

Subject:

Condition Survey for Bulk Carriers
over 18 years old of ages entering
into Brazilian Ports

NKTECHNICAL INFORMATION

No.: 161

Date: 10 May 1995

To: Shipowners and Ship Management companies

The Brazilian Government (DPC) has recently issued Decrees Nos.0007 & 0008 for aged bulk carriers and foreign flag passenger ships, copies of which are attached hereto.

According to these Decrees, Condition Survey is to be carried out by an exclusive surveyor of a Classification Society recognized by the Brazilian Government other than that to which the vessel is registered accompanied by inspectors from DPC, as deemed necessary, on all bulk (or ore) carriers over 18 years old of age entering into Brazilian Ports carrying solid bulk cargoes with a Specific Gravity over 1.0, at the time when the ship is in a completely empty and gas free condition, and on all foreign flag passenger ships chartered by a Brazilian company and operated exclusively in Brazilian waters.

This Condition Survey may be exempted provided that the following documents are submitted to DPC at least 5 working days before the scheduled loading of the bulk carrier or starting of operation of the passenger ship and DPC is satisfied with the minimum safety requirements based on the satisfactory results of study of the documents submitted by the shipowners or their representative.

The documents to be submitted are as follows.

1. Detailed survey report of the last drydocking and/or of the last special survey with thickness gauging reports.
2. Survey status with outstanding recommendations, if any, issued by the Classification Society of the vessel.
3. All statutory certificates required by the International Conventions of which Brazil is signatory, as well as class certificates and registry certificates.
4. Documents that certify the firm name of the shipowner, operator, cargo owner (not applicable to passenger ships), ship insurance company, cargo insurance company (not applicable to passenger ships) and P & I club.
5. General Arrangement Plan, Shell Expansion Plan, Midship Section Plan, Transverse and Longitudinal Bulkhead Plan and Structure Profile Plan, all with the approved stamp of the Classification Society.

In this regard, this Society will be able to assist you by preparing the necessary documents mentioned in item Nos.1, 2 & 5 above for a vessel classed by NK.

For further details, please do not hesitate to contact our Marine & Industrial Service Department of the Head Office.

Attached: Decrees Nos.0007 & 0008 of DPC (free English translation from Portuguese text)

ClassNK

NIPPON KAIJI KYOKAI
4-7, KIOI-CHO, CHIYODA-KU,
TOKYO102, JAPAN.

TEL: 03-3230-1201
FAX: 03-3230-3524
TELEX: 22975 CLASSNKJ
2324280 CLASNKJ
CABLE: CLASSNK TOKYO

MINISTRY OF NAVY
PORTS & COASTS ADMINISTRATION

DECREE No.0007

March 09, 1995

The Director of DPC, under the attributions bestowed by Article 8, Clause II, of Maritime Traffic Regulation, approved by the Decree No.87.648, dated 24 Sept 1982; altered by the Decree No. 511, dated 27 Apr 1992; together with II-d of Article 9 of the Complementary Law No.69 of 23 July 1991.

Considering the accidents that occurred recently on Brazilian coasts with bulk carriers, when many structural problems and deficient maintenance conditions of vessels were discovered, in spite of ships being classed by Classification Societies recognized by their flag of origin.

Considering the international concern manifested inclusive at the IMO forum, about the frequent accidents involving bulk carriers of old age still in operation with dangerous structural conditions and/or maintenance.

Considering that usually such an accident causes losses to the national economy and to public administration.

Considering that the responsible entity for casualty of the vessel and/or their Classification Society did not inform the Brazilian Maritime Authority about the dangerous structural condition of the ships so that necessary measures and precautions could be taken, according recommendation by regulation of SOLAS and its amendments in force (Reg.6 & 11, Chapt.I, Part B).

RESOLVES:

ART.1 Determine that condition surveys are to be carried out by Classification Society recognized by Brazillian Government, on all bulk (and ore) carriers over 18 years of age entering Brazilian ports, independently of their flag or size, to load solid bulk cargo of specific gravity greater than 1.0. Such a survey should be carried out with the ship in a completely empty condition and gas freed, offerin?g at least the minimum level of safety. The recognized Classification Society to be contracted by the owner of the vessel or his representative must not be the Classification Society of the vessel. The survey should be carried out in Brazilian port, by the exclusive surveyor(s) of the contracted Classification Society and may be accompanied by Inspector(s) from DPC whenever deemed necessary.

Paragraph One : Procedures to be followed by surveyor(s) are:

I- Carry out visual inspection of internal structures of all cargo holds, ballast tanks (double bottom & top side tanks) and other tanks, at the surveyor's discretion. Check the thickness of some points of internal structures at random (spot check) based on the report of the last docking: and

II- Carry out visual inspectin of tightness of holds/tanks on upper deck, paying special attention to coamings, hatch covers, their cleats and packings, hold entrance hatches, manholes to double bottom, their covers, bolts and packings.

ART.2 The owner or his representative shall present to the DPC detailed and conclusive report of result of the survey with photographs, based on the rules of the contracted Classification Society (that carried out the condition survey).

Following copy of documents are also to be presented to the DPC: - Statutory certificates required by International Conventions of which Brazil is signatory, as well as class certificates and vessel's register.

- Documents that prove the firm name of ship's owner, operator, cargo owner, ship insurance company, cargo insurance company and P & I Club.

Only after the satisfactory results of study of these report and documentations the ship will be allowed to load.

ART.3 By exclusive criteria of DPC, it may be exempted from condition survey ships that, provenly, satisfy the minimum requirements of safety established by International Convention of which Brazil is signatory. For that, the owner or his representative shall present copy of following documents at least 5 effective days before the scheduled loading:

I) Detailed survey report of the last docking and/or of the last special survey with thickness gauging reports.

II) Survey status with outstanding recommendations, if any, issued by Classification Society of the vessel.

III) All statutory certificates required by International Conventions of which Brazil is signatory, as well as class certificates and registry certificate.

IV) Documents that prove the firm name of ship owner, operator, cargo owner, ship insurance company, cargo insurance company and P & I Club, and

V) General Arrangement plan, Shell Expansion plan, Midship Section plan, Transverswe and Longitudinal Bulkhead plan and Structure Profile plan, all with approved stamp of Classification Society.

ART.4 This decree shall be effective from the present date.

(signed) Vice-Admiral, Director

MINISTRY OF NAVY
PORTS & COASTS ADMINISTRATION

DECREE No.0008

March 09, 1995

The Director of DPC, under the attributions bestowed by Article 8, Clause II, of Maritime Traffic Regulation, approved by the Decree No.87.648, dated 24 Sept 1982; altered by the Decree No. 511, dated 27 Apr 1992; together with II-d of Article 9 of the Complementary Law No.69 of 23 July 1991.

Considering the risks to which are submitted the crew and passengers on ships that not satisfy, to full extent, the requirements of safety looked upon by 74 SOLAS Convention.

Considering that there have been observed by IMO and by PSC that many vessels, in spite of their International Certificate's validity, are maintained below the acceptable minimum level of safety established by International Conventions.

RESOLVES:

ART.1 Determine that condition surveys are to be carried out by Classification Society recognized by Brazilian Government, on all foreign flg passenger ships chartered by Brazilian company, to operate exclusively in Brazilian waters.

1st Paragraph - The Classification Society to be contracted by the owner of the vessel or his representative must not be the Classification Society who maintain the class of the vessel.

2nd Paragraph - The surveys should be carried out by exclusive surveyor(s) of the contracted Classification Society and may be accompanied by inspector(s) from DPC whenever deemed necessary.

3rd Paragraph - The surveys are to be carried out at the first Brazilian port in which the ship comes into.

ART.2 The provisional inscription of the vessel, mentioned in the Art.227 of the Rules of Maritime Traffic, shall be subject to the accomplishment of the 1st Article above.

ART.3 At the end of each survey, the Classification Society shall issue a report with photograph, informing whether the ship complies with the requirements established in the attachments to this Decree and shall immediately communicate the results to the Port Authority and to DPC.

Paragraph One : Procedures to be followed by surveyor(s) are:

I- Carry out visual inspection of naked Internal structures without lining, checking their thickness in random (spot check).

Where there is suspectedly excessively corroded area, at the judgement of the surveyor, it may be required to remove lining or insulation for better recognition of thickness of shell plate or of structural members.

II Carry out visual inspection of tightness of covers or closing devices of openings on exposed decks and shell, external doors and scuttles, internal doors on watertight bulkheads and, other items that at surveyors judgement may compromise the safety of the vessel.

ART.4 The owner or his representative shall submit to the DPC copies of following documents:

- Statutory certificates required by International Conventions of which Brazil is signatory, as well as class certificates and vessels's register.
- Documents that prove the firm name of ship's owner, operator, ship insurance company and P & I Club.

Only after the satisfactory results of study of these report and documentations the ship will be allowed to operate.

ART.5 By exclusive criteria of DPC, it may be exempted from condition survey ships that, provenly, satisfy the minimum requirements of safety established by International Convention of which Brazil is signatory. For that, the owner or his representative shall present copy of following documents at least 5 effective dates before the scheduled start of operation of the vessel:

- I) Detailed survey report of the last docking and/or of the last special survey with thickness gauging reports of structural members.
- II) Survey status with outstanding recommendations, if any, issued by Classification Society of the vessel.
- III) All statutory certificates required by International Conventions of which Brazil is signatory, as well as class certificates and registry certificate.
- IV) Documents that prove the firm name of ship owner, operator, ship insurance company and P & I Club, and
- V) General Arrangement plan, Shell Expansion plan, Midship Section plan, Transverse and Longitudinal Bulkhead plan and Structure Profile plan, all with approved stamp of Classification Society.

ART.6 This decree shall be effective from the present date.

(signed) Vice-Admiral, Director