision and Classification (COMECON-countries only)

The Association includes Members and Associates within the organisation, the differences in membership being explained by the size of classed fleets of sea going ships, numbers of exclusive technical staff employed and years of experience, together with requirements for provision of Rules and a Register.

Membership at the present time comprises the original founder members of September 1968:-

American Bureau of Shipping	(AB)
Bureau Veritas	(BV)
Det Norske Veritas	(NV)
Germanischer Lloyd	(GL)
Lloyd's Register of Shipping	(LR)
Nippon Kaiji Kyokai	(NK)
Registro Italiano Navale	(RI)

and also:-

Register of Shipping of the USSR	(RS)	(joined November 1969)
Polski Rejestr Statkow	(PR)	(joined October 1970)

with the following Associates:-

Jugoslavenski Registar Brodova	(JR)	(since April 1973)
Korean Register of Shipping	(KR)	(since September 1975)
DDR-Schiffs-Revision und Klassifikation	(DSRK)	(since January 1971)

The structure of IACS, which in many ways resembles that of IMCO, consists of a Council, a General Policy Group and 16 technical working parties and ad-hoc groups as indicated in the chart.

ANNEX 2

MAJOR CLASSIFICATION SOCIETIES

American Bureau of Shipping

Bureau Veritas

Germanischer Lloyd

Lloyd's Register of Shipping

Nippon Kaiji Kyokai

Det Norske Veritas

Polish Register of Shipping

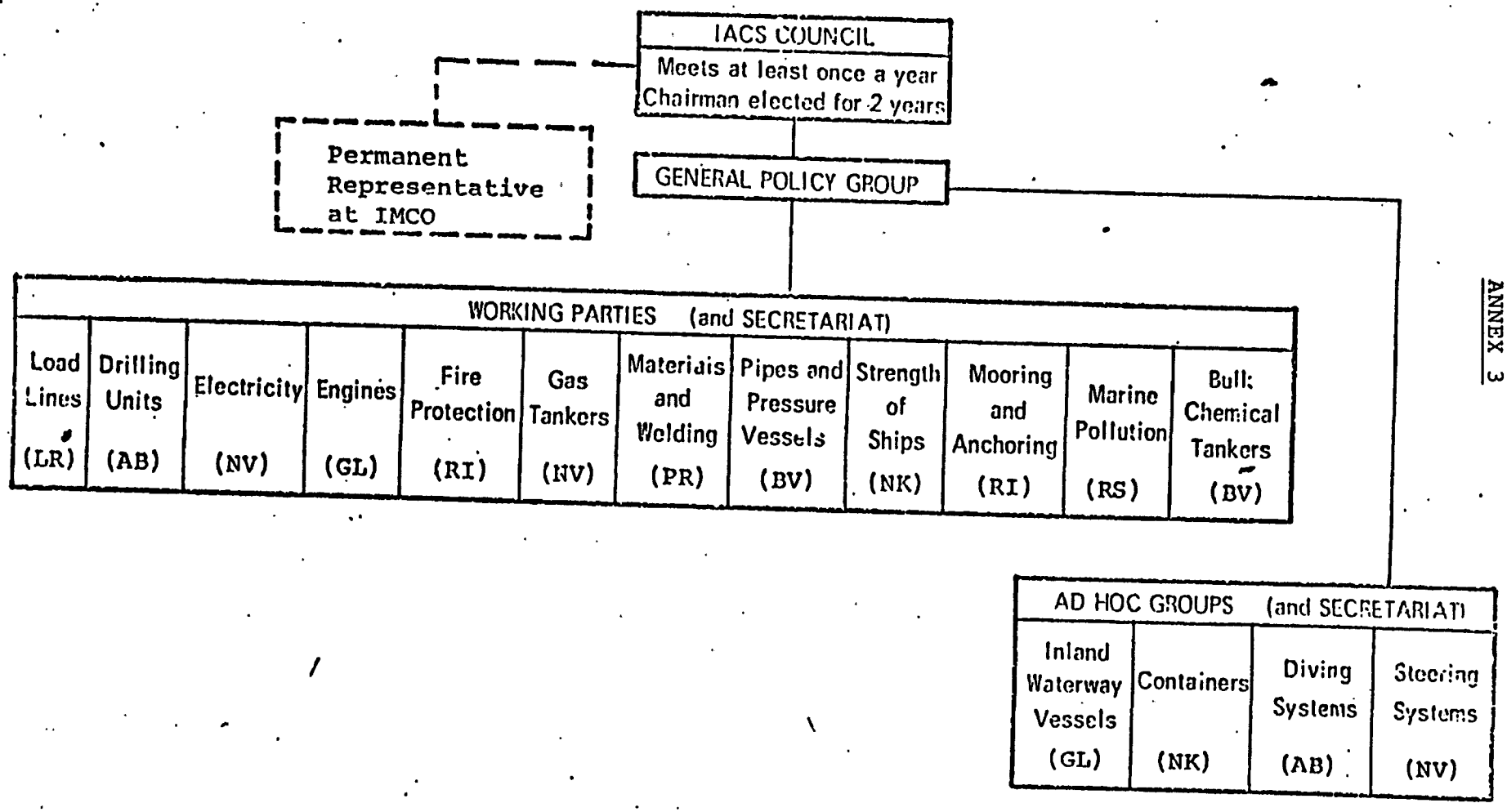
Registro Italiano Navale

USSR Register of Shipping

Chinese Register Of Shipping

Korean Register Of Shipping.

STRUCTURE OF IACS ORGANIZATION



• IACS COUNCIL

The governing body of IACS is the Council, which consists of one senior executive from each Member Society.

The Council meets regularly once a year to conduct the activities of the Association; meetings to deal with matters of immediate concern may be held more frequently and at short notice.

The principal object of the Council is to establish the general policy of the Association, to solve any policy problems and to plan for future activities.

At its regular meetings the Council reviews the work of its subsidiary bodies, and the programme for the ensuing year.

The Council also considers and adopts Resolutions on technical issues within the Classification Societies' scope of work.

The General Policy Group is a subsidiary body which deals with current affairs of the Association between the regular sessions of the Council.

The Council has agreed on numerous unified requirements, and on unified interpretations of international codes and conventions.

Typical examples of IACS requirements are:

- Minimum longitudinal strength standard
- Special hull surveys of oil tankers
- Loading guidance information
- Use of steel grades for various hull members
- Hull and machinery steel castings
- Cargo containment on gas tankers
- Prototype testing and test measurements on tank containers
- Inert-gas generating installations on vessels carrying oil in bulk

• IACS WORKING GROUPS

Working Groups are established by the Council in accordance with the Charter of the Association. They include both permanent working parties and ad hoc groups.

The general terms of reference of the Working Groups are:

- To draft unified rules and requirements between the Member Societies;
- To draft responses to requests of the International Maritime Organisation (IMO), and to prepare unified interpretations of Conventions, Resolutions, Guides and Codes;
- To identify problems related to the Working Group's area of activity, and to propose IACS action;
- To monitor the work of organisations related to the expertise of the Working Group, and to report to the Council.

The following topics are the responsibility of individual Working Groups:

Bulk Chemicals
Containers
Drilling Units
Electrical
Engines
Fire Protection
Gas Tankers
Inland Waterway Vessels
Marine Pollution
Materials and Welding
Mooring and Anchoring
Pipes and Pressure Vessels
Strength of Ships
Subdivision, Stability and Load Lines
Survey Reporting and Certification

ANNEX 4

Extraordinary

Federal Republic of Nigeria
Official Gazette

No. 26 **Lagos - 11th May, 1987** **Vol. 74**

Government Notice No. 306

The following is published as Supplement to this *Gazette* :—

	Short Title	*Page*
Decree No. 10	National Shipping Policy Decree 1987	A53

Printed and Published by The Federal Government Press, Lagos, Nigeria
FGPL 170/537/10,000

Annual Subscription from 1st January, 1987 is Local: ₦100.00 Overseas: ₦125.00 (Surface Mail), ₦150.00 (Second Class Air Mail). Present Issue (including Supplement) ₦1.00 per copy. Subscribers who wish to obtain Gazette after 1st January should apply to the Federal Government Printer, Lagos for amended subscription.

Composition of the Authority.

2.—(1) The Authority shall consist of—

(*a*) a Chairman and 5 other members with wide experience in shipping and commercial matters to be appointed by the President, Commander-in-Chief of the Armed Forces on the recommendation of the Minister ;

(*b*) a representative of the Federal Ministry of Transport and Aviation ;

(*c*) a representative of the Federal Ministry of Finance ;

(*d*) a representative of the Federal Ministry of Justice ;

(*e*) a representative of the Federal Ministry of Trade ; and

(*f*) a representative of the Nigerian Navy.

(2) The provisions of the Schedule to this Decree shall have effect with respect to the matters therein mentioned.

Aims and objects of the Authority.

3. It shall be the objective of the Authority to—

(*a*) correct any imbalance in the Nigerian shipping trade for the purpose of implementing the provisions of the UNCTAD Code of Conduct for Liner Conference, especially to observe the ratio of 40 : 40: 20 in respect of carriage of goods to Nigerian ports ;

(*b*) improve Nigeria's balance of payments position by enhancing the earning and conservation of foreign exchange from the shipping industry ;

(*c*) use the national shipping policy as instrument of promoting the export trade of Nigeria and thus accelerate the rate of growth of the national economy ;

(*d*) ensure the greater participation of indigenous shipping lines in liner conferences thereby influencing the decision making processes of such liner conferences serving Nigerian international sea-borne trade ;

(*e*) promote the acquisition of shipping technology by creating and diversifying employment opportunities in the shipping industry, through the stimulation and protection of indigenous shipping companies ;

(*f*) assist in the economic integration of the West African sub-region ;

(*g*) offer protection to Nigerian vessels flying the nation's flag on the high seas and world seaports ;

(*h*) increase the participation by indigenous Nigerian shipping lines in ocean shipping through the application of the provisions of the UNCTAD Code on General Cargo and by entering into bilateral agreements, or other suitable arrangements ;

(*i*) encourage the increase of ownership of ships and the achievement of indigenous skills in maritime transport technology ;

(*j*) achieve a systematic control of the mechanics of sea transportation ; and

(*k*) promote the training of Nigerians in maritime transport technology and as seafarers.

Functions of the Authority.

4. The functions of the Authority shall be—

(*a*) to co-ordinate the implementation of the national policy on shipping as may be formulated from time to time by the Federal Military Government ;

(*b*) to ensure that Nigerian national carriers exercise fully, Nigeria's carrying rights of at least 40 *per cent* of the freight in revenue and volume of the total trade to and from Nigeria ;

(*c*) to grant national carrier status to indigenous shipping lines ;

(*d*) to monitor the activities of vessels of the companies granted national carrier status ;

(*e*) to grant assistance to indigenous companies for fleet expansion and ship ownership ;

(*f*) to regulate liner conferences and national carriers ; and

(*g*) to perform such other functions as may be required to achieve the aims and objects of this Decree or any national shipping policy as may be formulated by the Federal Military Government pursuant to this Decree.

Special functions of the Authority.

5.—(1) The Authority shall investigate, determine and keep current records of—

(*a*) ocean services, routes and lines from Nigerian ports to foreign markets as may be determined by the Minister to be essential for the promotion, development, expansion and maintenance of the foreign commerce of Nigeria ;

(*b*) bulk cargo carrying services for the purposes of promotion, development, expansion and maintenance of the foreign commerce of Nigeria, the national defence and other national requirements provided by Nigerian flag vessel whethers or not operating on a particular ocean service, route or line ;

(*c*) the type, size, speed, method of propulsion and other requirements of vessels which should be employed—

(*i*) in such services or on such routes or lines and the frequency and regularity of the sailings of such vessels, with a view to furnishing adequate, regular, certain and permanent service ; or

(*ii*) to provide the bulk cargo carrying services necessary for the promotion, maintenance and expansion of foreign commerce of the Federal Republic of Nigeria and its national defence or other national requirements whether or not such vessel operates on a particular service, route or line ;

(*d*) the relative cost of construction of comparable vessels in Nigeria and in foreign countries ;

(*e*) the relative cost of managing the commercial aspects of the shipping industry such as scheduling, chartering in or chartering out of vessels, allotment of cargo space, cargo pricing and cargo soliciting, marine insurance, maintenance, repairs, wages and subsistence of officers and crew, and all other items of expense, in the operation of comparable vessels under the laws, rules and regulations of Nigeria and under those foreign countries whose vessels are substantially competitors of any such Nigerian vessels ;

(*f*) the extent and character of aid and subsidies granted by foreign governments to their merchant marine ;

(*g*) the number, location and efficiency of shipyards existing on the date of the promulgation of this Decree or thereafter built in Nigeria ;

(*h*) new designs, methods of construction and types of equipment for vessels ;

(*i*) the possibilities of promoting the carrying of the foreign trade of Nigeria in Nigerian vessels ; and

(*j*) inland water transportation including their relation to transportation by land and air.

(2) The Authority shall for the purposes of subsection 1 (*a*) of this section consider and give due weight to—

(*a*) the cost of maintaining the ocean lines ;

(*b*) the probability that the ocean lines cannot be maintained except at a heavy loss disproportionate to the benefit accruing to foreign trade ;

(*c*) the numbers of sailings and the types of vessels that should be employed in the ocean lines ;

(*d*) the benefit the maintenance of the ocean line may afford to the foreign trade of Nigeria ; and

(*e*) any other facts or conditions which the Authority may from time to time determine as necessary.

Appointment of Director-General and other staff of the Authority.

6.—(1) There shall be for the Authority a Director-General who shall be the Chief Executive and who shall be appointed by the President, Commander-in-Chief of the Armed Forces.

(2) The Director-General shall be responsible for the day to day administration of the Authority.

(3) The Authority shall appoint a Secretary to the Authority who shall keep the records and conduct the correspondence of the Authority and perform such other duties as the Authority or the Director-General may from time to time assign to him.

(4) Without prejudice to the generality of subsection (1) of this section, the Authority shall have power—

(*a*) to appoint such other staff as it may determine ;

(*b*) to pay its staff such remuneration and allowances as it may, with the approval of the Minister, determine ;

(*c*) to pay in respect of any staff such pensions and gratuities as are payable to persons of equivalent grade in the civil service of the Federation ; and

(*d*) to give loans to its staff for purposes approved by the Minister.

Conditions for granting of national carrier status to shipping companies.

7. The Authority may grant national carrier status to a shipping company if—

(*a*) Nigerian individuals or enterprises fully owned by Nigerian individuals have at least 60 *per cent* of its equity shares and the company is registered in Nigeria ;

(*b*) the vessels owned by the company operate on the deep sea and not on the Nigerian coastal or inland waterways ;

(*c*) the head office of the company is located in Nigeria and its management and control is directed from its Nigerian head office ;

(*d*) the company owns at least one ocean-going vessel of not less than 5,000 net registered tonnage ;

(*e*) the terms and conditions of the employment of seafarers engaged by the company are in conformity with Nigerian laws and accepted international rules and standards ;

(*f*) the vessels of the company are registered in the Nigerian Register of Ships and the vessels satisfy all conditions stipulated in the Nigerian Merchant Shipping Act 1962 as amended ; and

(*g*) 100 *per cent* of the crew and at least 75 *per cent* of the shipboard officers including captain and chief officer and wherever possible chief engineers, are Nigerians. 1962 No. 30.

Use of chartered vessels.

8.—(1) The Authority may allow national carriers to use chartered vessels when vessels belonging to the national carriers are insufficient for the cargo available.

(2) Nigerian operators wishing to charter vessels shall make national carriers operating National flag vessels their first choice and consider other vessels only when vessels are not available as stipulated in subsection (1) of this section.

Carriage of cargo.

9.—(1) Subject to subsection (2) of this section, and in addition to cargo as defined under the UNCTAD Code of Conduct for Liner Conference, national carriers shall have the right to participate in the carriage of bulk cargo (dry or wet).

(2) The participation of national carriers in the carriage of bulk cargoes to and from Nigeria shall be subject to carriage right of not less than 50 *per cent* of such cargoes.

(3) All other cargo to and from Nigeria outside the jurisdiction of liner conferences shall be subject to the same principles of cargo sharing as stipulated in subsection (2) of this section and subject to such exceptions as the Federal Military Government may from time to time determine.

(4) Cargo sharing shall cover the totality of available trade including bulk dry and wet cargo and shall not be limited to the UNCTAD 40 : 40 : 20 formula.

(5) Ships owned or hired by Nigerian national carriers shall carry at least 50 *per cent* of the cargoes generated through technical assistance or international aid.

(6) The Authority shall determine ways and means of involving national carriers in the carriage of crude petroleum in Nigerian vessels.

Payments for services rendered in Nigerian seaports.

10.—(1) All payments for services offered and rendered to foreign vessels at Nigerian seaports shall be paid for in foreign exchange transferred into Nigeria through the Central Bank of Nigeria.

(2) It shall be mandatory on the companies operating foreign vessels to show evidence of transfer of the funds at the point of entry.

(3) Nothing in subsection (1) of this section shall be construed as compelling national carriers to make payments for services offered and rendered to national carriers vessels at Nigerian seaports in foreign exchange.

Foreign exchange to defray cost incurred in evacuating export produce.

11. Nigerian shipping companies may apply to the Authority for approval for the foreign exchange component to defray the cost legitimately incurred by them in the evacuation of export produce.

Maintenance of national carrier vessel and other Nigerian flag ships.

12.—(1) All national carrier vessels and other Nigerian flag ships shall be serviced, repaired and maintained, where practicable, in Nigeria.

(2) Where it is not practicable for a national carrier vessel or any other Nigerian flag ship to be serviced, repaired or maintained in Nigeria, the owners of such vessel shall obtain a certificate to that effect from the Authority.

(3) Foreign ships participating in the carriage of Nigerian trade may avail themselves of the Nigerian facilities in the maintenance and repairs of their vessels.

Ship acquisition and shipbuilding.

13.—(1) There is hereby established a fund to be known as the Ship Acquisition and Building Fund (hereafter referred to as "the Fund").

(2) The Fund shall be administered by a committee composed of members of the Authority.

(3) The fund shall be applied to assist Nigerians in the development and expansion of a national fleet.

(4) The Minister shall lay down the general procedure and guidelines for the administration and the carrying into effect the purposes of the Fund.

Exports and imports.

14.—(1) National carriers shall have exclusive right to the freight belonging to the Federal, State and Local Governments including Federal and State owned companies and parastatals except where such freight is exempted by the Minister.

(2) The Federal Military Government shall from time to time issue guidelines on incentives to be granted to Nigerian shippers who use the national carrier vessels for the carriage of their cargoes.

(3) All public sector contracts for the importation and exportation of goods shall respectively be on F.O.B. and C and F basis.

(4) The Minister may from time to time grant exceptions on certain imports and exports from the operation of subsection (1) of this section.

(5) Shipping companies benefitting from the provisions of this Decree shall provide regular services on their respective route to ensure adequate coverage of Nigeria's export trade.

Shipping services, etc.

15. The Authority may make recommendations to the Federal Military Government in respect of the ownership structure of vessels and other facilities for off-shore support services.

Foreign exchange earnings from ships.

16.—(1) Notwithstanding anything to the contrary in any other enactment as from the commencement of this Decree, the Federal Military Government shall allow indigenous shipping companies to keep 25 *per cent* of their net foreign exchange earnings abroad to enable them off-set handling charges and any other costs incurred in respect of shipping services rendered by them.

(2) The remaining 75 *per cent* of the net foreign exchange earnings of indigenous shipping companies shall be remitted through the Central Bank of Nigeria.

Payment to Federal Military Government on earnings from ships.

17.—(1) Every shipping company operating in Nigeria shall be liable to a charge at the rate of two *per cent* of gross earnings in respect of every outward or inward cargo carried by it.

(2) The charge referred to in subsection (1) of this section shall be collected by the Authority on behalf of the Federal Military Government.

(3) The Minister may, after consultation with the Minister of Finance, make regulations for the implementation of this section.

Cargo control and sharing.

18.—(1) The Authority shall ensure that Nigerian vessels carry Nigeria's share of cargo in volume and earnings in accordance with the provisions of this Decree or any other form of cargo sharing arrangement entered or agreed to by the Authority or by the Federal Military Government.

(2) For the purpose of cargo sharing, all Nigerian national carriers in a trade route shall be regarded as a single group of shipping lines.

(3) The choice of cargo control and sharing methods desired by this section shall be achieved by administrative arrangements.

Revocation of national carrier status.

19. The Minister on the recommendation of the Authority may suspend, or revoke the national carrier status of a company if the company fails to meet any of the conditions (including the training of Nigerian seafarers) or is inefficient and fails to correct the position within six months after receiving a notice in writing from the Authority.

Establishment of a Joint Booking Office.

20.—(1) The Authority shall establish a Joint Booking Office in any part of the world as the Authority may deem necessary for the purpose of co-ordinating the activities of the Authority abroad and to provide facilities for national carriers and other conference lines.

(2) Except otherwise directed by the Minister, the Authority shall appoint a Nigerian to be the administrative head of the Joint Booking Office.

(3) The administrative head of the Joint Booking Office shall be responsible to the Authority.

Establishment of Booking Centres.

21. The Authority may establish such other Booking Centres abroad as may permit the effective coverage of the Authority's functions under this Decree.

Commission payable to Booking Centre.

22. The Minister shall, from time to time, fix the commission payable to the Booking Centres established pursuant to section 21 of this Decree after consultation with the Authority.

Fund of the Authority.

23. The Authority shall establish a fund which shall consist of—

(*a*) such sums as may be provided to it by the Federal Military Government for the running expenses of the Authority and all other assets from time to time accruing to the Authority ;

(*b*) such sums as may from time to time be lent to the Authority by any person ; and

(*c*) such sums as may be collected or received by the Authority from other sources either in the execution of its functions or in respect of any property vested in the Authority or otherwise howsoever.

Annual estimates, accounts and audit.

24.—(1) The Authority shall submit to the Minister not later than 30th June in each financial year an estimate of its expenditure and income during the next succeeding financial year.

(2) The Authority shall keep proper accounts and proper records in relation thereto and shall prepare in respect of each financial year statement of accounts in such form as the Minister may direct.

(3) The Authority shall within 6 months after the end of the financial year to which the accounts relate cause its accounts to be audited by auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General of the Federation.

Annual reports.

25. The Authority shall prepare and submit to the National Council of Ministers, through the Minister, not later than 30th September in each financial year a report in such form as he may direct on the activities of the Authority during the immediately preceding financial year, and shall include in such report a copy of the audited accounts of the Authority for that year and the auditor's report thereon.

Offence and penalty.

26.—(1) It shall be an offence punishable under this Decree for any company to fail to comply with any provisions of this Decree.

(2) Any company which fails to comply with the provisions of this Decree shall be liable to a fine of not less than ₦50,000 or 15 *per cent* of the C.I.F. value of the freight transported or loaded, whichever is higher.

(3) Any fine imposed pursuant to this section shall be paid to the Federal Military Government.

Power to make regulations.

27. The Minister may make regulations for the effective implementation of this Decree.

Interpretation.

28. In this Decree, except the context otherwise requires—

"Authority" means the National Maritime Authority established pursuant to section 1 of this Decree ;

"Minister" means the Minister charged with responsibility for transport matters ;

"ship" means a sea-going vessel not less than 5,000 gross registered tonnage.

Citation.

29. This Decree may be cited as the National Shipping Policy Decree 1987.

SCHEDULE *Section* 2 (2)

Tenure of Office

1.—(1) Subject to the provisions of this paragraph, a member of the Board, other than a public officer shall hold office for a period of three years from the date of his appointment and shall be eligible for re-appointment for a further period of three years ; thereafter he shall no longer be eligible for re-appointment.

(2) A member of the Board other than a public officer may resign his appointment by a letter addressed to the Minister and the resignation shall take effect from the date of the receipt of the letter by the Minister.

(3) The Minister may appoint any person who is a registered member of the relevant profession to be a temporary member during a long absence or the temporary incapacity from illness of any member ; and that person, may while the appointment subsists, exercise the functions of a member under this Decree.

(4) The foregoing provisions of this section shall be without prejudice to the provisions of section 11 of the Interpretation Act 1964.

Proceedings of the Authority

2. Subject to the provisions of this Decree and of section 26 of the Interpretation Act 1964, the Authority may make standing orders regulating the proceedings of the Authority or of any committee thereof.

3. The quorum of the Authority shall be three and quorum of any committee of the Authority shall be determined by the Authority.

4. At any time while the office of the Chairman is vacant or the Chairman is in the opinion of the Minister temporarily or permanently unable to perform the functions of his office, the Minister may appoint a member of the Authority to perform the function of the Chairman during his absence.

5.—(1) Subject to the provisions of any applicable standing orders the Authority shall meet whenever summoned by the Chairman ; and if the Chairman is required so to do by notice given to him by not less than four other members, he shall summon a meeting of the Authority to be held within twenty-one days from the date on which the notice is given.

(2) At any meeting of the Authority, the Chairman or, in his absence, the person appointed pursuant to paragraph 4 of this Schedule shall preside but if both are absent the members present at the meeting shall appoint one of their number to preside at that meeting.

(3) Where the Authority wishes to obtain the advice of any person on a particular matter, the Authority may co-opt him as a member for such period as it thinks fit, but a person who is a member by virtue of this sub-paragraph shall not be entitled to vote at any meeting of the Authority and shall not count towards a quorum.

(4) Notwithstanding anything to the contrary, the first meeting of the Authority shall be summoned by the Minister who may give such directions as to the procedure to be followed at that meeting as he may deem fit.

Committees

6.—(1) The Authority may appoint one or more committees to carry out, on behalf of the Authority, such of its functions as the Authority may determine.

(2) A committee appointed under this paragraph shall consist of the number of persons determined by the Authority and not more than one-third of those persons may be persons who are not members of the Authority ; and person other than a member of the Authority shall hold office on the committee in accordance with the terms of the instrument by which he is appointed.

(3) A decision of a committee of the Authority shall be of no effect until it is confirmed by the Authority.

Miscellaneous

7.—(1) The fixing of the seal of the Authority shall be authenticated by the signature of the Chairman or of some other member authorised generally or specially by the Authority to act for that purpose.

(2) Any contract or instrument which if made or executed by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the Authority by any person generally or specially authorised to act for that purpose by the Authority.

MADE at Lagos this 30th day of April 1987.

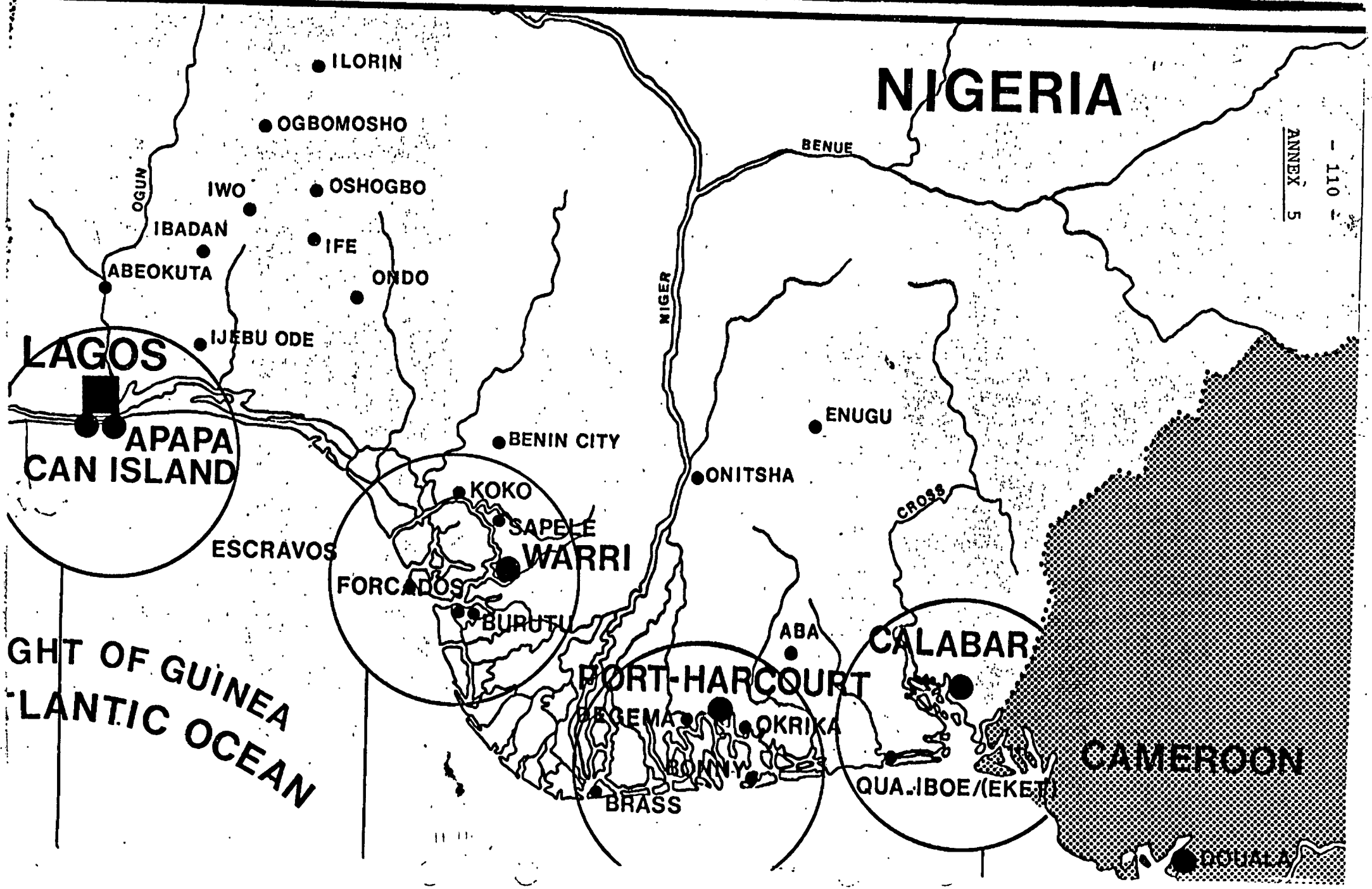
MAJOR-GENERAL I. B. BABANGIDA,
President, Commander-in-Chief of the Armed Forces, Federal Republic of Nigeria

EXPLANATORY NOTE

(This note does not form part of the above Decree but is intended to explain its purport)

The Decree establishes a National Maritime Authority to, amongst other things, co-ordinate and implement Nigeria's national shipping policy.

PUBLISHED BY AUTHORITY OF THE FEDERAL MILITARY GOVERNMENT OF NIGERIA AND PRINTED BY THE MINISTRY OF INFORMATION AND CULTURE, PRINTING DIVISION, LAGOS


NIGERIA
ILORIN
OGBOMOSHO
OGUN
IWO
OSHOGBO
IBADAN
IFE
ABEOKUTA
ONDO
IJEBU ODE
LAGOS
APAPA
CAN ISLAND
BENIN CITY
NIGER
BENUE
ENUGU
ONITSHA
CROSS
KOKO
SAPELE
ESCRAVOS
WARRI
FORCADOS
BURUTU
ABA
CALABAR
PORT-HARCOURT
OKRIKA
BRASS
QUA-IBOE/(EKET)
CAMEROON
DOUALA
GHT OF GUINEA
LANTIC OCEAN

ANNEX 6

MAJOR HISTORICAL EVENTS ON THE DEVELOPMENT OF INTERNATIONAL STANDARDS

1914	Adoption of the SOLAS Convention (which failed to enter into force)
1929	Adoption of the first SOLAS Convention which was enforced
1930	Adoption of the Load Line Convention
1948	Revision of the SOLAS Convention
1954	Adoption of the Oil Pollution Convention
1960	Revision of the SOLAS Convention
1966	Revision of the Load Line Convention
1967	Adoption of measures following the "Torrey Canyon" incident
1969	Adoption of the Tonnage Convention
1969	Amendments to OILPOL 54 to introduce the "load-on-top" procedure
1969	Adoption of the Conventions on Intervention and Civil Liability on Oil Pollution Damage
1971	Adoption of the Convention on the Oil Pollution Compensation Fund
1972	Adoption of the Convention on Collision Regulations
1972	Adoption of the Convention on Safe Containers
1972	Adoption of the London Dumping Convention
1973	Adoption of the MARPOL Convention
1974	Revision of the SOLAS Convention
1976	Adoption of the INMARSAT Convention
1977	Adoption of the Convention for the Safety of Fishing Vessels
1978	TSPP Conference to modify SOLAS and MARPOL
1978	Adoption of the STCW Convention
1979	Adoption of the Convention on Maritime Search and Rescue
1981	Amendments to SOLAS 74
1983	Amendments to SOLAS 74

ANNEX 7

LIST OF IMO CONVENTIONS

		Date of Entry into force
(1)	International Convention for the Safety of Life at Sea, 1974 (SOLAS)	25.5.80
	1981 Amendments	1.9.84
	1983 Amendments	1.7.86
(2)	Protocol of 1978 relating to the International Convention for the Safety of Life at Sea, 1974 (SOLAS PROT)	1.5.81
(3)	Convention on the International Regulations for Preventing Collisions at Sea, 1972, (COLREG)	15.7.77
	1981 Amendments	1.6.83
(4)	International Convention for the Prevention of Pollution from Ships, 1973 as modified by the Protocol of 1978 thereto (MARPOL 73/78)	2.10.83
	1984 Amendments	7.01.86
(5)	Convention on Facilitation of International Maritime Traffic, 1965, as amended (FAL)	5.3.67
	1969 Amendments to the Annex	12.8.71
	1973 Amendments	2.6.84
	1977 Amendments to the Annex	31.7.78
(6)	International Convention on Load Lines, 1966 (LL)	21.7.68
	1971, 1975, 1979, 1983 Amendments	-
(7)	International Convention on Tonnage Measurement of Ships, 1969 (TONNAGE)	18.7.82
(8)	International Convention relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969 (INTERVENTION)	6.5.75
(9)	Protocol relating to Intervention on the High Seas in Cases of Pollution by Substances other than Oil, 1973 (INTERVENTION PROT)	30.3.83
(10)	International Convention on Civil Liability for Oil Pollution Damage, 1969 (CLC)	19.7.75
(11)	Protocol to the International Convention on Civil Liability for Oil Pollution Damage, 1969 (CLC PROT)	8.8.81

	Date of Entry into force
(12) Protocol of 1984 to amend the International Convention on Civil Liability for Oil Pollution Damage, 1969 (CLC PROT)	-
(13) Special Trade Passenger Ships Agreement, 1971 (STP)	2.1.74
(14) Protocol on Space Requirements for Special Trade Passenger Ships, 1973 (SPACE STP)	2.6.77
(15) Convention relating to Civil Liability in the Field of Maritime Carriage of Nuclear Material, 1971 (NUCLEAR)	15.7.75
(16) International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971 (FUND)	16.10.78
(17) Protocol to the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971 (FUND PROT)	-
(18) Protocol of 1984 to amend the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971 (FUND PROT)	-
(19) International Convention for Safe Containers, 1972 as amended (CSC)	6.9.77
1981 Amendments	1.12.81
1983 Amendments	1.01.84
(20) Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 1974 (PAL)	28.4.87
(21) Protocol to the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 1974 (PAL PROT)	-
(22) Convention on the International Maritime Satellite Organization (INMARSAT) (INMARSAT C)	16.7.79
(23) Operating Agreement on the International Maritime Satellite Organization (INMARSAT) (INMARSAT OA)	16.7.79
(24) Convention on Limitation of Liability for Maritime Claims, 1976 (LLMC)	1.12.86
(25) Torremolinos International Convention for the Safety of Fishing Vessels, 1977 (SFV)	-

	Date of Entry into force
(26) International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW)	28.4.84
(27) International Convention on Maritime Search and Rescue, 1979 (SAR)	22.6.85
(28) Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972, as amended (LDC)	30.8.75
1978 (Disputes) Amendments	-
1978 Amendments to the Annex	11.3.79
1980 Amendments to the Annex	11.3.81

***

ANNEX

CODES, RECOMMENDATIONS AND GUIDELINES

	Resolution
Enforcement of conventions	
Guidelines for surveys required by the 1978 SOLAS Protocol, the International Bulk Chemical Code and the International Gas Carrier Code	A.560 (14)
Procedures for the Control of Ships	A.466(XII)
Construction	
Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (BCH Code)	A.212(VII)
International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (IBC Code)	MSC.6(48) MEPC.19(22)
Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (GC Code)	A.328(IX)
International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (IGC Code)	MSC.6(48)
Code for the Construction and Equipment of Mobile Offshore Drilling Units (MODU Code)	A.414(XI)
Guidelines for the Design and Construction of Offshore Supply Vessels	A.469(XII)
Code of Safety for Dynamically Supported Craft	A.373(X)
Code of Safety for Special Purpose Ships	A.534(13)
Code on Noise Levels on Board Ships	A.468(XII)
Code of Safety for Nuclear Merchant Ships	A.491(XII)
Code of Safety for Diving Systems	A.563(13)
FAO/ILO/IMO Code of Safety for Fishermen and Fishing Vessels, Parts A and B	
Recommendations on Intact Stability for Passengers and Cargo Ships under 100 metres in length	A.167(ES.IV) A.206(VII)

	Resolution
Data concerning manoeuvring capabilities and stopping distances of ships	A.160(ES.IV)
Information to be included in the manoeuvring booklets	A.209(VII)
Fire Protection	
Guidelines for Inert Gas Systems	
Regulations for Inert Gas Systems on Chemical Tankers	A.567(14)
Recommendations for fire test procedures for "A", "B" and "F" class divisions	A.517(13)
Improved test method for qualifying marine construction materials as non-combustible	A.472(XII)
Improved provisional guidelines on test procedures for primary deck coverings	A.214(VII)
Revised recommendation on fire test procedures for surface flammability of bulkhead and deck finish materials	A.564(14)
Recommendation on test method for determining the resistance to flame of vertically supported textiles and films	A.471(XII)
Navigation	
Ships' routeing	Various
General provisions for ships' routeing(Revised)	A.572(14)
International Code of Signals	A.80(IV)
Standard marine navigational vocabulary	A.380(X)
Use of standard marine navigational vocabulary	A.488(XII)
Principles of safe manning	A.481(XII)
Performance standards for navigational equipment	
General requirements for electronic navigational aids	A.281(VIII)
magnetic compasses	A.382(X)
gyro compasses	A.424(XI)
automatic pilots	A.342(IX)
navigational radar equipment	A.222(VII)
	A.278(VIII)
	A.477(XII)
automatic radar plotting aids (ARPA)	A.422(XI)
shipborne receivers for use with differential Omega	A.479(XII)
echo-sounding equipment	A.224(VII)

	Resolution
radio direction-finding systems	A.223(VII)
rate-of-turn indicators	A.526(13)
devices to indicate speed and distance	A.478(XII)
Pilot ladders on fishing vessels and vessels of less than 500 tons gross	A.130(V)
Arrangements for embarking and disembarking pilots in very large ships	A.426(XI)
Performance standards for mechanical pilot hoists	A.275(VIII)
Compliance with the International Regulations for Preventing Collisions at Sea, 1972	A.432(XI)
Basic principles to be observed in keeping a navigational watch on board fishing vessels	A.484(XII)
Life-saving appliances	
Code of practice for the evaluation, testing and acceptance of prototype novel life-saving appliances and arrangements	A.520(13)
Recommendation on testing of life-saving appliances	A.521(13)
Radio equipment	
Carriage of VHF radiotelephone stations	A.336(IX)
Proper use of VHF channels at sea	A.474(XII)
Emergency position-indicating radio beacons	A.279)(VIII)
Carriage of emergency position-indicating radio beacons	A.522(13)
Performance standards for:	
radiotelephone transmitters and receivers	A.334(IX)
VHF radiotelephone installations	A.385(X)
radiotelephone watch receivers	A.383(X)
radiotelephone alarm signal generators	A.421(XI)
VHF multiple watch facilities	A.524(13)
Narrow-band direct printing telegraph equipment for the reception of navigational and meteorological warnings and urgent information to ships	A.525(13)

	Resolution
Training and certification	
Training of officers and ratings responsible for cargo handling on ships carrying dangerous and hazardous substances in solid form in bulk or in packaged form	A.537(13)
Maritime safety training of personnel on offshore mobile units	A.538(13)
Certification of skippers and officers in charge of a navigational watch on fishing vessels of 24 metres in length and over	A.539(13)
Training of seafarers	A.89(IV)
Training of masters, officers and crew	A.188(VI)
Training and qualifications of officers and crews of ships carrying hazardous or noxious chemicals in bulk	A.286(VIII)
Training of crews in fire-fighting	A.437(XI)
Training and qualifications of persons in charge of medical care aboard ship	A.438(XI)
Training in the use of automatic radar plotting aids (ARPA)	A.482(XII)
Training in radar observation and plotting	A.483(XII)
Search and rescue	
Merchant Ship Search and Rescue Manual (MERSAR)	A.229(VII) A.387(X)
IMO Search and Rescue Manual (IMOSAR)	A.439(XI)
Cargoes	
International Maritime Dangerous Goods (IMDG) Code (1981 and amendments 19-80, 20-82, 21-83 and 22-84)	
Emergency Procedures for Ships Carrying Dangerous Goods (EmS)(1981 and 1984 Supplement)	
Medical First Aid Guide for Use in Accidents involving Dangerous Goods (MFAG) (1985)	
Code of safe practice for solid bulk cargoes (1983 and 1985 Supplement)	
IMO Grain rules (1981)	

	Resolution
Code of safe practice for ships carrying timber deck cargoes (1981)	
IMO/ILO Guidelines for packing cargo in freight containers or vehicles (1985)	
Recommendations on the safe transport, handling and storage of dangerous substances in port areas (1983)	
Recommendations on the safe use of pesticides in ships (1980)	
Marine pollution	
Procedures for the control of ships and discharges under Annex I of MARPOL 73/78	A.542(13)
Guidelines for reporting incidents involving harmful substances	MEPC 22(22)
Guidelines on the provision of adequate reception facilities Part I - oily wastes Part II - residues and mixtures containing noxious liquid substances Part III - sewage Part IV - garbage	
Recommendation on international performance specifications for oily-water separating equipment and oil content meters	A.393(X)
Revised guidelines and specifications for oil discharge monitoring and control systems for oil tankers	A.586(14) MEPC 22(22)
Revised specifications for the design, operation and control of crude oil washing systems	A.446(XI) A.497(XII)
Revised specifications for oil tankers with dedicated clean ballast tanks	A.495(XII)
Revised standards for procedures and arrangements called for by Annex II of MARPOL 73/78	MEPC.4(22)
Recommendation on international effluent standards and guidelines for performance tests for sewage treatment plants	MEPC.2(VI)

LIST OF CONVENTIONS ETC. RELATED TO THE WORK OF THE MARITIME SAFETY DIVISION AND THEIR STATUS

No.	Instrument	Date of Entry into Force
1.	International Convention for the Safety of Life at Sea, 1960:	26 May 1965
	(The 1966, 1967, 1968, 1969, 1971 and 1973 Amendments are incorporated in the text of SOLAS 1974)	
2.	International Convention for the Safety of Life at Sea, 1974:	25 May 1980
	(Protocol of 1978 relating to the International Convention for the Safety of Life at Sea, 1974:	1 May 1981
	1981 Amendments to SOLAS 1974 and its Protocol 1978	1 September 1984
	1983 Amendments to SOLAS 1974	1 July 1986
3.	Convention on the International Regulations for Preventing Collisions at Sea, 1972:	15 July 1977
	1981 Amendments	1 June 1983
4.	International Convention on Load Lines, 1966:	21 July 1968
	1971 Amendments:	Not yet in force
	1975 Amendment:	Not yet in force
	1979 Amendment:	Not yet in force
	1983 Amendments:	Not yet in force
5.	International Convention on Tonnage Measurement of Ships, 1969:	18 July 1982
6.	Special Trade Passenger Ships Agreement, 1971:	2 January 1974
	Protocol on Space Requirements for Special Trade Passenger Ships, 1973:	2 June 1977
7.	International Convention for Safe Containers, 1972:	6 September 1977
	1981 Amendments:	1 December 1981
	1983 Amendments:	1 January 1984
8.	Torremolinos International Convention for the Safety of Fishing Vessels, 1977:	Not yet in force
9.	International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978:	28 April 1984
10.	International Convention on Maritime Search and Rescue, 1979:	22 June 1985

***

STATUS OF CONVENTIONS

(As at 1 March 1987)

Convention	Date of Entry Into Force	Contracting Parties	
		Number	Percent of World Tonnage
SAFETY			
SOLAS 74	25 May 1980	97	97.03
SOLAS PROTOCOL 78	1 May 1981	62	89.43
LOAD LINE 66	21 July 1968	110	97.35
COLREG 72	15 July 1977	97	95.03
STCW 78	28 April 1984	56	71.21
CSC 72	6 September 1977	44	62.69
SFV 77	-	15	14.04
INMARSAT 76	16 July 1979	48	77.32
SAR 79	22 June 1985	27	39.89
POLLUTION			
MARPOL 73/78:			
Annex I	2 October 1983	43	79.90
Annex II	6 April 1987	"	"
Annex III	-	27	41.86
Annex IV	-	25	36.70
Annex V	-	27	41.86
CLC 69	19 June 1975	58	79.08
FUND 71	16 October 1978	35	52.33
LDC 72	30 August 1975	61	67.89
OTHERS			
TM 69	18 July 1982	75	103
FAL 65	5 March 1967	56	60.37

8127Y

ANNEX

SUMMARY OF THE PRESENT STATUS OF CONVENTIONS RELATED TO MARITIME SAFETY

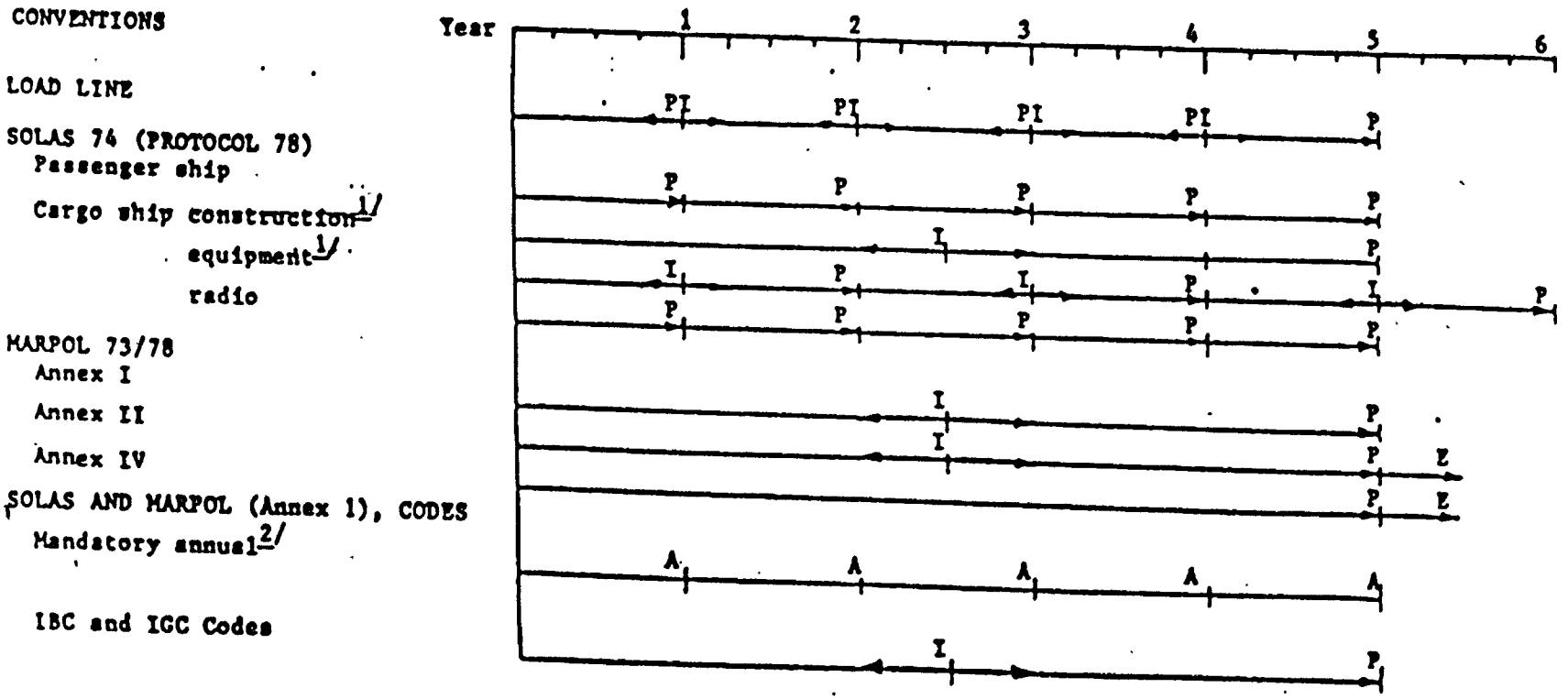
	SOLAS '60	SOLAS '74	SOLAS PROTOCOL '78	COLREG '72	LOAD LINES '66	Load Line Amendments '71	'75	'79	'83	TONNAGE '69	STP '71	SPACE STP '73	CSC '72	SFV '77	STCW '78	SAR '79
Number of signatures	39	37	11	25	41	-	-	-	-	37	8	2	19	6	19	14
Number of ratifications, acceptances, approvals or accessions	100	97	62	97	109	46	41	37	17	74	13	11	44	15	56	27
Number of ratifications, etc. necessary for entry into force	-	-	-	-	-	72	72	72	72	-	-	-	-	15	-	-
Number of IMO Members having ratified etc. the instrument	93	92	61	91	103	44	41	37	17	70	13	11	40	15	54	27
Number of non-IMO Members having ratified etc. the instrument	7	5	1	6	6	2	0	0	0	4	0	0	4	0	2	0
Number of IMO Members not having ratified etc. the instrument	37	38	69	39	27	86	89	93	113	60	117	119	90	115	76	103

Requirements concerning Surveys and Certificates in force under SOLAS 1974/1978, MARPOL 1973/1978 and LL 1966

Certificate	Initial Survey	Renewal Survey	Annual Survey	Periodical Survey	Intermediate Survey	Intermediate Survey of tankers with age ≥ 10 years	Additional Survey	Endorsement of the Certificate
Passenger Ship Safety Certificate	Before the ship is put in service	12 m.	–	–	–	–	Either general or partial according to circumstances	+5 m. or +1 m.
Cargo Ship Safety Construction Certificate		60 m.	12 ± 3 m.	–	–	30 ± 6 m.		–
Cargo Ship Safety Equipment Certificate		24 m.	12 ± 3 m.	–	–	12 ± 3 m.		+5 m. or +1 m.
Cargo Ship Safety Radiotelegraphy Certificate		12 m.	–	–	–	–		+5 m. or +1 m.
Cargo Ship Safety Radiotelephony Certificate		12 m.	–	–	–	–		+5 m. or +1 m.
Chemical Tanker Fitness Certificate		≤60 m.	12 ± 3 m.	–	half-way date ± 6 m.	–		–
Gas Carrier Fitness Certificate		≤60 m.	12 ± 3 m.	–	half-way date ± 6 m.	–		–
Load Line Certificate		60 m.	–	12 ± 3 m.	–	–		+5 m.
Oil Pollution Prevention Certificate		≤60 m.	12 ± 3 m.	–	30 ± 6 m.	–		–
Noxius Liquid Pollution Prevention Certificate		≤60 m.	–	–	30 ± 6 m.	–		+5 m. or + 1 m.
Sewage Pollution Prevention Certificate		≤60 m.	–	–	–	–		+5 m. or +1 m.

FIGURE 1

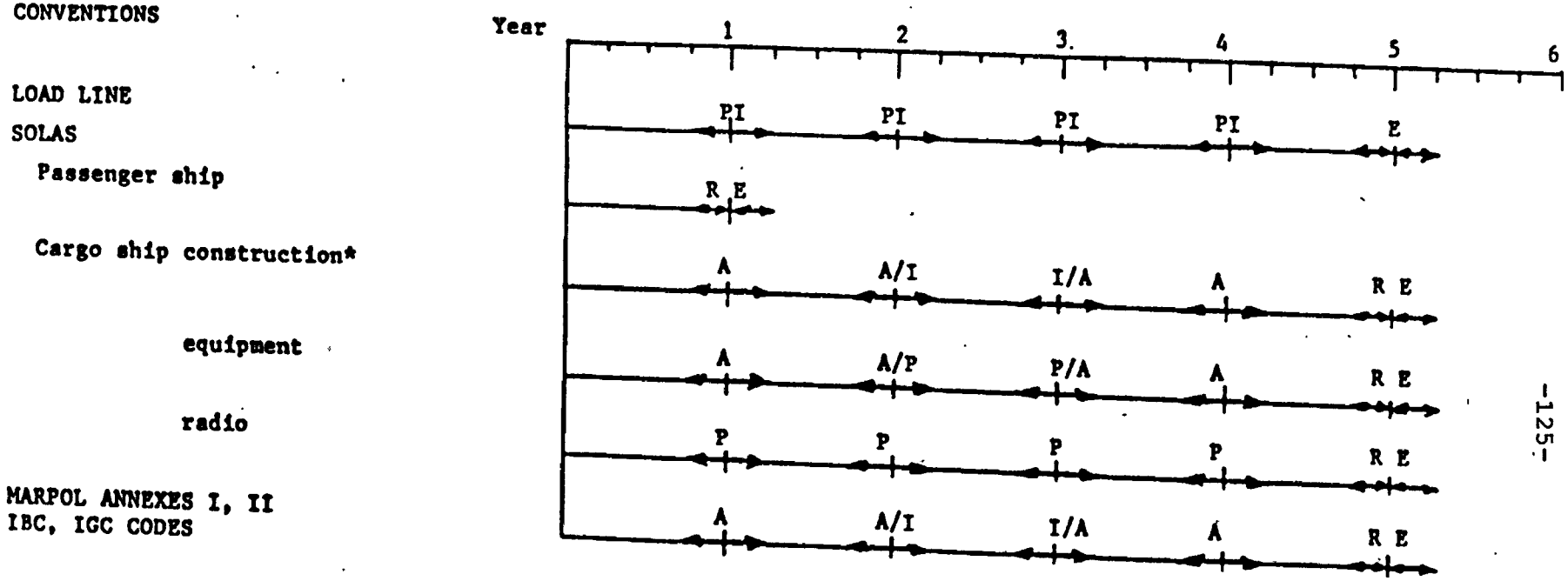
EXISTING SURVEY REQUIREMENTS



P = Periodical survey
PI = Periodical Inspection
I = Intermediate Survey
A = Mandatory Annual Survey
E = Extension up to 5 months
1/ For tankers of 10 years of age and more
2/ Mandatory annual survey within 3 months of the anniversary date (Survey Guidelines)

FIGURE 2

SURVEY REQUIREMENTS UNDER THE HARMONIZED SYSTEM



R = Renewal Survey
P = Periodical Survey
I = Intermediate Survey
A = Annual Survey
PI = Periodical Inspection
E = Extension up to 3 months
* Inspection of the outside of the ship's bottom is a separate survey item.

CERTIFICATES FOR CARGO SHIPS

SOLAS 74 and PROTOCOL 78

- Cargo Ship Safety Construction Certificate
  - Supplement
- Cargo Ship Safety Equipment Certificate
  - Supplement
- Cargo Ship Safety Radiotelegraphy (or Radiotelephony) Certificate
- Exemption Certificate
- International Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk (chemical tankers)
- International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk (gas carriers)

LOAD LINE 66

- International Load Line Certificate (1966)

MARPOL 73/78

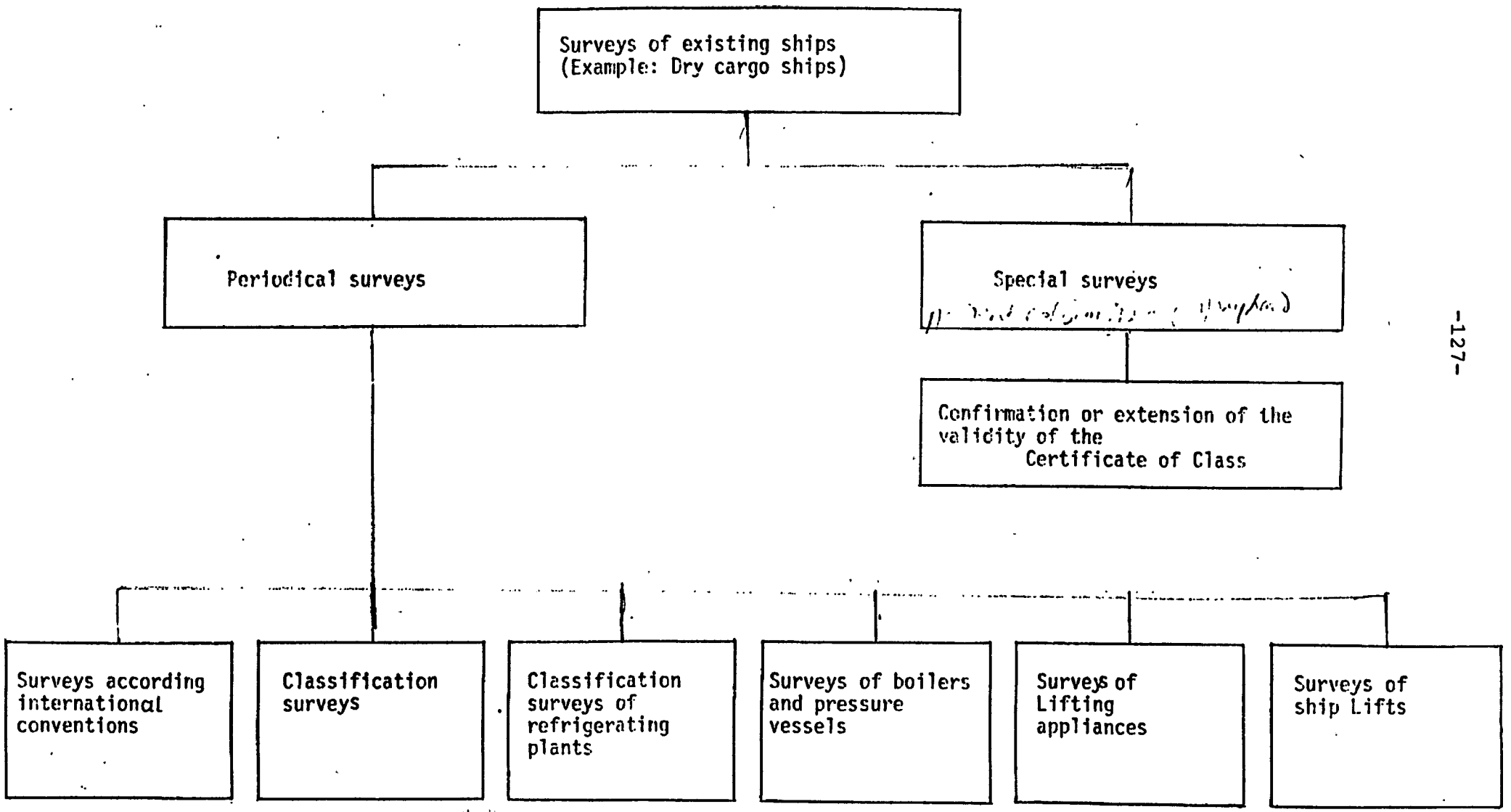
- International Oil Pollution Prevention Certificate (IOPP Certificate)
  - Supplement A (all ships)
  - Supplement B (oil tankers)
  - Oil Record Book

OTHERS

- International Tonnage Certificate (1969)
- Classification Certificate

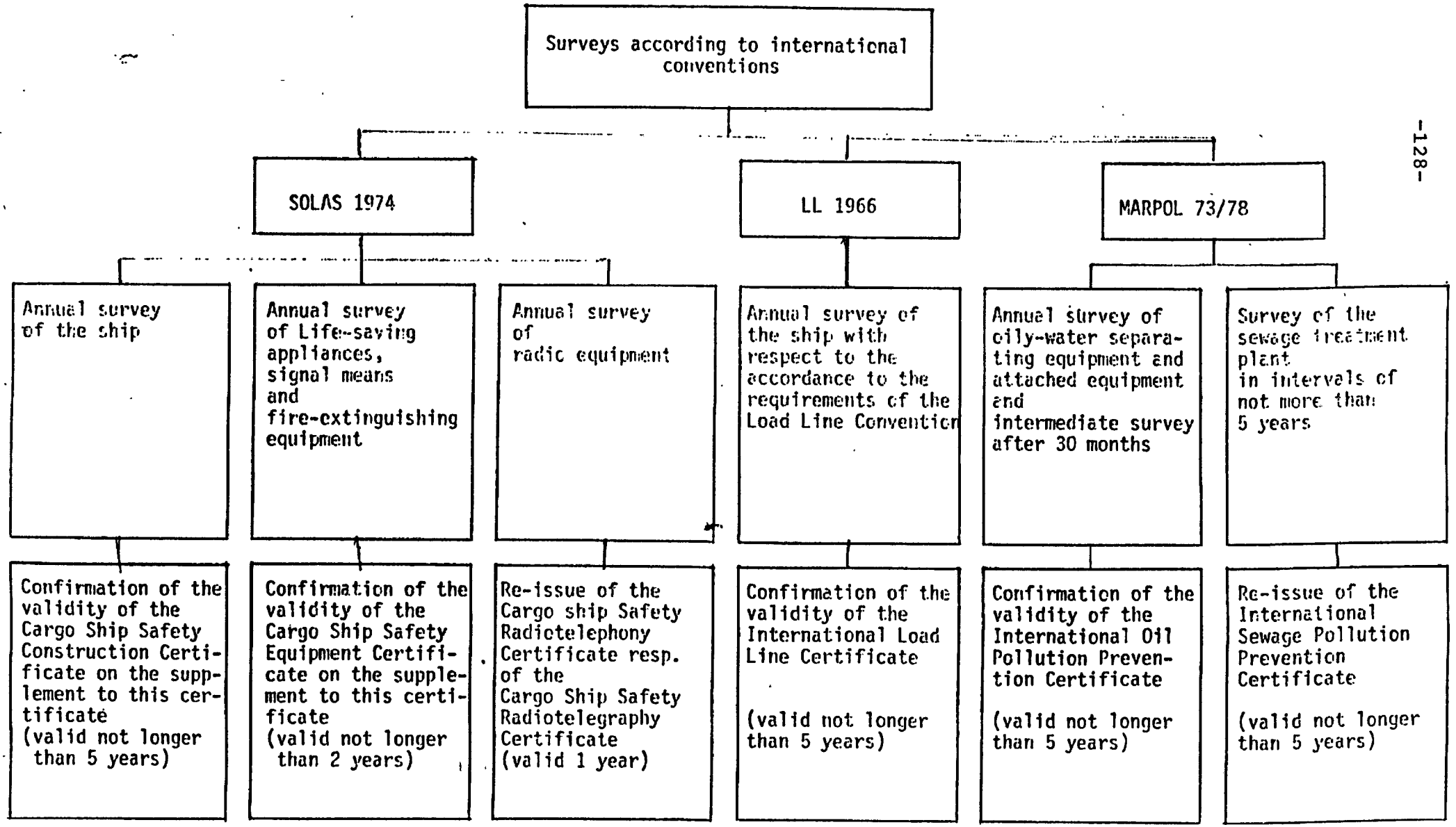
Scheme of surveys of existing ships

(7)



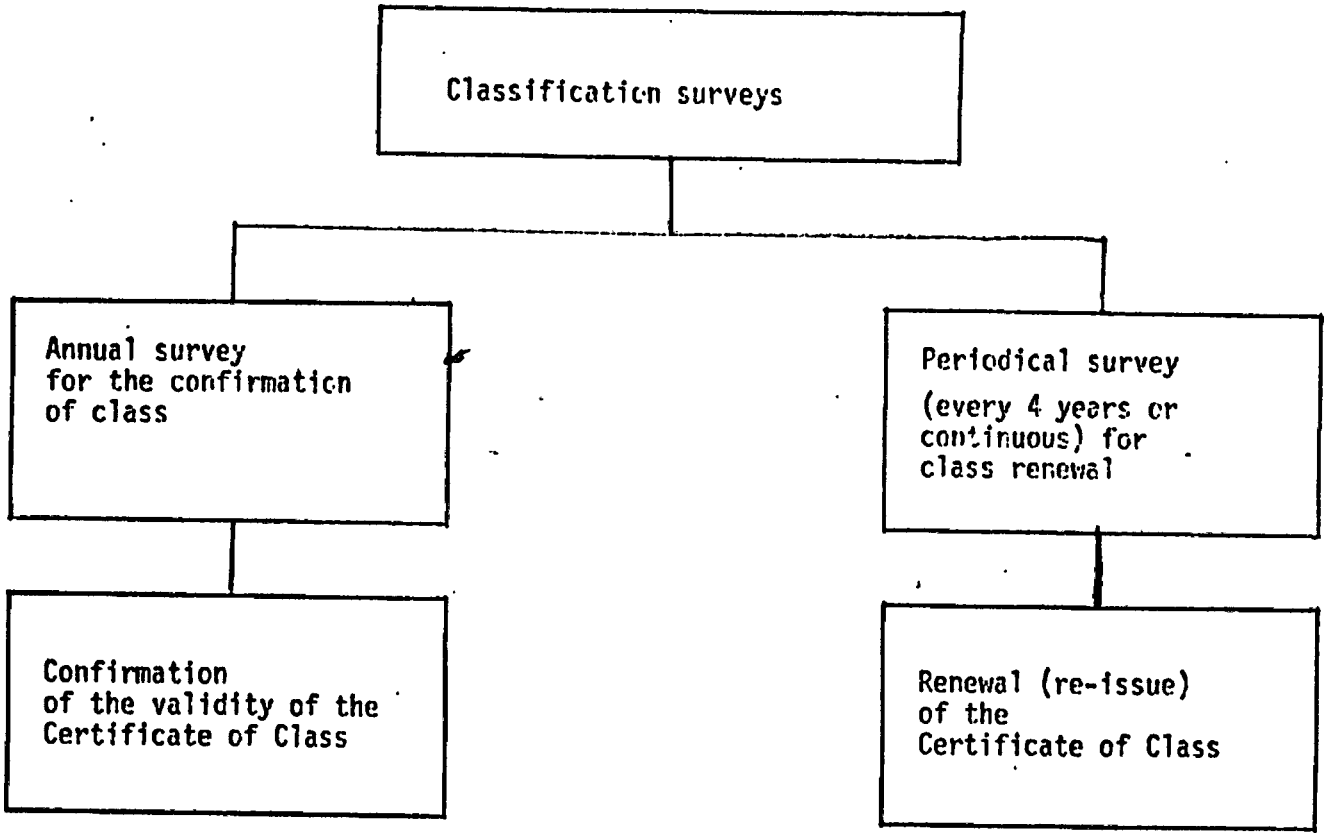
Scheme of surveys according to international conventions (dry cargo ships)

(2)



Scheme of classification surveys

(3)



ANNEX 10

L.N. 112 of 1963.

Merchant Shipping Act (Delegation of Powers) notice, 1963

Commencement: 12th September, 1963

In exercise of the powers conferred by section four hundred and forteen of the Merchant Shipping Act. 1962, section three of the Minister's Statutory Powers and Duties (Miscellaneous Provisions) Act, Cap. 122 and of all other powers enabling him in that behalf, the Minister of Transport of the Federation hereby gives the following notice-

Citation

1 This Notice may be cited as the Merchant Shipping Act (Delegation of Powers) Notice, 1963.

Delegation of Powers

2 The Minister of Transport of the Federation hereby delegates to the officers designated in the third column of the Schedule the powers specified in the first column opposite to the said officers which powers are conferred upon the Minister by the sections of the Merchant Shipping Act. 1962 specified in the second column adnacent thereto.

SCHEDULE

Powers delegated	Merchant Shipping Act	Officer
1. To grant certificates of competency	Section 7(1)	Government Inspector of Shipping
2. To issue permits in lieu of certificates of competency	Section 7(2)	Government Inspector of Shipping
3. To approve eye-sight tests	Section 8(	Government Inspector of Shipping
4. To disignate times and places of examinations	Section 14(1)	Government Inspector of Shipping
5. To exercise the powers of the Minister under Section 14(2) of the Act	Section 14(2)	Government Inspector of shipping
6. To order Board of Enquiry into allegations made aginst holders of certificate of competency and to cancel or suspend certificates of competency	Section 16(1)	Government Inspector of Shipping

.../34.

Merchant Shipping Act

SCHEDULE - continued

Powers delegated	Merchant Shipping Act	Officer
7. To receive account from the proper officer in respect of the return of seamen left behind	Section 43(c)	Superintendent
8. To appoint inspectors of provisions	Section 94(5)	Permanent Secretary
9. To keep a register of all persons serving in Nigeria Ships.	Section 136	Superintendent
10. To dispense with transactions before the Superintendent	Section 140	Government Inspector of Shipping
11. To receive copy of endorsements on agreements	Section 141(3)	Superintendent
12. To receive and approve plans and specifications	Section 145(1)(a)	Government Inspector of Shipping
13. To order detention of ships whose plans and specification have not been approved	Section 145(1)(b)	Government Inspector of Shipping
14. To give directions to surveyors	Section 149(8)	Government Inspector of Shipping
15. To receive the declaration of survey or give directions	Section 149(9)	Government Inspector of Shipping
16. To receive reports of Boards of Survey or Scientific Referees	Section 150(1)	Government Inspector of Shipping
17. To grant permits for ships to clear from Nigeria	Section 152(4)	Government Inspector of Shipping
18. To give directions as to manner of communication of Notice of the Collector of Customs	Section 156(3)	Government Inspector of Shipping
19. To give direction as to manner of communication of Notice to the Collector of Customs	Section159(8)	Government Inspector of Shipping

..../35.

Merchant Shipping Act.

SCHEDULE - continued

Powers delegated	Merchant Shipping Act	Officer
20. To appoint Radio Surveyors in conjunction with Ministry of Communications from officers already in the public service	Section 162	Permanent Secretary
21. To issue duplicate certificates of survey	Section 163(1)	Government Inspector of Shipping
22. Tos issue certificate within a specific time	Section 163(2)	Government Inspector of Shipping
23. To issue general safety certificates and short voyage certificates	Section 164(1)	Government Inspector of Shipping
24. To issue exemtion certificates, qualified safety certificate or qualified short voyage safety certificates	Section 164(2)	Government Inspector of Shipping
25. To issue safety equipment certificate	Section 165(1)	Government Inspector of Shipping
26. To issue exemption certificates or qualified safety equipment certificates	Section 165(2)	Government Inspector of Shipping
27. To issue radio certificates	Section 166(1)	Government Inspector of Shipping
28. To issue exemption certificates and qualified radio certificates	Section 166(2)	Government Inspector of Shipping
29. To issue radio exemption certificates	Section 166(4)	Government Inspector of Shipping
30. To issue the certificate referred to in section 167	Section 167	Government Inspector of Shipping
31. To transmit certificates issued under Part IV	Section 168(1)	Government Inspector of Shipping

..../36.

Merchant Shipping Act

SCHEDULE - continued

	Powers delegated	Merchant Shipping Act.	Officer
32.	To cuase notice of transmission of certificate issed under Part IV to be given to the owner, agent or master of the ship	Section 168(2)	Government Inspector of Shipping
33.	To direct the granting of interim Certificate of Survey	Section 168(4)	Government Inspector of Shipping
34.	To receive written notice and full particulars of alternations	Section 170(1)	Government Inspector of Shipping
35.	To exercise all the powers of the Minister under section 170(4)	Section 170(4)	Government Inspector of Shipping
36.	To exercise Minister's power of re-issue of Certificate of Survey	Section 170(6)	Government Inspector of Shipping
37.	To exercise Minister's power under section 173(1) of Act	Section 173(1)	Government Inspector of Shipping
38.	To issue notice of cancellation of Certificates	Section 174(1)	Government Inspector of Shipping
39.	To exercise the Minister's power under section 175(1) and (2)	Section 175(2)	Government Inspector of Shipping
40.	To order detention of ship	Section 175(4)	Government Inspector of Shipping
41.	To exercise Minister's power of granting extention of certificates	Section 176	Government Inspector of Shipping
42.	To exercise powers of Minister under section 180(1)	Section 108(1)	Government Inspector of Shipping
43.	To exercise Minister's Power under section 181 of the Act	Section 181	Government Inspector of Shipping
44.	To approve the forms which ship's stability information shall take	Section 185(2)	Government Inspector of Shipping

..../37.

Merchant Shipping Act

SCHEDULE - continued

	Powers delegated	Merchant Shipping Act	Officer
45.	To receive information as to stability	Section 185(3)	Government Inspector of Shipping
46.	To give permission for carrying passengers in excess of specified numbers	Section 190(2)	Government Inspector of Shipping
47.	To give permission to carry unberthed passengers in certain cases	Section 191(1)	Government Inspector of Shipping
48.	To issue permits for fishing boats to carry passengers in certain circumstances	Section 196(3)	Government Inspector of Shipping
49.	To exercise powers of Minister under section 200(1) of the Act	Section 200(1)	Government Inspector of Shipping
50.	To exempt ships from carrying load line	Section 202(3)	Government Inspector of Shipping
51.	To exercise the powers of the Minister under section 202(4) of the Act.	Section 202(4)	Government Inspector of Shipping
52.	To lay down conditions of assignment of load line	Section 203(2)(b)	Government Inspector of Shipping
53.	To exercise powers of the Minister under section 204 of the Act	Section 204	Government Inspector of Shipping
54.	To issue notices of cancellation and renewal of load line certificate	Section 207(1)(2)	Government Inspector of Shipping
55.	To exercise all the powers of the Minister under section 208 of the Act	Section 208	Government Inspector of Shipping
56.	To order release of ships from detention	Section 217(5)	Government Inspector of Shipping
57.	To renew and cancel load line certificates of ships of other countries	Section 223(1)	Government Inspector of Shipping.

.../38.

Merchant Shipping Act

SCHEDULE - continued

	Powers delegated	Merchant Shipping Act	Officer
58.	To exercise all the powers of the Minister under section 229 of the Act	Section 229	Government Inspector of Shipping
59.	To issue copies of collision rules on application of owner, master or person in command of a ship	Section 231(4)	Government Inspector of Shipping
60.	To direct notification of deciciency of equipment	Section 232(2)	Government Inspector of Shipping
61.	To appoint Boards of Survey and receive report	Section 232(4)(5)	Government Inspector of Shipping
62.	To order signal stations and radio stations to transmit distress signals	Section 240(3)	Government Inspector of Shipping
63.	To exercise the Minister's powers of approval of explosive magazines	Section 250(1)	Government Inspector of Shipping
64.	To prescribe rules for reasonable precaution in the carriage of grain	Section 253(3)	Government Inspector of Shipping
65.	To appoint inspectors of wool, flax tow and skins or other goods liable to spontaneous combusion	Section 256(1)	Permanent Secretary
66.	To issue permits to carry deck cargo	Section 257(1)	Government Inspector of Shipping
67.	To detain or release unseaworthy Commonwealth ships	Section 260(1)	Government Inspector of Shipping
68.	To receive report of detention or release of ship	Section 260(3)	Government Inspector of Shipping
69.	To order inquiry into condition of ships anchors and cables	Section 260(8)	Government Inspector of Shipping
70.	To demand security for costs	Section 262	Government Inspector of Shipping

Merchant Shipping Act

SCHEDULE - continued

	Powers delegated	Merchant Shipping Act	Officer
71.	To detain unsafe foreign ships	Section 263	Government Inspector of Shipping
72.	To appoint fit persons to hold preliminary Board of Inquiry into shipping casualties	Section 267(1)	Government Inspector of Shipping
73.	To get reports of findings of the Board of Inquiry	Section 267(2)	Government Inspector of Shipping
74.	To exercise Minister's power of publishing in the Gazette results of examinations in respect of ships in distress	Section 281(2)	Government Inspector Shipping
75.	To receive notice of wreck given by Receiver	Section 284(1)(2)	Government Inspector of Shipping
76.	To appoint registrars and ports of registry for the registration of ships	Section 304(1)	Permanent Secretary
77.	To order an enquiry where there is a case of doubt as to title of a ship	Section 306(3)	Government Inspector of Shipping
78.	To detain ships of evidence of ownership is not produced	Section 307(4)	Government Inspector of Shipping
79.	To accept other countries tonnage figures	Section 309(2)	Government Inspector of Shipping
80.	To exercise Minister's power under this section	Section 310(1)	Government Inspector of Shipping
81.	To recognise persons who may be termed "Shipbuilders"	Section 312(4)	Government Inspector of Shipping
82.	To approve grants of new certificates of registry	Section 317(1)	Government Inspector of Shipping
83.	To approve provisional certificates of registry for ship which in a foreign country becomes Nigerian owned	Section 322(1)	Government Inspector of Shipping

.../40.

Merchant Shipping Act

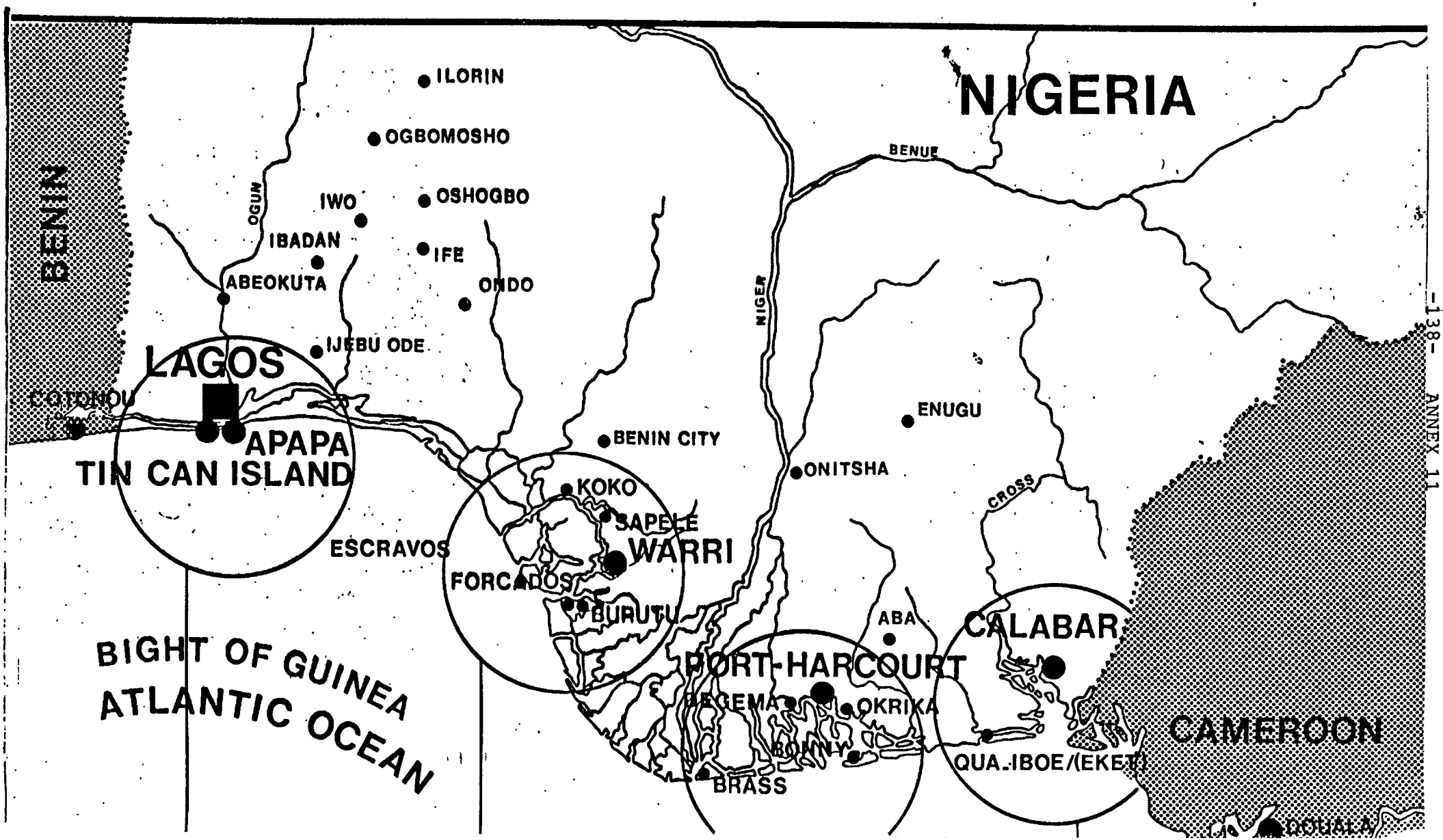
SCHEDULE - continued

	Powers delegated	Merchant Shipping Act	Officer
84.	To consent to transfer or registry to other Commonwealth countries	Section 329(1)	Government Inspector of Shipping
85.	To consent to certificates of sale of a ship	Section 329(5)(6)	Government Inspector of Shipping
86.	To consent to re-issue of certificates of sale or mortgage, if lost	Section 350	Government Inspector of Shipping
87.	To give consent to the registration of ships in different names	Section 355(5)	Government Inspector of Shipping
88.	To exercise Minister's power under section 376 of the Act	Section 376	Government Inspector of Shipping
89.	To exercise the Minister's power under section 368 of the Act	Section 368	Government Inspector of Shipping
90.	To exercise the Minister's power under section 378 of the Act	Section 378(1)(2)	Government Inspector of Shipping
91.	To have rrports of inquiry into causes of death	Section 403	Government Inspector of Shipping
92.	To appoint inspectors	Section 418	Permanent Secretary
93.	To exercise Minister's power under section 426 of the Act	Section 426	Government Inspector of Shipping
94.	To give consent in writing on such terms and conditions as may be necessary	Section 331	Government Inspector of Shipping
95.	Tog give consent in writing on such terms and conditions as may be necessary	Section 345(3)	Government Inspector of Shipping

EXPLANATORY NOTE

By this notice the Minister of Transport of the Federation delegates to the Permanent Secretary, Superintendent Merchantile Marine Officer, and Government Inspector of Shipping certain powers under the Merchant Shipping Act, 1962.

.../41.


NIGERIA
BENIN
ILORIN
OGBOMOSHO
OGUN
IWO
OSHOGBO
IBADAN
IFE
ABEOKUTA
ONDO
IJEBU ODE
LAGOS
COTONOU
APAPA
TIN CAN ISLAND
BENIN CITY
NIGER
BENUE
ENUGU
ONITSHA
CROSS
KOKO
SAPELE
WARRI
ESCRAVOS
FORCADOS
BURUTU
ABA
CALABAR
PORT-HARCOURT
BEGEMA
OKRIKA
BONNY
BRASS
QUA-IBOE/(EKET)
CAMEROON
DOUALA
BIGHT OF GUINEA
ATLANTIC OCEAN

BIBLOGRAPHY.

1. History of Nigeria. by M. Crowther. 1962.

2. History of Nigerian Ports Authority. by W.J. Knight.

3. Nigerian Merchant Shipping Act 1962, as amended.

4. Collin English Dictionary.

5. Elements of Ship Design. by R. Munro Smith.

6. British Shipping Laws. by Singh and Colinvaux.

7. The Future Roles of Classification Societies. (IACS).

8. Marine Surveys. by C.F. Durham.

9. Ship Safety Handbook. (Bureau Veritas).

10. Naval Architecture. by W. Muckle.

11. Shipping Economics. by I. Chranowski.

12. Marine Survey Practice. Candy.

13. Marine Survey. (basic aim). J.W.Bull.

14. Marine Boiler Survey Handbook. by. J.H. Milton.

15. Nigerian Shipping Laws. by L.N. Mbanefor.

16. Sea Transport (operation economics). R.M. Alderton.

17. I.M.O. Publications. i.e conventions,regulations, codes and resolutions. etc.

18. International Association of Classification Societies (Veritas Publishing House.).

19. Various Papers from the Classification Societies.

20. International Conference on Ship Safety and Marine Surveying.(Nautical Institute and W.M.U.Malmoe 1986).

21. Guidelines for Maritime Legislation. (ESCAP).

22. National Administration for Safety and Pollution Prevention Control. Dr. J. Cowley.

LIST OF ABBREVIATIONS.

A.B.S.	*American Bureau of Shipping.*
A.O.L.	*African Ocean Lines.*
B.V.	*Bureau Veritas.*
COLREG.	*Collision Regulations.*
DnV	*Det norske Veritas*
EEC	*European Economic Community.*
EURACS	*European Association of Claasification Societies.*
GL.	*Germanischer Lloyds.*
G.I.S.	*Government Inspector(ate) of Shipping.*
IACS	*International Association of the Classification Societies.*
I.L.O.	*International Labour Organization.*
I.M.O.	*International Maritime Organization.*
IOPP.	*International Oil Pollution Prevention Certificate.*
L.N.G.	*Liquified Natural Gas.*
MARPOL.	*Marine Pollution.*

M.O.D.U. *Mobile Offshore Drilling Unit*

N.F.C. *Nigerian Fish Company.*

N.L.S. *Noxious Liquid Substance*

N.K.K. *Nippon Kaiji Kyakoi.*

O.I.L. *Ocean Inchcape Limited.*

OTSC *Organ for Technical Supervision and Certification.*

R.I.N.A. *Registro Italiano Naval.*

SAFCON *Safety Construction*

S.O.L.A.S. *Safety of Life at Sea.*

UNCLOS. *United Nations Conference on the Law of the Sea.*

UNCTAD. *United Nations Conference on Trade and Development*