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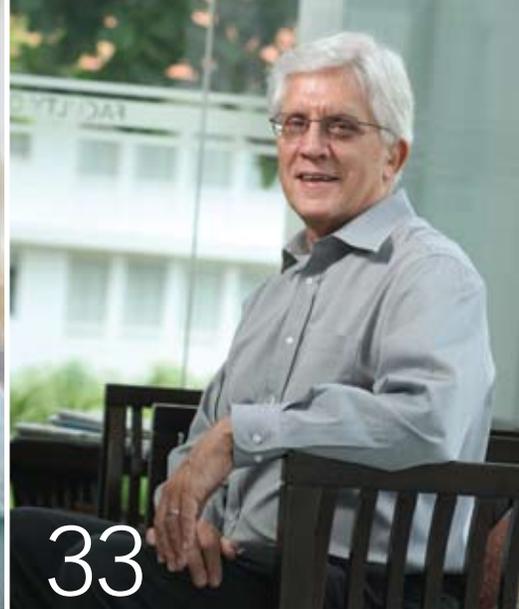
Nautilus

A Maritime and Port Authority of Singapore Quarterly



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EDITOR-IN-CHIEF
Matthew Lee

EDITORS
Simon Ang, Corrine Ng, Greg Knowler

EDITORIAL COMMITTEE
Khong Shen Ping, Tan Beng Tee,
Toh Ah Cheong, Richard Tan,
Yee Cheok Hong, M. Segar Abdullah

EDITORIAL CO-ORDINATOR
Isabell Tay

CONTRIBUTORS
Phil Hastings, Rahita Elias, Alan Morison,
Chris Davis

ADVERTISING CO-ORDINATOR
Rorena Chia

PUBLICATION LAYOUT
Nick Berriff

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1 New Industrial Road
Times Centre
Singapore 536196



MPA
SINGAPORE

MARITIME & PORT AUTHORITY OF SINGAPORE
460 Alexandra Road
#18-00 PSA Building
Singapore 119963
Tel: +65 6375 1600
Fax: +65 6275 9247
www.mpa.gov.sg

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Vessel integrity



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Ships and Sensibility

Is it not a truth universally acknowledged that shipping is environmentally-friendly and by far the most energy-efficient mode of international cargo transport?

Even though there has been a massive increase in world seaborne trade, marine pollution, in particular oil spilled from ships, has reduced substantially over the last 20 years. Shipping's environmental credentials extend to air emissions, as the shipping industry is a small contributor to the total volume of atmospheric pollution when considered against the volume of goods and resources transported by ships. The industry remains relentless in advancing environmentally-friendly shipping, while continuing to service people and economies, facilitating growth and development.

Green finger pointing at shipping is thus perplexing. A myriad of new environmental regulations are being proposed. Are these effective solutions for protecting the marine environment and reducing emissions from ships? And practicable? Are they UNCLOS-consistent? And within the International Maritime Organisation (IMO) framework for uniform implementation globally?

In the third issue of *Singapore Nautilus*, we take a step back to frame the environmental challenges to shipping as the IMO seeks to further strengthen the friendship between ships and the environment. Sensibility must prevail when developing new environmental measures, lest the less than effective appear the better option. Or worse, we throw the baby out with the bath water. Indeed, without shipping, half the world would freeze, while the other half would starve.

We also clear the air surrounding male exclusivity in the maritime sector with our spotlight on leading female maritime personalities in celebration of International Women's Day. Is the maritime industry exciting and progressive? Absolutely! Check out maritime-careers.com.sg with WIMAX the next time you are in port: "*Leading maritime law firm seeks brilliant minds to advise industry captains.*" It is not business as usual at the world's busiest port. Meet the people responsible for safety, security and efficiency at sea. Friends from afar who call this island home complete *Maritime Singapore*.

Enjoy the read.

Matt



Maritime leaders strengthen ties in high-level meetings

DATO' CAPTAIN AHMAD OTHMAN, Director General, Marine Department Malaysia, visited Singapore in January as a guest of the Maritime and Port Authority of Singapore (MPA) under its Distinguished Visitors Programme (DVP).

During his two-day visit, Capt Ahmad called on Singapore's Minister for Transport and Second Minister for Foreign Affairs, Mr Raymond Lim, and met with MPA Chief Executive BG (NS) Tay Lim Heng and the MPA senior management team.

Capt Ahmad's visit underscored the close working relationship between the two maritime administrations and served to strengthen relations at the leadership level. The MPA and the Malaysian Marine Department have a long history of successful collaboration on issues that include navigational safety and marine environmental protection.

Most recently, the maritime administrations of Indonesia, Malaysia and Singapore worked closely with the International Maritime Organisation to successfully launch a Co-operative Mechanism for the Straits of Malacca and Singapore. The groundbreaking initiative is a milestone in international co-operation in straits used for international navigation.

ReCAAP ISC comes of age

THE RECAAP INFORMATION SHARING CENTRE (ISC) was roundly commended at the second annual meeting of the ReCAAP ISC Governing Council in February.

Governors from the 14 ReCAAP countries were pleased at the ISC's progress towards establishing itself as an authority on piracy and armed robbery against ships in Asia.

The ISC's findings on the topic were released in its inaugural annual report entitled *Adding Value, Charting Trends*, which was launched at the meeting. In particular, the Council noted that the total number of reported incidents of piracy and armed robbery in Asia had fallen by 26% in 2007.

The Council was encouraged by the comments of Koji Sekimizu, Director of the IMO's Maritime Safety Division, who said the ReCAAP and the ISC exemplified the type of regional co-operation that the IMO sought to cultivate.

The Council also welcomed new contributions from ReCAAP countries towards the work of the ISC. A Memorandum of Understanding was signed with the Republic of Korea, formalising the latter's commitment to contribute US\$100,000 to the ISC annually. China also announced its intention to contribute US\$50,000.

New PIL-PSA terminal open for business

PACIFIC INTERNATIONAL LINES (PIL) vessels began calling at their new dedicated container terminal at Singapore's Keppel wharf in February.

The three-berth facility is a joint venture between PIL and PSA Singapore and is the third such arrangement between the port and shipping lines. Similar deals were reached with China Ocean Shipping Company (Cosco) in 2003 and Mediterranean Shipping Company (MSC) in 2006.

It is the first time a local line has been granted a dedicated terminal. Representatives from both PIL and PSA will be on the joint venture's board and management team.

PIL managing director SS Teo told reporters that the carrier had reached a stage where its container volumes justified a dedicated terminal.

PIL executive chairman YC Chang added that the joint venture was a result of many years of "goodwill and strong working relationship with PSA at all levels" and reinforced PIL's commitment to Singapore.

In addition to this joint venture, PIL also formed a strategic alliance with Wan Hai Lines through a Memorandum of Understanding (MOU). The MOU established the intention of both Parties to enter into a 10-year Strategic Alliance Agreement that covers current areas of cooperation and future service development plans.

New maritime studies to meet industry needs

THE MPA and the Nanyang Technological University (NTU) of Singapore have introduced a new maritime studies programme designed to meet global trends and industry needs.

The Bachelor of Science (Hons) degree in Maritime Studies with a Business Major starts in August and is offered jointly by the NTU School of Civil and Environmental Engineering and Nanyang Business School.

The new degree will join the Bachelor of Science (Hons) degree in Maritime Studies that was launched in July 2004. The NTU and the Norwegian School of Management (BI) in Norway will conduct both programmes jointly.

"As with all our programmes, these new ones are built on rigorous fundamentals that provide a strong foundation," said Professor Er Meng Hwa, NTU's Associate Provost.

"Also, with industrial attachments and opportunities for overseas exposure, an NTU education will put our graduates in good stead for their working lives."

Students will complete a semester of their studies at BI in Norway in their third year of studies, and will also involve an internship in the maritime industry as well as, field visits to supplement the learning experience.

NOL gives S\$1m to Singapore charities

NEPTUNE ORIENT LINES (NOL) has donated S\$1 million to 10 local charities. Presenting them with S\$100,000 each, NOL Chairman Cheng Wai Keung said the shipping company wanted to provide assistance to the youth, the elderly and the disabled.

One of the charities is seven-year-old Sailability Singapore, which conducts sailing training for the disabled.

The other nine organisations were the Rainbow Centre Margaret Drive School, Boys' Town Singapore, Canossaville Children's Home, Care Corner Family Service Centre, Children's Cancer Foundation, Habitat for Humanity, Minds Towner Gardens School, Spastic Children's Association and the Student Advisory Centre.

maritimecareers.com.sg launched

MPA CHIEF EXECUTIVE BG (NS) Tay Lim Heng launched a one-stop job portal supporting Singapore's rapid growth as an international maritime centre in March at the quarterly NetworkONE Reception for the maritime community. The reception promotes maritime careers and education, brings prospective employers and employees together and features jobs spanning all three maritime sectors: shore-based maritime services, offshore and marine engineering, and seafaring.

Speaking at the event, BG (NS) Tay said: "The launch of this new maritime career portal marries the growing interest among our youth in the maritime sector and the industry's need for quality manpower to fuel the rapid growth of Singapore as an international maritime centre. By leveraging on the internet, the job match-making can be effected around the clock."

Over the years, the MPA has worked closely with tertiary institutions to enhance the maritime education and training landscape to support the growth of the maritime sector. Since 2002, 15 new maritime tertiary

The image shows a screenshot of the maritimecareers.com.sg website. At the top left is the 'Maritime ONE' logo. A navigation menu lists: HOME, MARITIME INDUSTRY, CAREERS, SCHOLARSHIPS, EDUCATION & COURSES, NEWS & EVENTS, and SEARCH JOBS. The main header reads 'Singapore Maritime Careers'. Below this, there are three main categories: 'SHOREBASED MARITIME SERVICES', 'OFFSHORE & MARINE ENGINEERING', and 'SEAFARING'. A 'Special Feature' section features a photo of a woman and text: 'Special Feature: Kelly Teo, Senior Sales Executive (Corporate Desk) at Pacific Inet Lines shares her experiences and challenges. Read full story and others >>'. A 'News & Events' section mentions 'Maritime Pavilion at Career 2008 28 Feb to 2 Mar. Come visit the Maritime Pavilion to find out more about career opportunities in the maritime industry! Read More >>'. The footer includes 'A MaritimeONE project' and logos for ASMI, MPA, SMF, and NTU.

programmes have been introduced at the diploma, graduate and postgraduate levels. The new and pre-existing programmes produce 900 maritime-ready people for the industry each year in support of the growth of the maritime sector that contributes around seven percent to Singapore's GDP.



Dato' Capt Ahmad and BG (NS) Tay Lim Heng, Chief Executive, MPA.

MPA's Distinguished Visitors Programme

Dato' Capt Ahmad Othman, Director General, Marine Department Malaysia



ABOVE
(L to R) Dato' Capt Ahmad, Capt Khong Shen Ping, Group Director, Hub Port, MPA and Capt Khoo Gek Hung, Marine Surveyor, MPA.



ABOVE
(L to R) Capt Khong, Dato' Capt Ahmad, BG (NS) Tay, and Mr Yee Cheok Hong, Director, Policy, MPA.

Launch of WISEPORT



The signatories for the MOU between Qmax and industry partners for the adoption of a one year pilot trial for the WISEPORT infrastructure. (Seated, L to R) Global Marine Transportation Pte Ltd, Shell Eastern Trading (Pte) Ltd, APL Co. Pte Ltd, QMax Communications Pte Ltd, United Kingdom Hydrographic Office, DHI Water & Environment (S) Pte Ltd and Tropical Marine Science Institute, National University of Singapore (NUS).



(L to R) Mr Alex Tan, Director, Qmax Communications Pte Ltd, BG (NS) Tay Mr Peter Ong, Chairman, MPA, and RADM (NS) Ronnie Tay, Chief Executive, Infocomm Development Authority of Singapore (IDA).

Maritime industry ushers in new year



Maritime leaders at the Singapore Maritime Foundation cocktail reception on 10 Jan 08.



Maritime leaders "lou hei" for an even better 2008.

ABOVE
(L to R) Mr Werner Weimann, Regional Board Member, Commerzbank AG, BG (NS) Choi Shing Kwok, Permanent Secretary, Ministry of Transport, Mr Raymond Lim, Minister for Transport and Second Minister for Foreign Affairs and Mr Teo Siong Seng, President, Singapore Shipping Association (SSA) at the SSA Lunar New Year Cocktail Reception.

The Maritime Leaders Speaker Series



LEFT
(L to R) Mr Ronald Widdows, Chief Executive Officer, APL Co Pte Ltd, Professor Bernard Tan, Director, Centre for Maritime Studies, NUS and Mr Colin Lincoln, Regional Underwriter Marine Liabilities - Asia, at the NUS session.



RIGHT
(L to R) Mr Kuah Boon Wee, CEO, PSA Southeast Asia and Singapore Terminals, Mr David Chin, Executive Director, Singapore Maritime Foundation and Mr Tom Hansen, Managing Director, J Lauritzen Singapore Pte Ltd at the Singapore Management University session.



ABOVE
(L to R) Mr Michael Chia, President, Association of Singapore Marine Industries, Mr David Chin, and guest speaker, Mr Ragnar Nielsen, President, Masterbulk Pte Ltd, at the Nanyang Technological University session.

2nd Annual Meeting of the ReCAAP ISC Governing Council



LEFT
Participants at the 2nd ReCAAP ISC Governing Council Meeting

BELOW
(L to R) Mr Yoshiaki Ito, Executive Director, ReCAAP ISC, BG (NS) Tay Lim Heng, Chairperson, ReCAAP ISC Governing Council and Mr Koji Sekimizu, Director, Marine Safety Division, IMO.



Participants and their family members.



MPA Workplan Seminar 2008



(L to R) BG (NS) Tay, Mr Choo Chiu Beng, Chairman and Chief Executive Officer, Keppel Offshore and Marine Ltd, Guest-of-honour, Mrs Lim Hwee Hua, Minister of State for Finance and Transport, Ambassador Mary Seet-Cheng, Ministry of Foreign Affairs and Mr Peter Ong.



LEFT
The stars of "Work plan or No Plan."



LEFT
Mrs Lim and guests at the MPA Workplan Seminar 2008.

BELOW
(L to R) Industry partners Aloysius Seow, COO, Ocean Tankers (Pte) Ltd, Mr Teo Siong Seng, and Mr Patrick Phoon, Deputy Managing Director, Evergreen Shipping Agency (S) Pte Ltd.

3rd NetworkONE reception



Mr Michael Chia encourages graduating students to sign up to an exciting maritime career.



Prospective employers meet prospective employees.



Clearing the Air

Is shipping misunderstood and taken for granted? Or even made the scapegoat for environmental and health woes? How might the global community continue to reap the benefits of sea transport, while mitigating any impact shipping might pose to the environment? The approach to the environmental challenge must be holistic and the measures must be effective and pragmatic.

By Phil Hastings

To many in the industry, it is most unfortunate and disconcerting that shipping has increasingly been misrepresented as being disproportionately responsible for marine and air pollution and for its contribution to climate change, compared with other modes of transport and land-based sources. This has fanned increasing pressures on the world's shipping industry to reduce its contribution to air pollution in particular.

Last year, the European Parliament formally adopted a report detailing the issues its members felt should be included in EU maritime policy legislation. The Members of the European Parliament (MEPs) cited "climate change" as the greatest challenge for such a policy and suggested key areas of focus should include moves to "drastically reduce" vessel emissions of substances such as carbon dioxides (CO₂), sulphur oxides (SO_x) and nitrogen oxides (NO_x).

In that context, the MEPs asked the European Commission (EC) to come up with proposals to establish NO_x emission standards for ships using

EU ports, to consider introducing taxes or charges on SO_x and NO_x emissions from vessels, and to encourage the introduction of differentiated port charges favouring ships with low emissions. The MEPs also said there should be an assessment of the feasibility of emissions trading for shipping. The EC has thus been playing tough, giving the International Maritime Organization (IMO) until 2009 to come up with concrete proposals on reducing greenhouse gas (GHG) emissions from ships.

Port authorities are also pressing ahead with their own ship emissions reducing programmes. Rather than wait for state regulations to kick in, Los Angeles and Long Beach harbour commissioners approved in March a move to accelerate ship's use of cleaner burning fuel when passing within 40 miles of San Pedro Bay and while at berth in either port.

There are of course the heavy pressures from environmental groups to further improve shipping's environmental performance.

Unilateral and regional solutions are clearly not in the interest of the shipping industry and by extension the global economy, given the pivotal role of seaborne trade in economic growth and development.

The world needs global solutions to the challenges of climate change and sustainable development. The IMO, the United Nations regulatory body for international shipping with its global membership and mandate, is the appropriate and competent forum for developing the way forward for environmentally-friendly shipping.

At the recent opening of the 57th session of the IMO's Marine Environment Protection Committee (MEPC) meeting in London, IMO Secretary-General Efthimios Mitropoulos said that the IMO would take all the measures needed to protect and preserve the environment, provided they were "realistic, workable and cost effective and as long as efforts to improve one aspect of a ship's performance does not lead to deterioration in other areas of transport and energy". Indeed, a holistic approach to the environmental challenge is needed, and the measures must be effective and pragmatic.

But it would be a mistake to believe shipping is cutting emissions as a knee-jerk response to recent pressures. Over the last few decades, the IMO and the international shipping industry has achieved significant reductions in air emissions from ships and increases in fuel efficiency per tonne/km through inter alia enhancements in the

"Because shipping is international in nature, we are of the view that the IMO, which encompasses all maritime nations and accounts for the entire world fleet, is the appropriate and most effective forum for achieving a global agreement to address the issue of GHG emissions from ships."

— Mark Lim

performances of engine/propulsion systems and improved hull designs.

The IMO's MEPC in particular, has developed a range of measures to reduce emissions (and other pollutants) from ships. These measures include mandatory regulations enshrined in Annex VI of MARPOL, the IMO convention for the prevention of pollution by ships.

To further improve the environmental performance of ships in terms of air emissions, the IMO has embarked on two major work programmes – to review MARPOL Annex VI, with a view to further reduce air emissions from ships; and to formulate

BELOW
Mark Lim,
Deputy Director,
Shipping
Division, MPA



“Society will increasingly expect us to take responsibility for the impact of shipping on the climate and we need to do that as an industry. Requirements should be set at a high level and we all need to back the work of the IMO to ensure we have global standards in place.”

— Arild Iversen

measures to curb GHG emissions from ships.

The key challenge facing the shipping industry is to further improve on its environmental credentials without impacting on its role as a key enabler of global trade, while correcting misperceptions along the way.

Currently, the main polluting emissions from ships are SO_x, NO_x, particulate matter (PM), ozone depleting substances, volatile organic compounds, and GHGs. Reducing these emissions would prove challenging.

Around 90 percent of all cargo is transported by ships, and vessel emissions have to be further reduced without negatively impacting the flow of trade so vital to the living standards of people around the world. The fact is, it would simply not be possible to conduct intercontinental trade, transport raw materials in bulk or import and export food and manufactured goods without ocean shipping.

Shipping is already the most environmentally friendly mode of transport. The comparison between the current emission performances of sea freight and airfreight, for instance, is particularly stark. The Swedish Network for Transport and the Environment found hard evidence that while a Boeing 747-400 aircraft on a 1,200-kilometre flight produced 540g of CO₂ per tonne/km, a cargo ship of more than 8,000 deadweight tonnes generated a comparable figure of just 15g.

According to INTERTANKO, a modern very large crude carrier, is now able to transport one tonne of cargo over more than 2,800 kilometres, using just one litre of fuel. This is more than twice

the distance of 20 years ago and clearly demonstrates the energy efficiency of shipping.

But rather than be dragged into a “shipping versus other modes” debate, the IMO is committed to finding effective and pragmatic solutions to further reduce emissions from ships and enhance shipping’s environmental credentials.

Shipping industry observers believe there is a need to have more concerted global efforts through the IMO to establish consistent standards for the environmental performance of commercial ships. Specifically, there is a need for governments to develop and ratify IMO Instruments relating to vessel emissions and other shipping industry environmental issues.

“Society will increasingly expect us to take responsibility for the impact of shipping on the climate and we need to do that as an industry,” argued Arild Iversen, president and CEO of Scandinavian global outbound vehicle logistics service provider Wallenius Wilhelmsen Logistics (WWL). “Requirements should be set at a high level and we all need to back the work of the IMO to ensure we have global standards in place.”

The IMO made good progress in this regard at its 57th Session of its MEPC 57 held from 31 March to 4 April 2008. MEPC57 agreed to a complete revision to Annex VI of MARPOL which would be submitted to MEPC58 in October for approval. Significantly, the global cap of SO_x emissions from ships would be reduced initially to 3.5% (from the current 4.5%) from 2012, then to 0.5% from 2020, subject to a feasibility review in 2018. The limits applicable to Sulphur Emission Control

“[t]his is an impressive and decisive agreement by governments at the IMO, which should ensure that coastal states can protect the health of their citizens while providing shipowners with the regulatory certainty needed to operate ships on a global basis.”

— Spyros Polemis

The world needs global solutions to the challenges of climate change and sustainable development.

The regulatory frontline in the challenge to reduce ship emissions is across the world from the maritime hub of Asia at the IMO headquarters in London.

Here the United Nations specialized agency for shipping is uniquely positioned to bring together the many stakeholders to work out global measures to reduce global emissions.

"The international nature of shipping means that any actions taken unilaterally may simply shift the distribution of emissions from one region to another, resulting in no net gain to the environment," explains Zafrul Alam, Chairman of the IMO's Bulk, Liquids and Gases Sub-Committee.

With 167 member states and three associate members, the IMO's body of international conventions governs every facet of shipping and is complemented by guidelines and recommendations.

The Organization plays a key role in ensuring the safety of life at sea, security and protection of the marine



environment from shipping whilst maintaining the efficiency of shipping - as summed up in the IMO's goal of "Safe, Secure and Efficient Shipping on Clean Oceans".

"On the environmental challenge, the IMO is the forum where the maritime experts and stakeholders gather to develop robust and effective measures that protect the environment."

Currently, the IMO is revising MARPOL Annex VI, the regulations for the prevention of air pollution from ships, to tighten the emission standards for SO_x, NO_x, PM, ODS and VOCs. A revised Annex VI is expected to come into force in 2010.

As at 31 December 2007, MARPOL Annex VI had 47 parties representing 74.73 percent of the gross tonnage of the world's merchant shipping fleet. These parties will have to apply the revised Annex VI regulations not only to their own flagged ships, but also to ships calling at their ports, and in doing so, effectively reduce emissions from ships.

For greenhouse gases, the IMO is following up on the UN Conference on Climate Change held in Bali, Indonesia recently.

According to Alam, "In addition to IMO member States, many inter-governmental and non-

governmental organisations have been participating in IMO discussions on the revision of MARPOL Annex VI. The inclusive and consultative approach to shipping issues is a hallmark of the IMO."

"IMO also established a scientific expert group consisting of members from governments, associations of shipowners, the oil industry, and environmental NGOs, which advised the IMO on the implications of various fuel options being discussed by the IMO to reduce sulphur oxide emissions and particulate matter. This ensures that deliberations and decisions made are based on facts and are holistic in nature."

Areas (SECAs) would also be reduced from its current 1.5% to 1% in 2010, then to 0.1% in 2015. And rather than being prescriptive, as to how the reductions in emissions are to be achieved, the revised Annex VI provides for "equivalent measures" which would include abatement technology or other measures currently being developed.

On this significant outcome at MEPC57, International Chamber of Shipping Chairman Spyros Polemis was quoted as saying that "[t]his is an impressive and decisive agreement by governments at the IMO, which should ensure that coastal states can protect the health of their citizens while providing shipowners with the regulatory certainty needed to operate ships on a global basis."

MEPC57 could be hailed as one of the IMO's finest moments: a technical forum adopting a holistic approach to the reduction of SO_x challenge, achieving consensus and developing effective and pragmatic solutions through extensive consultations with experts and stakeholders, and based on careful analysis of the facts.

This success augurs well for the IMO's next big environmental challenge: Reduction of GHGs emissions from ships, in particular CO₂. The IMO will be updating a 2000 Study on GHG Emissions from Ships, and concurrently, the IMO will be considering and developing technical, operational and market-based options to reduce GHG from ships. The target is to develop concrete proposals for the reduction of GHG from ships by 2009.



It's about leadership.

Control your impact. Global environmental concerns are increasingly becoming an issue which will impact on shipping as well. Long experience of ship legislation and international rule frameworks has clearly demonstrated that the shipping industry must actively engage in short- and long-term solutions to minimize emissions to air and discharges to sea. Our purpose is to safeguard life, property, and the environment. DNV provides a number of services that address shipping's environmental impact – so that you can go ahead with confidence.

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The global issue of air emissions from ships is particularly relevant and important to Singapore, given its unique position as both a major flag and port State, a major oil refining centre, and the number one bunker port in the world.

Every four minutes, a ship arrives in Singapore and the waters around this maritime hub are dotted with countless vessels carrying cargo from around the world. This may explain why Singapore is one of the first countries to be a party to all six Annexes of MARPOL. Mark Lim, Deputy Director of MPA's Shipping Division was also part of the IMO's Group of Experts tasked to review the impact of emissions on the environment, human health and on the shipping and petroleum industries. Measures to reduce SO_x emissions from ships was also explored in the review.

"As the world's busiest port, Singapore is very concerned about pollution from ships, be it marine pollution or atmospheric pollution," said Lim. He

Fact Box

Measures being developed and/or implemented to further reduce the following ship emissions include:

Sulphur Oxides (SO_x)

To use either low sulphur fuel or to treat exhaust gases from ships to remove SO_x.

Nitrogen Oxides (NO_x)

To reduce through engine design and modifications.

Particulate Matter (PM)

To use either low sulphur fuel or to treat exhaust gases from ships to remove SO_x, which would in turn, reduce the bulk of PM.

Ozone Depleting Substances (ODS)

To prohibit the use and release of ODS on ships, such as the banning of HALON fire fighting equipment and the use of refrigerants identified as ODS.

Volatile Organic Compounds (VOCs)

To ensure that these compounds are retained in tanks at terminals and not released into the atmosphere.

Greenhouse Gases (GHG)

To enhance the energy efficiency of ships to reduce the amount of fossil fuels used.

"It is our intention to share with the maritime community relevant information from the study to help clear the air on the important GHG challenge. This will help in the timely formulation of effective and pragmatic global solutions."

— Mark Lim

went on to stress that "protection of the environment and the safety and efficiency of port and shipping operations are MPA priorities."

The MPA's commitment to reducing air emissions from ships is clearly seen from its application of the IMO's NO_x Technical Code requirements on domestic bunker tankers. The NO_x Technical Code is aimed at reducing nitrogen oxides emissions from ships plying internationally. But given the importance of clean air to residents, the MPA has also applied the code to bunker tankers plying domestically.

"Because shipping is international in nature, we are of the view that the IMO, which encompasses all maritime nations and accounts for the entire world fleet, is the appropriate and most effective forum for achieving a global agreement to address the issue of GHG emissions from ships."

Lim sees similarities between the IMO's current emphasis on reducing air emissions and the Organization's earlier development of its International Ship and Port Facility Security Code, in that the shipping community has to undergo a mindset change, where it is "no longer business as usual." He is confident that the shipping community will again rise to the (environmental) challenge.

On its part, the MPA is commissioning a study on air emissions from ships in its port that will be completed at the end of the year. According to Lim, "it is our intention to share with the maritime community relevant information from the study to help clear the air on the important GHG challenge. This will help in the timely formulation of effective and pragmatic global solutions."

More than meets



the eye



About 1,000 ships transit through the Singapore port daily, making the role of MPA's POCC vital in maintaining safe and smooth vessel traffic.

By **Rahita Elias**

On a warm sunny Saturday morning in January, just before noon, the view off the Marina at Keppel Bay was filled with the billowing sails of 10 majestic yachts. The sailboats were en route from the Indonesian island of Batam to Singapore, the fifth stop in the Clipper Round the World Yacht Race 2007-2008.

Spectators gazed enraptured as the 10 yachts slipped gracefully into the harbour in a perfectly choreographed dance, but few will have realised the amount of coordination, cooperation and work that took place behind the scenes.

Among those involved in plotting out a perfect sailing day for the boats was Capt Kevin Wong who, as Head of Port Operations Control at the MPA, is in charge of the authority's two Port Operations Control Centres (POCCs).

The preparatory work started long before the



sails appeared on the Singapore horizon. “There was a lot of planning involved,” Capt Wong said.

“The race organiser worked closely with the MPA to prepare for the arrival of the yachts, and we met up with the ferry operators, cruise operators and the Singapore Cruise Centre. Together, we developed procedures and a communication plan to ensure minimal disruption to traffic movements in the Cruise Bay.”

To ensure navigational safety, the POCC carefully plotted the routes for the yachts.

“The critical point was during the crossing of the Singapore Strait. We had to coordinate everything from the rendezvous point at Batam to Singapore. We also had to carefully time the sail-past of the clippers to ensure it would coincide with the arrival of the guest-of-honour, [Singapore’s] Senior Minister Goh Chok Tong.”

Capt Wong said the POCC monitored all maritime traffic, including the movements of the yachts, and sent out navigation broadcasts to warn ships to stay clear.

To enhance the safety of the yachtsmen, MPA patrol boats from its Marine Environment and Safety Department acted as “outriders”, leading and clearing the way for the convoy.

“It is true that we have wonderful, cutting-edge technology helping us. But it is human initiative and skill that ensures our port traffic flows smoothly and safely.”

With cooperation from all players, the entire event went like clockwork, said Capt Wong. “We certainly benefited from the cooperation we received from our port users and our colleagues from other agencies.”

This same cooperation and collaboration was evident in another major event, this one without an obvious connection to the MPA – the inaugural Singapore Airshow, held from 19 to 24 February 2008. But even though the action was in the air, to ensure the safety of vessels and aircraft during the show times the surrounding waters had to be cordoned off. A Port Marine Notice was issued to inform the community of the restrictions, while the MPA and Police Coast Guard patrolled the area to ensure that private boats did not encroach into the area.

Mega-events apart, it is among MPA's daily tasks to ensure the safety of vessels within Singapore's waters from berth to sea and from sea to berth. In particular, the goal of the POCCs is to manage smooth traffic flow in the port.

"Each day, we handle more than 1,000 vessel movements within our port limits," explained Capt Wong.

"We use the Vessel Traffic Information System, or VTIS, which is our radar and communication system. It is operated from both POCC 1 and 2, and provides navigational information to the ships to prevent collisions and groundings, ensure safety of life at sea, and the protection of the marine environment."

Capt Wong said the two centres were fully integrated and backed up, but could also operate independently in an emergency. State-of-the-art technology in the centre made them very effective, but Capt Wong said it was the human factor that counted.

"It is true that we have wonderful, cutting-edge technology helping us. But it is human initiative and skill that ensures our port traffic flows



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SatCom@SMA boosts maritime connection

Students will receive the benefits of real time ship-to-shore communications training at the new maritime satellite centre.

By **Rahita Elias**

SingTel has strengthened its longstanding partnership with the maritime industry through a new maritime satellite communications centre at the Singapore Maritime Academy (SMA).

The centre, called SatCom@SMA, is fitted with the latest in satellite technology including a “live” SingTel 1.5-metre C-band stabilised satellite antenna installed on the rooftop of MPA’s Integrated Simulation Centre. Co-designed by SingTel, this antenna enables sea-going vessels to enjoy bandwidths of up to 6MB/sec, which are significantly higher than traditional maritime satellite services such as Inmarsat and Iridium.

Bill Chang, SingTel’s Executive Vice-President of Business, tells *Singapore Nautilus*: “As the first of its kind in Asia Pacific, it has been set up to demonstrate real-time broadband communications between shipping vessels and their HQ offices on land via satellite.”

Students can therefore gain firsthand experience in the operation of satellite communications equipment onboard vessels.

Mr Chang adds that a new 30-hour Maritime Satellite Communication module has been developed for SMA’s curriculum. “Students will be attached to the SatCom@SMA and SingTel for the industrial training programme on business management and development, and IT applications in the maritime communication industry.”

SMA, with SingTel satellite services, is also able to offer online distance e-learning.

“Students save valuable time, allowing them to complete their studies sooner.

Interactive multi-media brings vitality to online learning programmes, which include courses like the Certificate of Competency,” Mr Chang says.

He reveals that SingTel has three key objectives in its collaboration with the SMA. It wants to accelerate innovations and improve business productivity within the maritime industry as well as enrich crew welfare.

“We want to help the seafarers maintain close contact with friends and families even while at sea, offering them the same kind of user experience that they have at home, such as broadband Internet access,” Mr Chang explains.

He adds that SingTel’s collaboration with the SMA is an extension of its long-term partnership with the maritime industry. “SingTel has proactively engaged maritime customers to find out what they really need to take their businesses to the next level.”

Singtel recently launched the global maritime Very Small Aperture Terminal (VSAT) service. “This means we are the first satellite service provider in Asia to offer a maritime broadband service with true global coverage.

“We have been providing VSAT services with regional coverage for over two years. Now, we are extending our reach to provide seamless, worldwide coverage over all major shipping routes through our strategic alliances with top-tier global satellite service providers,” says Mr Chang.



Thumbs up for WISEPORT

Seafarers in Singapore waters can get connected thanks to the development of a revolutionary broadband service.

By **Rahita Elias**

With just a thumb-sized modem, crew onboard ships in Singapore waters can hold video conferences, make internet phone Skype calls and send emails. They can update shipboard software and download the latest navigational charts. Their employers can keep an eye on shipboard operations through a closed circuit television (CCTV) system whose images can be streamed to the shoreside office.

All this has been made possible by the revolutionary Wiseport service, which provides broadband mobile internet access in coastal waters up to 15km from Singapore's shores.

Singapore is the first port in the world to offer WISEPORT, which stands for WIREless-broadband-access for SEaPort.

The service was officially launched in February by the MPA, Infocomm Development Authority (IDA) and service provider QMax Communications.

The technology, part of a three-year, S\$12 million collaboration between MPA and IDA, cost some S\$800,000 to develop. When the system is fully operational in May, users will be able to enjoy broadband connections at speeds ranging from 512kbps to 8Mbps.

QMax director Alex Tan explained how the service works. "All you need is a thumb drive-sized WiMAX modem that connects to your PC to access wireless broadband networks anywhere from the southern port waters and offshore islands to mainland areas," he said.

"The breakthrough comes from the platform provided. The traditional means of providing the various services depend on transmission via satellite."

The system is on a one-year pilot trial until March 2009, after which full commercial services will begin.

Mr Tan said the service was aimed primarily at vessels plying Singapore waters, including bunker suppliers, regional ferry operators and ship suppliers. Interest in the service has been keen both from the user and from content providers.

Mr Tan reveals that QMax has already bagged half of the 500-account target that it planned to hit within the first year.

QMax had initially estimated that it would need six bases for Wiseport. However, said Mr Tan, companies based in the Tuas area, such as the shipyards, had expressed an interest in the service. This prompted the need for two additional base stations to be installed.

Content providers have been similarly enthusiastic. The UK Hydrographic Office will be working with the MPA to offer electronic navigational charts through the mobile broadband network.

In future, Mr Tan says Wiseport could include an auto-roaming service once other ports introduce similar wireless broadband access to ships in their waters.





Where eagles soar

The maritime legal sector of Singapore is growing rapidly, and as the Lion City strengthens its position as a maritime hub many law firms are using it as a base for their regional business.

By **Chris Davis**

Singapore is fast becoming Asia's centre for maritime law and dispute resolution and its expatriate and local legal eagles are positioning themselves to expand services even further, using the city's leading international maritime status as a springboard.

Erlend Lous, a law partner with Vogt & Wigg, said Singapore continued to bustle as a maritime hub. "In recent years, Singapore has strengthened its position as a leading international shipping centre, and as a result has succeeded in attracting a significant amount of maritime business, including Norwegian legal services providers, to the city."

Lous said with Singapore at the crossroads of international shipping routes, the city's maritime legal sector provided services that benefited all players in the maritime industry, from ship-owners to insurers, financiers and charterers, be it in providing legal advice, preparing contracts or in resolving disputes through arbitration. The maritime sector was further enhanced by the facilities and services that supported it, notably



ship-repair, bunker services, ship-broking and marine insurance.

“Feedback from our clients has given us clear indication they appreciate us being in Singapore where we are able to provide a wide range of services in the same time zone they operate in,” Mr Lous said.

Further bolstering the legal superstructure, several leading international Protection and Indemnity (P&I) Clubs have established operations in Singapore.

As a result of a series of legal reforms implemented by the Singapore Government and the MPA,

“Singapore’s general infrastructure and the various initiatives that have been taken to strengthen maritime services are positive moves for everyone involved in the industry.”

— *Chris Grieveson*

international law firms located in Singapore have been able to expand their activities while several local law firms have forged strategic alliances with overseas law firms.

Chris Grieveson, a partner with Ince & Co, said Singapore’s user-friendly maritime environment had enabled the Lion City to position itself as an emerging alternative to other major maritime jurisdictions with the advantage of being located in dynamic South East Asia.

“Singapore is increasingly gaining importance as an English law arbitration venue and we are very happy to recommend to our clients they write Singapore into their contracts as a jurisdiction to settle any possible disputes,” said Mr Grieveson.

He said his law firm has enjoyed a long and fruitful relationship with Singapore, having successfully conducted business in the city-state for over 15 years. “Singapore is our regional hub for conducting our Indonesian, Thailand, Sri Lankan and Indian business,” Mr Grieveson said. To meet demand over the last few years, the firm has doubled the size of its legal team from six to 12 lawyers.

ABOVE
Chris
Grieveson,
partner, Ince
& Co



“Feedback from our clients has given us clear indication they appreciate us being in Singapore where we are able to provide a wide range of services in the same time zone they operate in.”

— Erlend Lous

“Singapore’s general infrastructure and the various initiatives that have been taken to strengthen maritime services are positive moves for everyone involved in the industry,” Mr Grieveson said, adding that liberalisation was good for Singapore and good for business. “The future looks promising and greater diversification could provide longer sustainable careers for maritime legal practitioners here,” said Mr Grieveson.

Similar to other major Singapore shipping law firms, Ince & Co offers a full range of maritime legal services, including ship registration, ship

financing, ship construction, charter disputes, bills of lading, general average, and dispute resolution, an important part of settling disputes in the shipping world.

Parties seeking arbitration are able to call on the expertise of Singapore lawyers or may use an international law firm of choice. In line with its aim of boosting Singapore’s reputation as an international arbitration hub, the Singapore government has taken a number of initiatives, including the amending of the Legal Profession Act that previously prevented foreign lawyers from acting in arbitrations.

In a further move to drive Singapore’s ongoing development as an international maritime centre, the MPA through its Maritime Cluster Fund has launched two graduate maritime law programs at the Faculty of Law at the National University of Singapore, namely the LLM in Maritime Law and the Graduate Diploma in Maritime Law and Arbitration.

Dato’ Jude Benny, the managing partner of Joseph Tan Jude Benny, said the new graduate programmes would encourage more professionals to join the maritime industry. He said the fact that so

ABOVE
Erlend Lous,
law partner with
Vogt & Wigg

“Singapore offers many advantages, not least of which is the comprehensive legal framework with regards to arbitration, based on internationally accepted practice.”

— *Dato’ Jude Benny*

many international shipping companies and maritime service providers choose Singapore as their operating base emphasised the status Singapore held in the global shipping community.

“Without the full confidence of all participants in Singapore’s ability to cater to their needs, Singapore would not be the marine hub it is today,” said Dato’ Benny, who led a working group that established the Singapore Chamber of Maritime Arbitration (SCMA) in 2004. He said to attract

arbitration to Singapore, the SCMA has ensured that the facilities it offered and the fees it charged remained both attractive and competitive in comparison with other major arbitration centres world-wide.

Dato’ Benny said after a quarter of a century of development, building up an arbitration-friendly environment and capabilities, Singapore had grown to be the venue of first choice for international businesses when it came to resolving disputes in a neutral third venue in Asia. He said the SIAC operated with a distinguished local and international panel of accredited arbitrators on shipping and maritime matters.

“Singapore offers many advantages, not least of which is the comprehensive legal framework with regards to arbitration, based on internationally accepted practice,” said Dato’ Benny, who is credited with developing his firm’s shipping and admiralty practice into one of the largest in Singapore and into an internationally recognised practice with a global network of offices.

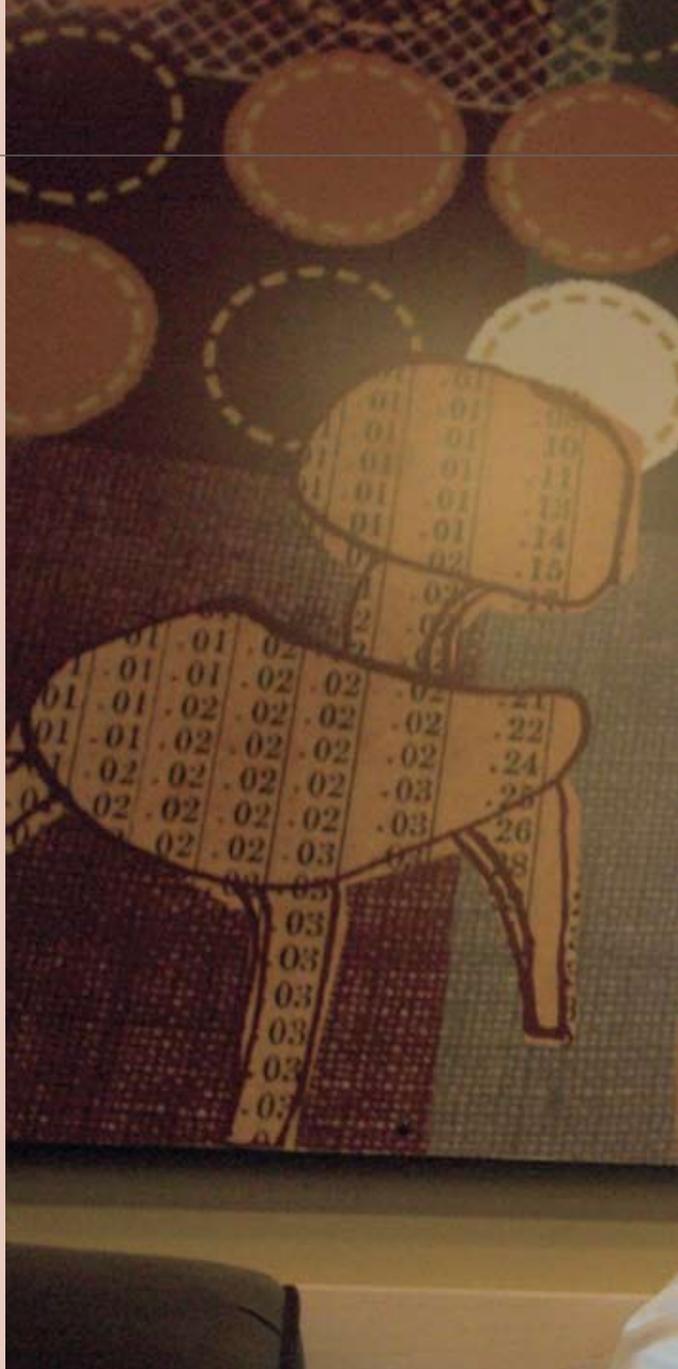


LEFT
Dato’ Jude Benny, managing partner of Joseph Tan Jude Benny

Located at the crossroads of major trade and shipping routes, Singapore has, over the years, become home to a vibrant cluster of maritime players. We put the spotlight on two shipping organisations representing the East and West that have set base in Singapore.

By Alan Morison

The Asian Shipowners' Forum anchors in Singapore



The first Secretary-General of an umbrella group whose members comprise almost half the world's shipping tonnage understands the importance of consensus.

In his first interview as Secretary-General, Mr Wang the word "forum" was important for what it implied about the decision-making process. He said the many complicated issues in the shipping business meant every perspective had to be considered.

The ASF recently established its permanent home base in Singapore, but the road to the Lion City, and to the appointment of a secretary-general, has been a roundabout one driven by need.

Mr Wang explained: "In the world of shipping, people view the ASF as being very strong. In many



“In the world of shipping, people view the ASF as being very strong. In many ways, it is. About half of the world’s tonnage is in the ASF. The world’s biggest shipping companies are all members of their countries’ shipowning associations.”

ways, it is. About half of the world’s tonnage is in the ASF. The world’s biggest shipping companies

are all members of their countries’ shipowning associations.

“But at the same time, the chairmanship of the ASF is rotating. This year, it is the Chairman of the China Shipowners’ Association. Next year it will be Taiwan’s turn. Until last year, the Secretary-General’s position rotated with the chairmanship.

“This created difficulties for outsiders who were always asking: Who is the person this year? In which country is their office?”

The results of this ever-shifting home were practical difficulties in doing business, centering on consistency and location.

While most of the world’s large shipping associations began with an organisation and added members over time, the ASF began with its

members, and they initially agreed to share the load of representation.

Now, for the first time since its beginnings in 1992, the ASF also has a base and a professional organisation of its own.

At two separate members' meetings in 2007, decisions were made first to establish the permanent HQ in Singapore, then to appoint Wang Cheng as the first Secretary-General. In both cases, successful candidates stood out.

For Wang Cheng, it meant leaving Beijing and his position with China's largest shipping firm to move with his wife to a new job in a new country. Already he is full of praise for Singapore's role within the industry.

"People always think of Singapore as a small country," he said. "But in the eyes of shipping people, Singapore is not small. If we calculate the total number of vessels controlled out of Singapore, Singapore is in the top 10."

"In terms of vessels that have Singapore flags, the island is ranked six in the world. More than

700 vessels operate out of Singapore."

The decision on where to base the forum's HQ was made easier for two reasons. "This is a link point between Asia and Europe, the main shipping trade route," Mr Wang said.

And as a major centre for maritime activities and decision-making, "Singapore is a very important point for shipping, and the island is active in developing the shipping sector."

The chairmanship of the ASF will continue to rotate among the member countries: Australia, China, Hong Kong, Chinese Taipei, Japan, Korea and FASA, which represents the Philippines, Indonesia, Malaysia, Myanmar, Singapore, Thailand and Vietnam. India and Sri Lanka are likely to consider membership of ASF in the near future.

Five key committees meet annually to look at vital issues: the Shipping Economics Review Committee, the Ship Recycling Committee, the Seafarers Committee, the Safe Navigation and Environment Committee and the Ship Insurance and Liability Committee.

"The Bourne

European Liner Association's Asia Office in Singapore



transparency”

Singapore and London are to soon become the twin centres for an innovative open-information shipping system that replaces the liner conference approach.

From midnight on October 16, the Far Eastern Freight Conference (FEFC), under which most

ocean going trade between Asia and Europe has operated for 125 years on agreed routes and at set prices, will be outlawed by the European Commission.

This epoch-making change also marks the beginning of a revolution in the shipping business between Asia and Europe.



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A Robert Ludlum fan might call it “The Bourne Achievement”. Chris Bourne, the Executive Director of the European Liner Affairs Association (ELAA), the organisation set up by the industry in 2003 to negotiate the new regime in Europe, is too modest to go along with that. Yet it’s not far from the truth.

Offered a once-in-a-lifetime chance to make shipping history just two days after he retired from a job as European managing director of Misui OSK Lines, Mr Bourne has been working towards this momentous tick of the clock past midnight for two and a half years now.

The original plan was that ELAA, with its lobbying duties complete, was due to become extinct along with the FEFC. However, the evolution of the ELAA began at a March meeting of members in Singapore, where it was decided that the association would become the information provider for the industry.

Six of the 14 ELAA staff will be based in the new Singapore office, covering the vital Asia region for the association’s 23 members.

Mr Bourne said it made sense for the ELAA to set up its Asia office in Singapore because under the old conference system this was the regional base.

“A lot of data comes from the Asia region and we feel it’s better done here in Singapore, and it’s cost-effective to be here,” Mr Bourne said.

Having done extensive research and informed the shipping lines and their customers of the likely consequences, Mr Bourne sees the 21st century outcome as overwhelmingly beneficial to both the vast liner shipping industry and its many thousand of customers.

“The conference always gave the appearance of mystery,” he said in Singapore at a gathering of liner companies. “Now the future is going to be all the more open.”

In a nutshell, the new system will deliver transparency where there previously was none. In place of the secretive conference, a modern

A lot of data comes from the Asia region and we feel it’s better done here in Singapore, and it’s cost-effective to be here.

The conference always gave the appearance of mystery, now the future is going to be all the more open.

system of data collection and dissemination will be established.

“What we are going to be allowed to do is to gather information about port volumes, the amount the industry is moving within a given time-period between, say, Singapore and Rotterdam or Singapore and Genoa, and we can publish this information for our members.

“We can do supply forecasting using information from the public domain, in other words looking ahead at how much new capacity is going on-trade in the next 18 months, and we can do demand forecasting, that is, get the experts to assess how much the growth in the market will be over a period of time.”

With world trade leaping by double-digits each year for the past 20 years, the investment in the modern, rationalised shipping industry is so big that liner companies cannot afford to have ships in the wrong places.

“By enhancing data dissemination, there will be an improvement of knowledge, and therefore relationships,” Mr Bourne said, acknowledging the role played by the advent of the shipping container in speeding globalisation.

“The first thing we have to do is make sure the new system works,” he said. “So we want to establish our credibility for supplying information.

Will there be a rebranding? The European Liner Affairs Association does not seem to be an appropriate name going forward, even if the move to end the FEFC did come from the European Union and especially with Pacific International Lines, Wan Hai Lines and transatlantic specialist Independent Container Line being enrolled as full members recently.

“The general view is, let’s keep the name for the moment,” Mr Bourne said.

“There is still talk about the role of consortiums, where lines get together and share ships. Discussion is going on with Brussels about those regulations.

“It will probably take until the end of 2009 before we rebrand.”



Women in maritime

Singapore Nautilus celebrates International Women's Day by profiling three women who have each played a pivotal role in Singapore's development as a maritime centre.

By **Rahita Elias**

If the sea is a cruel mistress, then the maritime industry is a demanding master. That's why passion and commitment are vital tools for anyone to succeed – be they female or male.

This is the advice of three women who have made waves in the international world of shipping.

"You need the passion, you need to be focused and you need to be prepared for long hours," says Gina Lee-Wan, Partner at Allen and Gledhill LLP.

The long hours, she explains, stem from the



industry's global nature, which ensures that as the sun sets in one jurisdiction it is rising in another.

Tan Beng Tee, Group Director, International Maritime Centre (IMC) cluster, at the MPA, agrees, "Shipping can be a challenging industry because it's quite technical, so you must enjoy being in it and learning about it."

But the rewards are substantial.

Mrs Lee-Wan's face shines with joy as she explains. "It's the job of the transaction counsel to pull the parties together, to make a deal work within a tight timeline involving several different time zones. It's exciting to pull together a deal involving eight jurisdictions, and dealing with different people from different cultures."

She also enjoys the lighter side of the industry. "There are a lot of ceremonial aspects to

"You need the passion, you need to be focused and you need to be prepared for long hours."

— Gina Lee-Wan

shipping, like a ship delivery. It's like the birth of a child. When you see a new baby, you get excited. Likewise when you go to see a new ship, the mood is uplifting. As a lawyer, you share vicariously in the joys of shipowning."

Mary Seet-Cheng, the Policy Division Director at the MPA from 1997 to 2006, points to the wide-ranging opportunities the maritime sector offers.

Now Senior Specialist Adviser at Singapore's

ABOVE
(L to R) Tan Beng Tee, Ambassador Mary Seet-Cheng, Gina Lee-Wan

“Shipping can be a challenging industry because it’s quite technical, so you must enjoy being in it and learning about it.”

— *Tan Beng Tee*

Ministry of Foreign Affairs and non-resident Ambassador to both Panama and Cuba, she notes: “There are so many different channels within the maritime sector, there are opportunities galore.”

So firm is her belief in the industry that she encouraged one of her sons to join the maritime sector.

“My son,” she reveals with quiet pride, “is working in Keppel FELS. I opened his eyes to the fact that the maritime industry is a booming one.”

Singapore’s maritime community has grown in depth and breadth. A strong influx of world-class shipping companies into the Republic has pulled in the service industries represented by ship financiers and the insurance, broking and chartering sectors.

One person intimately involved in this growth is Ms Tan.

Mrs Lee-Wan says, “Beng Tee has contributed much to the growth of shipping in Singapore.”

Ms Tan laughs this off saying with characteristic modesty, “I’m flattered, but the growth is due to the concerted efforts of everyone in the industry.”

“There are so many different channels within the maritime sector, there are opportunities galore.”

— *Ambassador Mary Seet-Cheng*



Australia's pilotage system in the Torres Strait

In what has turned out to be a contentious move, Australia introduced compulsory pilotage in the Torres Strait in 2006. A legal specialist argues that this is in breach of both IMO and UNCLOS.

By Prof Robert Beckman

In 2006 Australia established a system of compulsory pilotage (CP) in the Torres Strait¹ (TS). Australia adopted marine orders requiring that all merchant ships exercising transit passage through the TS use its pilotage scheme. The CP regulations are enforceable by severe penalties, and ships that fail to take on a pilot are subject to arrest the next time they enter an Australian port.

In 2005 the Marine Environmental Protection Committee (MEPC) of the International Maritime Organization (IMO) approved Australia's proposal to extend the Great Barrier Reef (GBR) Particularly Sensitive Sea Area (PSSA) to the TS through the adoption of Resolution MEPC.133(53). Australia has maintained that MEPC.133(53) gave it the right to extend the CP system in the GBR to the TS. Several States formally challenged Australia's

actions. They argued that Australia's actions were contrary to Part III of UNCLOS² on straits used for international navigation (SUIN), to the wording of MEPC.133(53), and to the understandings reached at the IMO regarding the intent of that resolution.

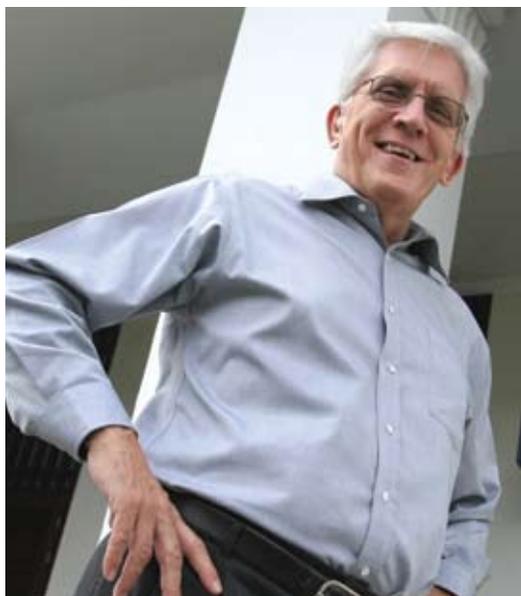
Undisputed matters

Both sides agree that the TS is a SUIN governed by Part III of UNCLOS and that ships of all States have the right of transit passage through the strait. Also, both sides agree that the IMO has lawfully extended the GBR PSSA to the TS.

Points of Contention

The first point of contention is whether Australia exceeded its jurisdictional powers under UNCLOS when it imposed CP in the TS. Coastal States have fairly broad powers under UNCLOS to regulate ships exercising the right of innocent passage through their territorial sea. However, if part of the territorial sea consists of a SUIN, the special rules in Part III of UNCLOS apply. Ships of all States have the right of transit passage through SUIN and they must comply with all generally accepted

Both sides agree that the TS is a SUIN governed by Part III of UNCLOS and that ships of all States have the right of transit passage through the straits.





The power of littoral States to adopt laws and regulation on ships exercising transit passage is limited to establishing sea lanes and traffic separation schemes and giving effect to IMO regulations on the prevention of oil pollution.

regulations adopted by the IMO. The power of littoral States to adopt laws and regulation on ships exercising transit passage is limited to establishing sea lanes and traffic separation schemes and giving effect to IMO regulations on the prevention of oil pollution. Littoral States have no power to adopt laws and regulations imposing a system of CP on ships exercising the right of transit passage through the SUIN. Therefore, Australia's actions in imposing CP in the TS were contrary to UNCLOS.

There is also a dispute as to whether MEPC.133(53) authorizes Australia to extend the CP system in the GBR to the TS. Australia has maintained that it does, pointing out that its wording is



similar to that creating the GBR PSSA. However, although MEPC.133(53) extends the GBR PSSA to the TS, it does not extend the existing CP system in the GBR to the TS. It only recommends that flag States comply with the existing pilotage system. It does not expressly or impliedly authorize Australia to adopt laws and regulations imposing CP in the TS. Furthermore, whereas Australia had a right under UNCLOS to unilaterally impose CP in the GBR PSSA because it is within its territorial sea, it has no right to do so in the TS because it is a SUIN.

In meetings at the IMO concerned delegations have challenged Australia's argument that MEPC.133(53) provides the legal basis for its CP

Concerned States at the IMO have succeeded in making it clear to the international community that Australia's imposition of compulsory pilotage in the TS was a unilateral action of questionable legality which was not authorized or endorsed by MEPC.133(53).

system in the TS. At its 55th session in October 2006, the MEPC discussed the legal effect of MEPC.133(53) and reaffirmed that it was only intended to be recommendatory in nature. In addition, delegations³ expressed concern over Australia's actions and strongly urged Australia to review its marine notices on pilotage in the TS to bring them in line with the understanding of the committee. Only two delegations, Papua New Guinea and New Zealand, stated that they supported Australia's action.

The intent and effect of MEPC.133(53) was also considered in 2007 at the 25th Session of the IMO Assembly. The delegation of Singapore reiterated the decision at MEPC 55 that the resolution was recommendatory in nature. It also emphasized that MEPC.133(53) provided no legal basis for mandatory pilotage in the TS or any other SUIN, and called upon Australia to align its action with the understanding agreed at MEPC 55 on the resolution. A total of 31 delegations⁴ supported the statement of the Singapore delegation. Considering the overwhelming support of the majority of the delegations, the Committee of the Assembly reaffirmed that MEPC.133(53) is recommendatory in nature.

Concerned States at the IMO have succeeded in making it clear to the international community that Australia's imposition of compulsory pilotage in the TS was a unilateral action of questionable legality which was not authorized or endorsed by MEPC.133(53). If Australia does not act to re-align its position in accordance with the vast majority of delegations at the IMO and interpret MEPC.133(53) as recommendatory, its inaction is likely to tarnish its standing at the IMO

Australia's unilateral action also has implications on the continued integrity of the carefully negotiated passage regimes established in UNCLOS.

Australia's unilateral action also has implications on the continued integrity of the carefully negotiated passage regimes established in UNCLOS. The passage regimes in UNCLOS are critically important to the interests of the international community in the safe and secure passage of merchant ships on the international sea lines of communication, including transit passage through SUIN. Therefore, members of the international shipping community should be concerned about the actions of Australia in the TS.

Australia's action in the TS could also have an adverse impact on its own national security interests and on its aspirations to play a regional role in maritime security. The United States has protested Australia's unilateral imposition of CP in the TS because it believes that it undermines the regime of transit passage which is essential to the security interests of the naval powers and their allies.

Australia seems to be taking the position that its actions were justified because the transit passage regime in UNCLOS does not adequately protect its interests in protecting the marine environment. However, such unilateral action by a littoral State establishes a very dangerous precedent and has serious implications for the right of transit passage in other SUIN.

It is hoped that Australia will review its position and decide that, as a responsible member of the international community, its long-term interests lie in seeking a solution to the issue of passage in the TS that is consistent with UNCLOS and in conformity with the views of the vast majority of delegations at the IMO. Such a solution should be possible, as there are ways in which Australia's interests in protecting the marine environment in the TS can be satisfied without the imposition of a CP system.

In reviewing its position Australia should understand that concerned States believe that its unilateral imposition of CP in the TS establishes a very dangerous precedent because it is a direct challenge both to the IMO and to the delicate balance set out in UNCLOS on transit passage through SUIN. If Australia refuses to move to a negotiated multilateral solution to the problem, those States may conclude that they have no choice but to challenge the legality of Australia's actions before an international court or tribunal by invoking the compulsory binding dispute settlement procedures in UNCLOS.

1. TS lies between the northern tip of Australia and Papua New Guinea
2. United Nations Convention on the Law of the Sea, 1982
3. More than 20 delegations, including many maritime States
4. Including China, Italy, Japan, Finland, Norway, the United States, and the United Kingdom

Robert Beckman is an Associate Professor at the Faculty of Law of the National University of Singapore who specializes in the law of the sea and the international regulation of shipping. The views in this article are the personal views of the author and do not reflect the official position of the Maritime and Port Authority of Singapore or the Government of Singapore.



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SINGAPORE MARITIME WEEK is the leading annual maritime event in Singapore. Driven by the Maritime and Port Authority of Singapore, this week-long celebration of all things maritime is fast becoming the "must-attend" event in the hearts and minds of the maritime community. The line up of international conferences, dialogues, exhibitions and social events reflect the vibrancy and diversity of Singapore as an international maritime centre.

The third Singapore Maritime Week will be held from 10 to 17 October 2008. Main events to look forward to include the 2nd Singapore Maritime Lecture to be delivered by International Maritime Organisation Secretary-General E E Mitropoulos, and the Singapore International Bunkering Conference 2008.

More information on Singapore Maritime Week is available at www.mpa.gov.sg or you may email to smw@mpa.gov.sg

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At home abroad

We profile the growing Norwegian community in Singapore, half a world away from the snow and ice of their homeland.

By Alan Morison

At eye-level from the Millenia Tower offices of Songa Shipping spins the Singapore Flyer. The giant wheel provides an appropriate source of inspiration – plenty of Norwegian banks, brands and businesses are flying high in Singapore these days, too.

With them have come large quantities of investment funding and technological expertise, along with growing numbers of Norwegians themselves.

Among the relatively new arrivals is Sissel Grefsrud, Managing Director of Songa Shipping, the Singapore subsidiary of Norway's Arne Blystad group of companies, and one of the female leaders in the industry. Ms Grefsrud oversees a company that has 43 tankers and bulk carriers under construction in Korea, 10 in its own fleet and more under management.

"The Government here has shown a willingness to make it possible for ship owners to establish themselves," she says.

"They have a great infrastructure and a highly qualified workforce. I find it easy to be a Norwegian in Singapore. It's a very interesting place."

She is equally enthusiastic about the benefits her daughters, aged 18 and 20, are deriving from a Singapore-American school education.

"They have great teachers, a wonderful location and very motivated fellow-students, and that's typical of Singapore. They are investing in the future of children."

Investment from Norway is pouring into the Lion City. Banker Erik Borgen, head of the Norwegian Business Association, says Norwegian investment in Singapore has risen seven-fold since 1995.

Norway now ranks fourth among European countries investing in the island-nation, with all Norwegian blue chips and leading shipping companies among 110 firms represented here.

In human terms, the heightened connection between the two nations has seen the number of Norwegians in Singapore double to more than 1,400 citizens in the space of three or four years.

"Norwegians are very happy in Singapore because it's a pleasant place to live," Mr Borgen says. "Really, the only thing we miss is snow and ice."

With the rate of Norwegians in Singapore on a steady incline, the hilltop location of the Norwegian Seamen's Mission seems especially appropriate.

For 50 years, it has been at the centre of the spiritual and social life for visiting Norwegians and Swedes.

Pastor Lars Bernhard Olberg says that local developers have been eyeing the valuable site on



AT HOME:

(L to R) Sissel Grefsrud, Captain Knut Egeberg, Lars Bernhard Olberg and (top) Ambassador Janne Julsrud





the high side of Pasir Panjang Road. But there is no plan to sell this special slice of Norway in Singapore.

Inside the chapel, the altar cross is made of driftwood. Pastor Olberg felt a sense of attachment on discovering that the pieces of the cross were carried from a beach on the south coast of Norway where he would often play.

Norwegian lunch every Thursday and the BBQ after Sunday's service attract those who long for homeland-style meatballs and potatoes.

A sizeable library of books includes dozens of newspapers from each of the small towns that dot Norway. The mission made visits to 250 ships in 2007.

Captain Knut Egeberg, General Manager of OSM Ship Management, has seafarers scattered through his family and says it always seemed natural for young Norwegians to go to sea.

Despite spending 22 years in Singapore with a wife who loves the tropical climate, Captain Egeberg says, a little apologetically: "I like cold weather, actually. Not those dark miserable winters, but a little cooler."

As for business, there is no other place he would rather be. "Singapore must be the biggest concentration of ship managers in the world,

easily," he says.

"The Government is doing a very good job with attracting business. The maritime infrastructure is good and they have tax incentives here for attracting owners, for the banks, and finance industries."

Norwegian Ambassador to Singapore Janne Julsrud notes the strange but symbiotic connection between two small countries, each of about four-and-a-half million people, on opposite sides of the world.

"I am extremely happy to be here," she says. "Singapore is a very easy place to do business. Authorities roll out the red carpet for you, and this is something that most countries in the world could learn from."

She put her hand up for this posting and talks enthusiastically about education exchanges and the arrival of Norwegian renewable energy expertise on the island.

"Infrastructure here is so finely tuned, so high tech, so incredibly well-administered that you would feel that a lot of countries would have to run rather quickly to catch up," she adds.

The biggest problem she has with living in Singapore is its popularity. Although she has had postings in the past to some pleasant localities, demand for the spare room has never been as great.

"There have been people living with me continually since I came here, two or three weeks at a time," she says, with a laugh.

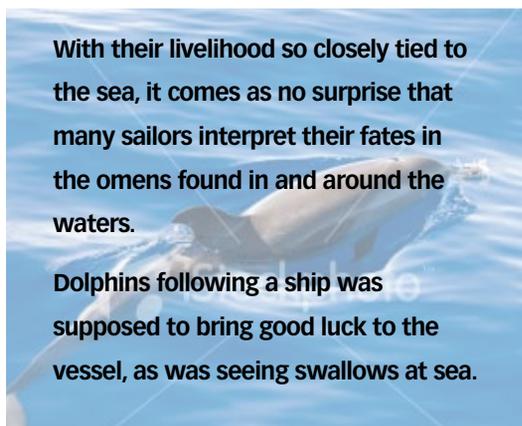
It's an attraction the ambassador shares. "I think I will survive my years here nicely without snow and ice," she says.

Shipping is far safer now than it was a few hundred years ago. But in the early days, mortality was a constant companion. It is therefore small wonder that the seafaring world is awashed with superstitions, some of which have lasted till today.

Many nautical superstitions have roots in consideration for seafarers' safety. A sailor wearing an earring is assured that he would not drown and tattoos are considered extra protection on the long sea journeys for these men. Sailors are also said to step aboard the vessel using the right foot first to start the journey off on the "right foot".

To ensure the continuation of the lucky streak while out at sea, even the ship's structure is not spared the superstition treatment. A horseshoe secured to the mast keeps storms away and a stolen piece of wood mortised into the keel will make a ship sail faster. To warrant a successful voyage, a silver coin is placed heads up beneath the mast.

The world of sailing was very much a man's world, and the superstitions surrounding women at sea reflected this. Simply having a woman on board was thought to make the sea angry, but there was a very convenient way around this. If the woman on board was naked, it was believed that would calm the waters, and this is the reason figureheads are always unclothed.

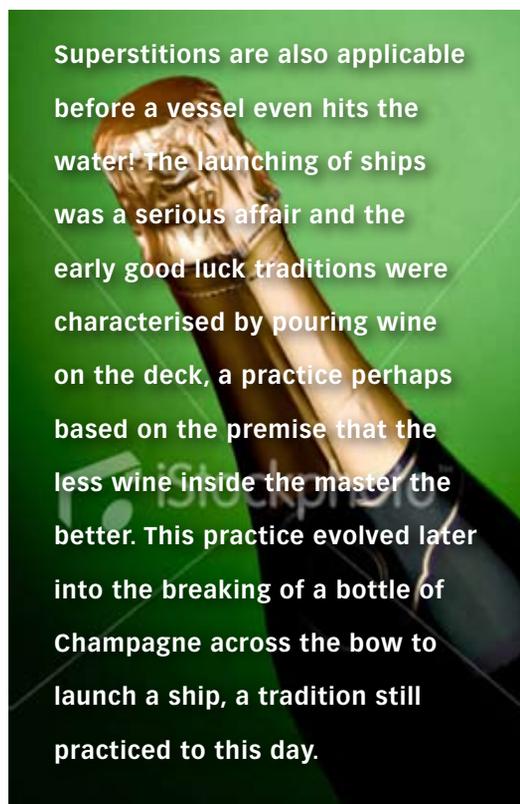


With their livelihood so closely tied to the sea, it comes as no surprise that many sailors interpret their fates in the omens found in and around the waters.

Dolphins following a ship was supposed to bring good luck to the vessel, as was seeing swallows at sea.

A black cat, surprisingly, is also a good omen to most sailors, much the opposite of society that has shunned the creature since the Middle Ages.

Many mariners today still strive to keep a content and well-fed black cat on board.



Superstitions are also applicable before a vessel even hits the water! The launching of ships was a serious affair and the early good luck traditions were characterised by pouring wine on the deck, a practice perhaps based on the premise that the less wine inside the master the better. This practice evolved later into the breaking of a bottle of Champagne across the bow to launch a ship, a tradition still practiced to this day.

Advancements in ship safety have made many of these superstitions "unnecessary" while some have survived, most are now clouded in history forever. But it is perhaps precisely these lingering traditions that have created a romantic aura that has attracted many to the industry.