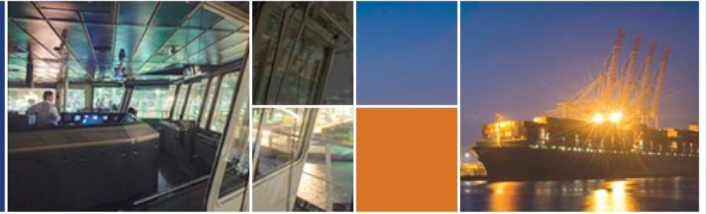




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Australian Authorities To Take Action on Crew Wages and Conditions

October 2017

For the past year or so the Australian Maritime Safety Authority ("AMSA") has been particularly active in taking action against vessels where crew have not been paid according to their entitlements and where there have been breaches of safe workplace obligations.

In September 2016, the Hong Kong flagged "Five Stars Fujian" was detained by AMSA and subsequently banned from Australian ports for 12 months because the crew had not been paid for several months and the vessel did not have sufficient provisions for its intended voyage. In June 2017, the Papua New Guinea flagged "Kiunga Chief" was banned from Australian ports for three months, following its third detention in less than 18 months for failure to safely and effectively manage the operations of the vessel. These deficiencies included matters directly related to crew conditions such as inadequate food provisions, defective toilets and water leakage into cabins, inadequate crew training and evidence of crew working more than 72 hours in seven days and being underpaid.



In August 2017, the "Rena" (Bahamas flag) was banned from Australian ports for six months when an inspection revealed deficiencies in the emergency generator and life boat starting arrangements, short comings in the safety management system and a failure to pay crew a total of US\$53,000 cash. Finally, in September, the "DL Carnation" (Panama flag) was banned for 12 months after the vessel was discovered keeping two sets of accounts for wages, in an attempt to cover up underpayment of crew. A comparison of the accounts showed that the crew had been underpaid at least US\$17,000 per month dating back to April. The fact that the owners intended to deceive the authorities resulted in a more severe penalty than would have normally been the case for a first offence, and AMSA said they would also increase inspections for all other vessels belonging to the company.

The Maritime Labour Convention is in force in Australia, in addition to other International Conventions such as SOLAS, MARPOL and STCW. It is clear that AMSA takes owners' obligations to their crew extremely seriously. As Alan Schwartz, AMSA's General Manager of Operations said in relation to the "DL Carnation" case:

"AMSA takes a zero tolerance approach to the mistreatment of crew and all vessel's coming to our shores should be aware of the consequences. Shipping companies should be aware that AMSA has the power to ban entire fleets if we uncover systemic issues within an operation and will not hesitate to do so where deliberate non compliance is uncovered."

For any further assistance, contact your regular Club Contact.