

Ship Type: Bulkcarrier

Trade Area: China

Bulletin 170 - 12/00 - Bulk Cargo Discharge Disputes - Chiwan - Southern China

We draw Members' attention to a recent dispute in Chiwan, Southern China. A Member's ship with a part cargo of NPK for discharge at Chiwan, was alleged by the Chiwan Port Authority to have discharged 280 mt of cargo short. This was based on shore weighbridge figures (accuracy not known, nor calibration certification sighted/verified). The Port appears to have been acting as the agent of the receiver.

The Port demanded that the alleged shortage be made up from remaining cargo bound for other Chinese ports and would not allow the vessel to sail until this was done.

The owners refused to discharge any extra cargo, as prior to the Port Authority's intervention the receiver's surveyors CIQ (state surveyors) had confirmed by draft survey that the correct quantity of cargo had been discharged.

The Port then demanded that a further surveyor be appointed to re examine the draft survey. Owners refused this on the basis that the second CIQ surveyor might be prejudiced.

Fortunately owners had appointed their own independent draft surveyor who had verified the first surveyor's findings and was able to avoid further cargo being discharged.

The ship was finally allowed to sail after two days of discussions.

It is strongly recommended that owners trading to this region nominate their own independent surveyor to carry out draft surveys, in particular where there are multiple discharge ports involved, so as to avoid excessive losses at the final discharge port.

Independent draft surveys are an important tool in defending shortage claims which are frequently laid against the carrier, as are photographs of inefficient and wasteful shore side practices (see below). In many cases, whatever the type of bulk cargo, the receiver may not sight the cargo until it reaches his premises and may be relying on weighbridges/measuring devices over which he has no control or whose accuracy cannot be easily checked or verified. It is necessary therefore to provide independent draft and photographic evidence to protect the ship owner. Such evidence also enables the receiver/cargo underwriter to focus on where the loss *actually* occurs, thus helping to reduce loss in future shipments.



Source of information :

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