

THE SHIOWNERS' CLUB

Tugs – A P&I Perspective

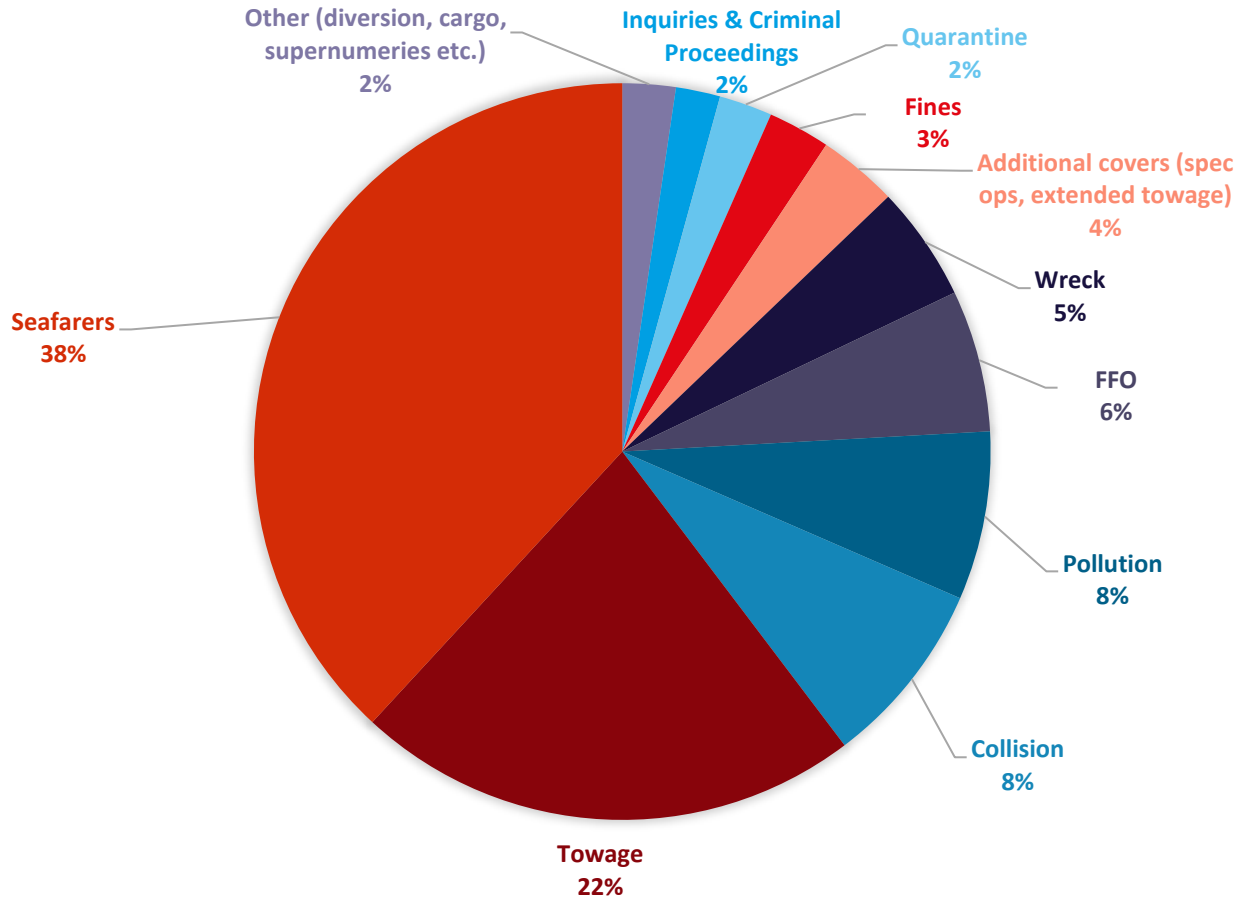
November 2023



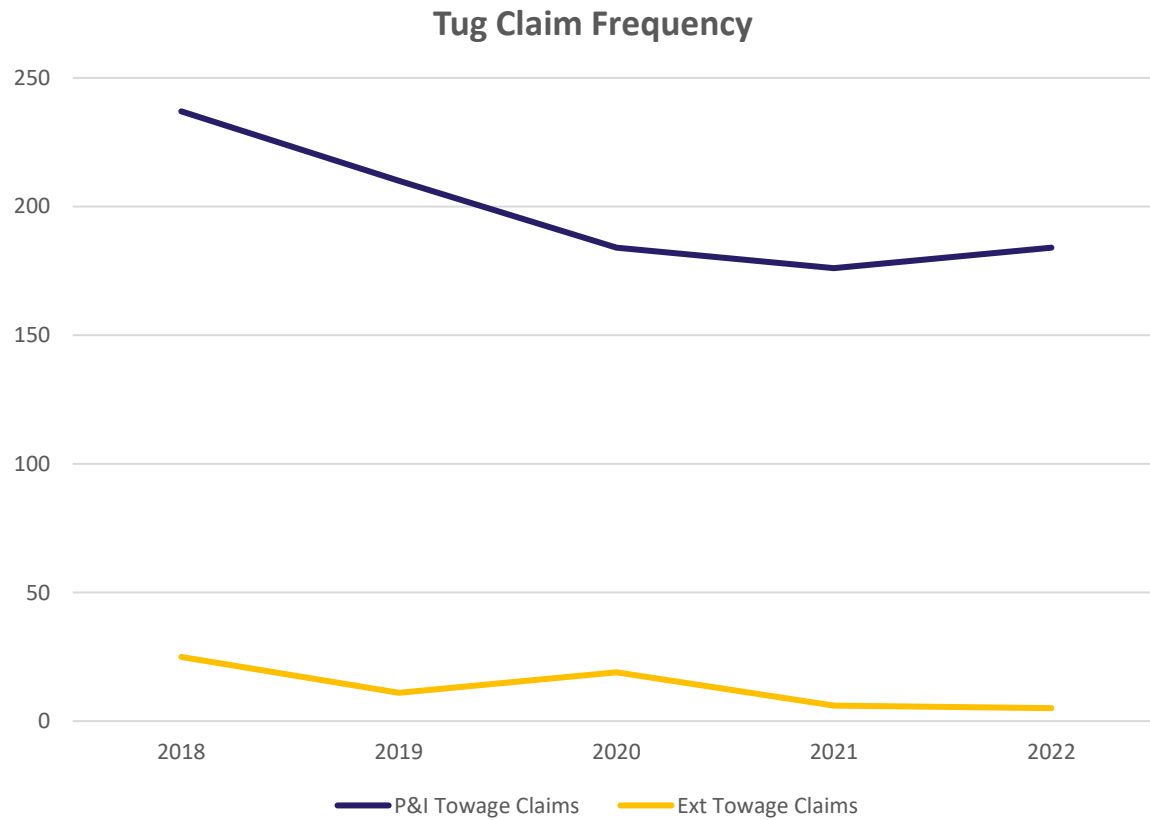
What sort of claims does the Club face?



What types of P&I claims do tugs generate?

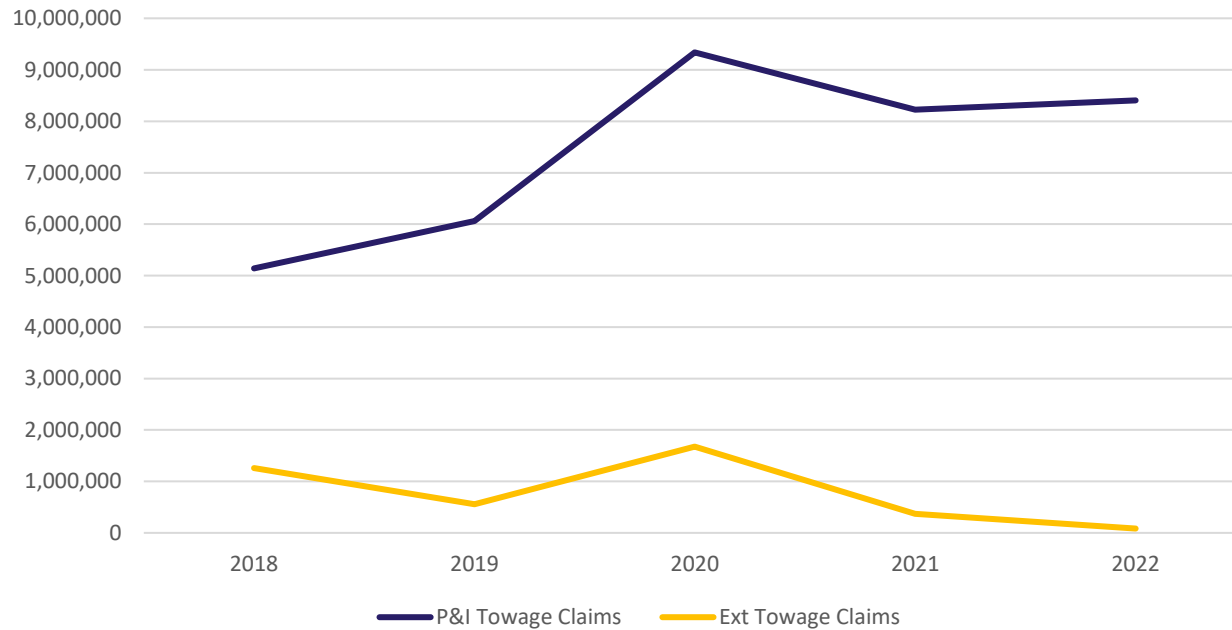


Club Tug figures - 1



Club Tug figures - 2

Cost of Tug claims (estimated and incurred)



Case Studies

Case Study 1 - Tug sank after collision with a tanker

What happened?

- In October 2021 one of our Member's tugs was assisting a Tanker to berth in La Plata.
- During the operation, the Tug struck the Tanker, causing a hole below the water line of the Tug.
- The Skipper proceeded to a pier where the Tug sank, the crew onboard were rescued, and no injuries were suffered.
- Our investigations concluded that a propeller failure was likely to have been the main cause of the Tug making contact.



Case Study 1 - Tug sank after collision with a tanker

What were the claims faced?

1. Wreck Removal

- The Tug had an insured value of USD 900,000 and was declared a CTL.
- The Club arranged a WRECKFIXED contract for USD 1.25 million which was successfully carried out.

2. Pollution

- A local ORSO was appointed to deploy the necessary equipment and personnel to minimize any environmental impact.
- To ensure the Club had oversight over this work, ITOPF provided remote guidance and a local consultant was appointed to attend onsite. The OSRO has submitted their invoice for around US\$ 546,000.

3. Small claims from local residents and third parties

Case Study 1 - Tug sank after collision with a tanker

Lessons learnt

- This claim highlights the intrinsically dangerous nature of harbour towage.
- Even though the Tug was well maintained, it suffered a mechanical failure which led to a collision which in turn led to a very large claim.

Case Study 2 – Tug damaged Gas Platform

What happened?

- In January 2020, a Member's Tug was towing a barge through a Gas Field in the UAE.
- The Tug and Barge suffered repeated parting of their main and emergency towing wire.
- During a period when the Tug was trying to reattach the towline, the Barge drifted into the platform.
- The cause appeared to be worse than forecast weather conditions.



Case Study 2 – Tug damaged Gas Platform

What were the claims faced?

- The only claim was one from the Owners of the Gas Rig for damage.
- Given the Tug and Barge were simply transiting the area, there was no contractual relationship between our Member and the Platform Owner which could provide any defences.
- In the end the Club paid circa USD 1.2 million in damages to the Platform Owners.

Case Study 2 – Tug damaged Gas Platform

Lessons learnt

- The importance of good weather forecasting
- Claims in oil fields can also be very expensive, especially as there is the potential for large loss of use claims if the rig has to stop work.

Case Study 3 – Enclosed Spaces

What happened?

- In 2018 our Member was towing a barge off the coast of Qatar.
- The barge was in ballast; however, it had been carrying a cargo of aggregates.
- The decision was made to clean the barge; however, it was not properly vented.
- 2 crewmembers collapsed, and during the rescue a third crewmember also lost consciousness. The rescue was finally completed, but unfortunately the two initial crewmembers passed away.
- Whilst our Member had good procedures in place, there was some misunderstanding of those procedures on the part of the crew.



Case Study 3 – Enclosed Spaces

What claims were faced?

1. Crew claims

- The families of the two deceased crewmembers received USD 90,000 per crewmember in compensation.
- No claim was ever received from the crewmember who made the failed rescue attempt.

2. Criminal Proceedings

- Criminal proceedings were started in Qatar against both the Master and the Member.

Case Study 3 – Enclosed Spaces

Lessons learnt

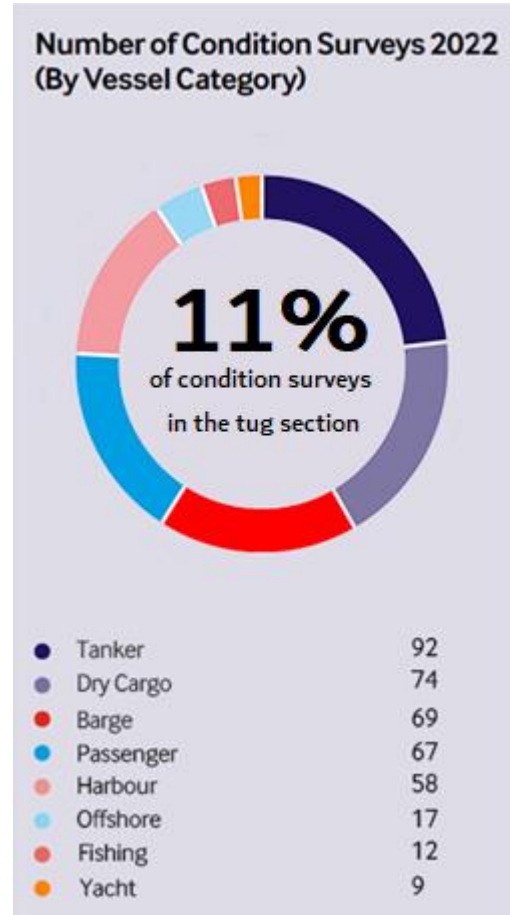
- Unfortunately, enclosed space related claims remain far too common a source of injuries in almost all forms of shipping.
- This claim highlights the importance of not just having procedures but ensuring they are understood.

Back to Basics?








Condition Survey Programme

- Designed to focus on small and specialist tonnage
- Focused on manning, navigation, management, hygiene, safety, machinery, security, pollution prevention, structural and cargo worthiness standards on board
- Local surveyors are appointed to undertake these assignments as this ensures that Members are dealing with a surveyor well-versed in local rules and regulations
- The survey findings are highlighted to the Member with the intention of assisting them in increasing the safety level of their operation
- Allows the Club to establish developing claims trends pro-actively



Top five defects – Tugs (2022)



	Inspected	Defect	Percentage
 Is the compass deviation card on display?	37	16	43%
 Are the bilges clean and free of oil waste and sediments?	37	16	43%
 Are the engine compartments, including bilges, clean, tidy and free from combustible materials?	37	16	43%
 Is the ultrasonic thickness report available on board, reviewed by the attending surveyor and found in order?	36	12	33%
 Are relevant test certificates available for towing gear?	37	12	32%

Bridge Watchkeeping – Remember the Foundations

Keeping a lookout means actively looking

- Sole lookout or additional watchkeeper?
- Well rested or fatigued?
- 6/6 or 4/8?
- Chart correcting or keeping a lookout?
- Phones, TVs and radios?

“Every vessel shall at all times maintain a proper look-out by sight and hearing as well as by all available means appropriate in the prevailing circumstances and conditions so as to make a full appraisal of the situation and or the risk of collision.”

- Colregs – Rule 5

Bridge Watchkeeping – Remember the Foundations

The help and hindrance of modern equipment

- AIS
 - Helps identify targets, even before radar, but is only as good as information it receives, and some small targets may not have AIS
- ECDIS
 - Integration offers help to navigators but must be set up properly and alarm when appropriate
- VHF
 - Receive warnings, forecasts and traffic information but not to be used for navigation
- Weather forecasting
 - Online forecasts are readily available but urgent updates are often through radio or NAVTEX

*“Every vessel shall at all times maintain a proper look-out by sight and hearing as well as **by all available means appropriate in the prevailing circumstances and conditions so as to make a full appraisal of the situation and or the risk of collision.**”*

- Colregs – Rule 5

The Importance of Clean Bilges

Fire

- Discarded oily rags and other combustible material can spontaneously combust, especially in the heat of the engine room
- Oil and combustible materials in the bilges can fuel a fire making them harder to extinguish

Pollution

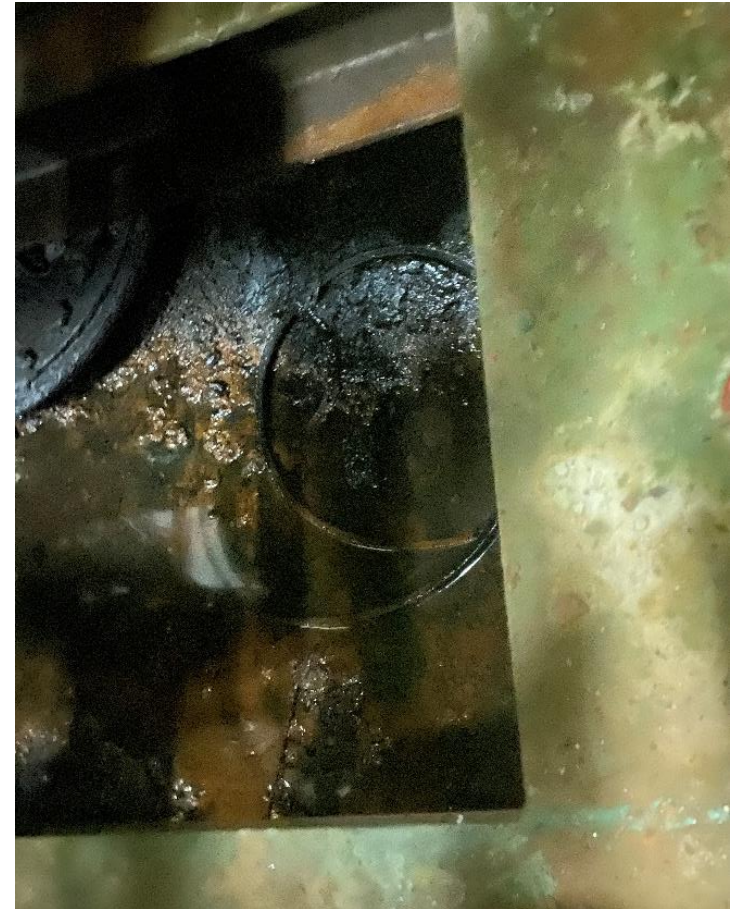
- Debris in the bilges can block the oily water separator causing it to malfunction
- Oil in the bilges could be accidentally pumped overboard in emergencies

Flooding

- Debris in bilges may block the bilge pumps or non-return valves

Maintenance

- Early warning signs of an oil leak may be missed in dirty bilges



Benefits of adopting a safety management system



Safety and operational reliability



Responding to emergencies



Identifying non-conformities



Compliance with regulations



Implementation of certification management

Questions?



SHIPOWNERS

Thank you!

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