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1st February 2008

SPANISH MINISTRY OF DEVELOPMENT REGULATES THE MARITIME EMERGENCIES EVALUATION TEAMS ON BOARD SHIPS ON DISTRESS.

Spanish Ministry of Development has issued the ORDER FOM/93/2008, which will come into force on **30 April 2008**, establishing the composition and functions of the **Maritime Emergencies Evaluation Teams**, with full authority to board vessels in seawaters under Spanish jurisdiction in case of accidents or incidents that may affect the **safety of the ship and human life** (collisions, fires, damages, defects in the stowage of cargo, damages to hull), **affect the navigation security** (damages to ME, electricity, communication equipment), **jettison of cargo, and risks of pollution in Spanish waters**.

These Emergency Teams are contemplated in Art. 19 of the Royal Decree 210/2004, which incorporating to Spanish legislation the European Directive 2002/59/CE, establishes a traffic monitoring and information system, as we informed in our CIRCULAR 3A / 2004.

The Maritime Emergencies Evaluation Team will be distributed in five different areas of the Spanish coast: Cantabria, Galicia, South, Mediterranean and Canary Islands. These teams, under the orders of the Harbour Masters (HM) and the General Directorate of Merchant Marine (DGMM), will be available and ready to act 24 hours per day - during the whole year. They will have full authority to board the ship on distress, as representatives of Spanish Maritime Authority before the Master, and their functions are to inform and advise the Harbour Master and DGMM of the situation of the ship in emergency, executing their orders, evaluating the measures that can be adopted according to each situation, advising the Master of the ship accordingly and verify that he follows the instructions and orders from HM and DGMM, monitoring the operations of any salvage company instructed by ship owners.

It is important to note that in case that the Master of the ship in an emergency situation does not authorise the members of the Maritime Emergencies Evaluation Team on board, the Civil Guard will then be requested to also attend and assist. All the information systems on board, such as "safe sea net" will be accessible to the Evaluation Team.

The non-compliance by the Master of the vessel in emergency situation of the orders given by the HM or DGMM can be considered as an infraction to our Port Law 27/92 and the Harbour Master can initiate an Administrative Sanctioning Procedure against Owners and Master in accordance to our 1992 Ports Law.