

Bulletin 389 - 11/04 - Steel Cargo Declaration Disputes - Mariupol

Members' attention is drawn to the carriage of steel cargoes from Mariupol. Within the last three months five ships have been detained in disputes in the area over the weight of cargo loaded.

The cause of these disputes appears to be the inability of the ship to take the full cargo presented for carriage in accordance with the terms of the charterparty. Before loading the master is provided with a Cargo Declaration and Shipping Order where the cargo intended for loading is shown both in terms of the number of units and the gross weight of the whole consignment. The gross weight corresponds with the figure described in the charterparty.

It often appears that ships confirmed to be fully loaded in accordance with the draft readings made by the ship have some cargo units remaining on the quay still to be loaded. A refusal to load the remaining cargo leads to a dispute with the charterers/shippers. Loading all cargo presented puts the ship in dispute with the authorities by increasing the draft to an excess of the port's maximum draft limit of 8.0 metres. Both result in the ship being detained.

The problem appears to stem from an incorrect declaration of the weight of cargo made by the shippers. It is difficult for the ship to prove this and a reference to draft readings made by the ship appears, locally, as a weak argument since it is easily countered by shippers asserting that a mistake has been made by the ship when ascertaining either the draft reading or the water density or establishing the deductibles.

We are advised by the Club's local correspondent that a draft survey performed by an independent surveyor prior to and after loading can protect a shipowner from allegations by the charterers that there has been a breach of the charterparty.

Members should be aware of these issues when trading to this area.

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