



Stowaway Risk in Durban, South Africa

The Issue

The Club's correspondents in Durban, P&I Associates (Pty) Limited have recently notified the Managers of an emergent stowaway risk in that port.

Until very recently when unauthorised persons were found on board a vessel in port, either during the course of cargo operations or as the result of a pre-departure stowaway search, such individuals were categorised as "trespassers". The significance of this categorisation was that the port would be responsible for dealing with those individuals once their presence was notified and they were handed over to port security.

However, a review of three recent incidents by P&I Associates indicates that the local immigration authorities are now taking a different approach. On being called to the vessel to deal with unauthorised persons found onboard, these individuals were declared to be stowaways rather than trespassers. The significance of this distinction is that responsibility for the costs of dealing with and repatriating the "stowaways" rests with the vessel.

Interviews of the stowaways revealed that they boarded the vessels with stevedores and cleaners and clearly had the

intention of stowing away on the ships concerned. The local immigration authorities have advised that the obligation rests with the vessel to ensure that only authorised persons are allowed onboard, and that it is the duty of the gangway watch to check that each person coming onboard holds a valid Transnet permit, an example of which is depicted below.



If any individual boarding the vessel, and this includes stevedores, agents, ship chandlers, cleaners, immigration, ship repairers and contractors, should be found not to have such a permit then the person should be denied access, taken to the bottom of the gangway and port security called. The port authority, as the landlord will have the person detained and charged as a trespasser on their property.

Under the new approach being adopted by immigration, unauthorised persons found onboard will be regarded as stowaways with adverse financial

implications for the ship, unless it can be proved that they boarded the vessel in Durban and the vessel has evidence to support that allegation. This is proving to be less easy to establish than might be anticipated since the immigration authorities are giving no credence to any admissions by the stowaways themselves.

Consequently Members are strongly recommended to instruct the Masters of their ships calling at South African, and particularly Durban, to ensure that a diligent gangway watch is maintained to ensure that all personnel boarding the vessel are carrying a valid Transnet permit.

The Managers acknowledge with thanks the kind permission of P&I Associates (Pty) Ltd., to incorporate this information in this Risk Alert.

For further information on this or other Loss Prevention topics please contact the Loss Prevention Department, Steamship Insurance Management Services Ltd.

Tel: +44 20 7247 5490
Email: loss_prevention@simsl.com