

YEAR 2000 SAFETY PROTOCOL

The Year 2000 problem is unique and will affect everyone – either directly or indirectly. Although the potential consequences of the malfunctioning of electronic equipment can be predicted, no-one can say with certainty what will happen. In the context of shipping there is potential, however thorough and conscientious the remedial action taken by ship and shore operators, for accidents, serious casualties, delays and damage on a substantial scale. There could also be loss of life and damage to the environment. There is no doubt that the most effective way of combating the consequences of the Year 2000 problem will be through the co-ordinated and co-operative efforts of everyone involved in the shipping industry.

It is therefore the wish of the Parties hereto that all sides of the shipping industry should work together

- (1) to develop contingency plans to deal with the consequences of the Year 2000 problem, and
- (2) to act in accordance with such plans and to create an atmosphere wherein they can do so without fear of litigation, while accepting that they have a continuing and undiminished obligation to exercise due diligence to ensure their own Year 2000 conformity.

The Parties hereto therefore adopt the following Statement :

STATEMENT

Year 2000 conformity shall mean that neither performance nor functionality of computer systems, electronic and electro-mechanical or similar equipment will be affected by dates prior to or during the year 2000.

The Parties to the Protocol intend to continue to encourage the exercise of due diligence in ensuring Year 2000 conformity. However, whether such due diligence is exercised or not, the Parties hereto believe that property or personnel or rights may be or become exposed to the risks arising out of non-conformity. Such non-conformity may originate on premises or in property in the ownership, possession or control of those who have, as well as those who have not, exercised such due diligence. It is therefore considered desirable that all concerned should adopt and implement the practices recommended in paragraphs 5, 6 and 7 of the Code of Good Practice contained in the IMO Circular Letter No 2121 dated 5th March 1999 (attached hereto).

The intention of the Parties hereto is that whenever any such practices are adopted there shall be no claims in respect of any loss or liability caused by the implementation of such practices.

We, the following Parties, support and adopt this Protocol, its Statement, and the IMO Code of Good Practice contained in IMO Circular Letter No. 2121 dated 5th March 1999:

This Protocol is open for adoption by any Party. Those wishing to adopt the Protocol should sign below

..... (Name of Company/Organisation)
..... (Name of Signatory)
..... (Position)
..... (Signature)
..... (Date)

and forward the completed document by mail or fax to...

either :-
International Chamber of Shipping,
Year 2000 Safety Protocol,
12 Carthusian Street,
London EC1M 6EZ, England.
Fax +44 171 417 8877
E-Mail linda.howlett@marisec.org

or :-
The Baltic & International Maritime Council (BIMCO),
Year 2000 Safety Protocol Administrator,
161 Bagsvaerdvej,
2880 Bagsvaerd, Denmark.
Fax +45 4444 4450
E-Mail lh@bimco.dk

Upon receipt of such confirmation, the name of the Party will be registered as a Party on the Register of Parties held by both the International Chamber of Shipping and the Baltic & International Maritime Council (BIMCO). The Register of Parties is a public document, the contents of which will be open to public inspection either upon application and /or by reference to the Ship2000 website (see [http:// www.ship2000.com](http://www.ship2000.com))

This Protocol is dated 14th June 1999