

# JSU president Morita meets with Toba mayor to express gratitude

*City reduces seafarers' resident tax in a move toward boasting a joint maritime vision*

All Japan Seamen's Union (JSU) President Yasumi Morita visited Toba City Mayor Kusuichi Kida at the Toba City Hall on April 27 to express gratitude to the municipality for introducing a new system earlier in the month that reduces individual inhabitant tax imposed on seafarers. President Morita also held a round-table meeting with Mayor Kida to exchange views on efforts that Toba can make to increase the number of local seafarers, the present state of marine education, visions of the future and other subjects.

On that day, JSU president Yasumi Morita was accompanied by General Director Hiroyuki Tachikawa of the policy Bureau, Director Takayuki Ura of the General Policy Department and Manager Hiroyuki Kaneko of the Nagoya Branch.

To begin with, President Morita thanked Mayor Kida for the system that Toba introduced in April to reduce resident tax for seafarers. "Toba City is very familiar to seafarers, as it hosts the National Institute of Technology, Toba College," President Morita said. "I am grateful for the quick action and bold decision to introduce the resident tax reduction system for seafarers." In return, Mayor Kida gave a briefing on Toba city's thoughts on its measures to improve the taxation systems for seafarers. "We decided to reduce inhabitant tax for seafarers; because seafarers, who work at sea and stay away from land for more than six months of the year do not benefit from local administrative services as much as ordinary residents. We thought they should deserve reductions in resident tax."

## Toba takes quick actions

On April 1 this year, Toba implemented a package of policies for reducing individual inhabitant tax for seafarers and others who are on duty in long-term international oceangoing shipping services. Prior to this, the JSU's Nagoya Branch filed a request with the city in accordance with agreements reached during



**Above: The roundtable meeting was attended by several JSU and city leaders.**

**Right: JSU president Yasumi Morita (right) shakes hands with Toba City mayor Kusuichi Kida..**

the union's 76th annual national assembly. In return, Mayor Kida indicated that he would positively consider reducing amounts of inhabitant tax imposed on seafarers. Responding to his statement, the municipal government formulated the policies immediately, which were, as stated above, enacted in April.

The package of policies are as follows:

(1) It is acknowledged that seafarers and others who are engaged in long-term seaborne shipping services cannot fully enjoy administrative services, as they do not always work overland. As such, the mayor is authorized to reduce resident tax amounts paid by those who work more than six months of the taxable year away from land.

(2) Fifty percent is reduced from the amount of inhabitant tax on per capita basis.

(3) Those who want to have their inhabitant tax payments reduced are required to fill in necessary forms and submit them with documents that certify they are on



long-term oceangoing shipping duties of more than six months.

## Toba's marine education and future visions

President Morita held a round-table meeting with Mayor Kida after delivering his appreciation. "How we can secure seafarers is of great importance at a time when the nation's birth rate is falling, and the population of elderly people is rising," Morita said. "To this end, it is important to have children understand the profession of being a seafarer when they are first or second graders.

"It is important to have an option, which is that if you become a seafarer, you will enjoy tax incentives," he continued. "It is equally important to make it known more widely by taking specific actions.

"When it comes to friendship with the ocean, Toba city is located

in a perfect environment," the president stressed.

In response, Mayor Kida described the policies that Toba is pursuing to address the issue of the lower birth rate and the aging population. "Toba is another municipality where the population of elderly people is growing," he said. "Having concluded that we need to do something, we provide a variety of programs to families raising children to support the lives of children and young people who are responsible for future generations." The programs the city provides include the following: an exemption of childcare costs that parents need to bear for their second and younger children, completely free-of-charge medical services for children until they complete their nine-year compulsory education and financial support for commuting and boarding fees of high-school students, ac-

cording to the mayor.

"We are working to create an environment for everyone to reside permanently by lessening economic burden so that local residents can raise their children without anxiety," Mr. Kida said. "Toba City offers an environment suitable for raising children. If more people move to Toba, they will even give us a greater advantage than the inhabitant tax reduction."

Mayor Kida also introduced the projects that Toba is advancing to promote marine education. "Since fiscal 2009, we have had students in the fifth and sixth grades at the elementary schools in the city experience marine activities (i.e., a marine education program that allows them to become familiar with local natural surroundings by encouraging them to join the local efforts to restore seaweed beds and cultivate *wake*, a kind of brown seaweed)."

President Morita closed the round-table meeting by saying, "I would like to inform people across the nation about the environment of Toba, where local residents are familiar with the ocean, seafarers and seafarer education, and that it is a great place for seafarers to live."

## JSU's future efforts

The JSU has always believed that it is necessary to have tax incentives introduced for seafarers as soon as possible in order to secure future seafarers and to provide the general public with deeper understanding of the importance of professional seafarers. We have strongly demanded these goals of the central and local governments while taking other actions. Consequently, Yokkaichi, another city in Mie Prefecture, in April 2014 began reducing resident tax for seafarers and others who are on duty in long-term oceangoing shipping services. And as stated here, in April this year, a similar system was introduced in Toba, which became the second municipality in Japan to reduce resident tax for seafarers working in long-term international services. Taking advantage of these developments, the JSU will continue to work hard to secure further tax incentives for seafarers in the future.



# MARINA sets up STCW office in Cebu

The Maritime Industry Authority (MARINA) has put up and inaugurated its Standards of Training, Certification, and Watchkeeping (STCW) Extension Office at the Associated Marine Officers' and Seamen's Union of the Philippines (AMOSUP) Seamen's Hospital in Mandaue City, Cebu.

Gracing its inauguration rites on April 26, were administrator Dr. Maximo Q. Mejia, Jr.; deputy administrator for Regional Concerns

Chief Marine Engr. Alfredo Haboc; STCWO executive director, Capt. Herminio Estaniel, Jr.; his deputy, attorney Jabeth Dacanay; and Region 7 Cebu director, Engr. Nanette Dinopol. Representing AMOSUP were Mr. Raul "Butch" Lamug, special assistant to AMOSUP president, Dr. Conrado F. Oca; and Dr. Teody Alcantara, medical director of AMOSUP Seamen's Hospital in Cebu.

In his message, Dr. Mejia said, "This is an ideal example of the many ways that constructive part-

nership and collaboration lead to better service to the maritime public. The seafarers themselves, through AMOSUP, have partnered with government by providing MARINA with computer hardware and free space for the Cebu STCW extension office."

Similarly, he said, "the ANGKLA Party-List, through its seat in the House of Representatives have provided MARINA with both the legal framework and three regional office buildings necessary to ensure an efficient

STCW administration."

According to the MARINA chief, "Seafarers in the region will no longer have to make special trips to Manila only for the issuance of their CoCs. We would like to thank AMOSUP President Dr. Conrad Oca and ANGKLA Party-list Rep. Jess Manalo, for their constructive engagement and unwavering support to MARINA." He stressed, this devolution of STCW functions to Cebu relates to the issuance of CoC for merchant marine officers.

"This will be followed eventually by devolutions to other regions such as Mindanao and Western Visayas. A strong and efficient STCW administration is not built overnight, but with the kind of support that the seafaring sector is receiving from both AMOSUP's Dr. Oca and ANGKLA's Rep. Manalo, I am confident that the coming years will see the Philippines with a certification system that is without equal in the world," he added. (*Source: Manila Bulletin*)

## BIMCO calls for fair treatment of seafarers

The Baltic and International Maritime Council (BIMCO) believes that the unfair treatment of seafarers poses a threat to the future sustainability of merchant shipping, primarily due to the damaging effect to the image of the shipping industry and its ability to attract and retain qualified seafarers and promotes the fair treatment of seafarers in all respects

BIMCO says it will continue to advocate against the increasingly severe liability regimes, including presumption of guilt rather than innocence of seafarers and, in particular, the introduction of strict criminal liability for oil pollution or other severe environmental incidents.

BIMCO has published the following article on its website

to announce its support to the fair treatment of seafarers and measures taken:

"BIMCO is also strongly opposed to, and intervenes in response to, criminalization of seafarers in terms of enactment of legislation that makes an act illegal retroactively.

"BIMCO believes it is essential that States strictly observe and adhere to their international obligations under the United Nations Convention on the Law of the Sea (UNCLOS), including article 230 barring States from imprisoning seafarers serving on board foreign ships except in cases of 'wilful and serious acts of pollution' within their territorial waters. Seafarers doing everything in their power to avoid an accident or mitigating its effects should not be pe-

nalized.

"Regardless of behavior, the fair treatment of seafarers should be upheld as a fundamental right in all incidents, in line with the 2006 IMO/ILO Guidelines on fair treatment of seafarers. The Guidelines, and the 2010 IMO Casualty Investigation Code, containing mandatory provisions to observe when obtaining evidence from seafarers, continue to be essential and must be upheld.

"BIMCO fully supports the 2006 ILO Maritime Labour Convention (MLC) and its provisions relevant to fair treatment, namely the obligation for States to hold an official inquiry into any serious marine casualty leading to injury or loss of life that involves a ship flying its flag, as well as to cooperate with

other States to facilitate such an investigation.

"BIMCO also supports amendments to the MLC adopted in June 2014 to include mandatory provisions, which will require ILO member States to ensure that a financial security system is in place for ships flying their flags to repatriate abandoned seafarers.

"In line with common legal practice BIMCO will in general oppose discrimination and unfairness against seafarers following a maritime incident, including but not limited to unfair treatment in the form of difficulties in obtaining employment or denial of entry visas to foreign countries when no civil or criminal liability has been imposed on the seafarer as a result of the incident." (*Source: BIMCO*)

## Meaning of tropical waters

Many time charters contain clauses dealing with bottom fouling/cleaning required when the vessel has been in port for more than a specified period. Many such clauses refer to the length of the vessel's stay in "tropical waters". A London Arbitration Tribunal was recently asked to consider the meaning of "tropical waters" in such a clause.

The vessel in question called at Santos and both parties agreed that the vessel had stayed there for more than the 30 consecutive days provided for in the clause. The dispute centered around whether or not the port of Santos fell within "tropical waters".

Charterers argued that Santos was not within tropical waters as it did not fall within the Tropics of Cancer and Capricorn, and that the Load Line Regulations were not relevant to the issue of bottom fouling.

Owners argued that the port did fall within tropical waters. They referred to the Merchant Shipping Load Line Regulations 1998 as amended specifically included Santos as falling on the southern boundary of the Tropical Zone for load line purposes. Owners also referred to BIMCO Special Circular No. 3 (June 24, 2013), which states that areas that are located on the border of a Tropical Zone or Seasonal Tropical Zone, such as Santos, should be considered as included in that Zone for the purposes of the BIMCO Bottom Fouling Clause. Owners argued that the Load Line Tropical Zone expression could be equally applied to tropical waters.

The Tribunal accepted that a strict interpretation of the term would limit the reference to tropical waters to waters located between the Tropics of Cancer and Capricorn. However, after considering expert evidence, the Tribunal ultimately rejected the strict interpretation and decided that waters which were technically outside the Tropics of Cancer and Capricorn could still be considered tropical waters for the purposes of a hull fouling clause. (*Source: The North of England P&I Club*)

## IMRF: Building capability should be priority in maritime SARs

Building capability rather than reacting to tragedy should be the priority for maritime search and rescue (SAR) according to the International Maritime Rescue Federation (IMRF) in a statement delivered at the World Humanitarian Summit.

The IMRF supports the UN Secretary-General Ban ki-moon's push to find solutions to the widening funding gap and to move investment from external crisis intervention to providing local and national SAR response capability to manage the initial response and structure plans to escalate efforts with international support.

As IMRF CEO Bruce Reid explains: "Not all humanitarian crises can be planned and managed for, but many have common characteristics and one is the lack of sophistication in local and national SAR coordination.

For the maritime interventions we need to see countries develop greater co-ordination capability –

one of the most important aims of the International Maritime Organisation's (IMO) Global SAR plan."

At the Summit, the international charity that aims to prevent loss of life in the world's waters, called for the promotion, formation and development of maritime search and rescue services across the world at the World Humanitarian Summit.

The commitment to rescue any person in distress at sea is long-standing and internationally agreed and the IMRF, representing 114 organisations spanning 48 countries, offered both a call, and a commitment, to action at the Summit.

Specifically, the IMRF committed to:

- Champion the completion of the International Maritime Organization's Global Search and Rescue Plan; supporting governments and search and rescue organizations internationally to deliver an integrated sea rescue

service;

- Assist in building improved and fully coordinated response capability in areas of high risk; reducing the global drowning death toll of migrants, notably in the Aegean and Eastern Mediterranean, by convening sea search and rescue actors to provide vessels, training and equipment – resulting in permanently strengthened local capability;

- Offer an international forum for dialogue on, and delivery of, sea rescue; inviting national and international humanitarian actors to explore innovative and higher-impact action;

The IMRF was also able to make the following statement in the chamber:

"Every life lost at sea is a tragedy. A tragedy heightened, given the long-standing, internationally agreed commitment to rescue any person in distress at sea. Irrespective of circumstance; whether a Syrian family seeking

asylum, mixed migrants leaving Libyan shores or a Rohingya refugee, every person in peril at sea should be rescued and transferred to safety.

"This is not simply a moral conviction but an internationally agreed commitment. In the past 18 months, 5,127 migrants – men, women and children – have gone missing, believed drowned, and the number of people making the Mediterranean crossing is unprecedented. Never has there been a more urgent need for the international community to cooperate. Simply, sea rescue must now be recognized, and resourced, as a priority humanitarian intervention."

"Tackling this growing problem can only be helped through close co-operation along with the right equipment and training and the completion of the International Maritime Organisation's Global Search and Rescue Plan." (*Source: International Maritime Rescue Federation (IMRF)*)



VOICES from SEAFARERS



**1/AE Orbayanto and Crew of MV Naniwa**  
We hope that our monthly wages be raised to level-up with the Filipino seafarers. We thank you, JSU, for looking into our working condition.



**Capt. Roland Nillama Ouano and Crew of MV ATLANTIC RAINBOW**  
We'd like to extend our gratitude to the JSU in improving our welfares and wished that our employment will go smoothly in the coming years. Thank you and keep up the good works.



**Capt. Neil D. De La Banda, C/E Rizaldy B. Valencia, Officers and Crew of M/V AYE EVOLUTION**  
We give thanks to the JSU staff who visited and brought us JSU Maritime Journal which is very informative. We also give thanks to the JSU for their continued support for the members.



**C/E and Crew of MV Diamond Highway**  
We're thankful for the yearly wage increase and to your ship visitations.



**C/O Rufo M. Maniebo and crew of MV MOUNT HOPE**  
Salary increase may inspires seafarers to stay longer with the company's roll of employment. Thank you and we hope this kind of development will take effect smoothly as planned.



**Capt. Abad Hilario Alvaro and crew of MV CELEBES CLOVER**  
Wage increase has greatly contributed to the living standard of the seafarers. We are very happy with the JSU initiatives and for the job well done.



**C/O Arnel Vente Simbajon and crew of MV ARCADIA HIGHWAY**  
We're happy with the recent salary increase. Though it is quite minimal, we hope this should be done every year.



**Capt. Armand Canacao Cudias and crew of MV BLUE DRAGON**  
Thanks to the JSU assistance in increasing our salary. We hope this would be continuous until the foregoing years.



**Capt. Remegio T. Botalon Jr. and crew of MV AEGEAN CLOVER**  
The ship visitation of the JSU Staff had made us well informed of the current maritime labor situations. It is a pleasure to know there are groups from JSU who takes care of the seafarers' welfares.



**Capt. Glenn Z. Salinas , C/E Rolando A. Pajac, C/O Macrino A. Bureros Jr. and the rest of the Crew of MV EMERALD CORAL**  
We are happy for the visit of a JSU staff in Hakata who briefed us about our agreement and highlighted how it is helpful to the members. All crew appreciate all kinds of support by JSU and we look forward to a continued effort in assisting all members. Thank you!!!



**C/E Kim Yooil, C/O Brian Orbiso and other Filipino Crew of MV ALSTER BAY**  
JSU and Ship owners should come-up with a standard short contract (6 months) amongst Japanese fleet.



**Capt. Victor R. Cuvos Jr., C/O Ronald S. Tapic and other Crewmembers of MV INDIGO FELICITY**  
We are satisfied with the present JSU CBA and are glad that JSU personnel visit us to check on our situation.



## SPO warns of scam hiring using its name

Swire Pacific Offshore (SPO) is advising seafarers to be aware of a job recruitment scam that is misusing its name.

An email sent to seafarers claims that they have been headhunted to work in SPO, and requests the recipient to sign a forged employment contract and to transfer a “visa processing fee” or similar to a bank account. SPO warns that “these emails and email addresses are fake and are not associated with SPO in any way”. SPO advises recipients not to respond to such emails or to click on any hyperlinks.

Further details about the company’s advice can be found on: <http://www.swire.com.sg/Media/News-Archive/2016/Email-Recruitment-Scam-targeted-at-seafarers.aspx>

SPO says it is issuing this advice to partner organizations, such as the ITF, to help raise seafarers’ awareness about this scam “and prevent more seafarers from getting conned”.

Please contact the ITF at [on-mail@itf.org.uk](mailto:on-mail@itf.org.uk) if you hear of any employment scams. (Source: ITF Seafarers)

# ClassNK issues new noise level code

Classification society ClassNK has released the second edition of its Guideline for the Mandatory Code on Noise Levels on Board Ships.

The first edition was issued in July 2014, when the Code on Noise Levels on Board Ships became mandatory, to provide

the industry with a summarized outline of the code, a general method of noise prevention and FAQs. The second edition takes into consideration recent R&D results and the results of discussions held at the 95th Session of IMO’s Maritime Safety Committee.

Based on R&D outcomes from

a project carried out through ClassNK’s Joint R&D for Industry Program, ClassNK now treats bulkheads and decks including steel plates of a thickness of ≥6mm as having a weighted sound reduction index (Rw) of 35dB, the level required between cabin to cabin by the Code, which will streamline the design and construction

process.

The Guideline for the Mandatory Code on Noise Levels on Board Ships (Second Edition) is available on the ClassNK website for ClassNK “My Page” users. Registration is easy and free: go to [www.classnk.com](http://www.classnk.com) and click on “My Page Login”. (Source: *MarineLog*)

## Report sees seafarer shortage ahead

The latest five-year BIMCO/ICS Manpower Report forecasts a serious future shortage in the supply of seafarers.

The report identifies a current shortfall of about 16,500 officers (2.1%), but sees a need for an additional 147,500 officers by 2025 to service the world merchant fleet.

The global supply of officers is forecast to increase steadily, but this is predicted to be outpaced by increasing demand.

Officer categories in especially short supply include engineer officers at management level and officers for specialized ships such as chemical, LNG and LPG carriers.

The report suggests that in the past five years the industry has made good progress with increasing recruitment and training lev-

els and reducing officer wastage (i.e. retaining qualified seafarers and increasing the number of years which they serve at sea). Unless training levels are increased significantly, however, the growth in demand for seafarers could generate a serious shortage in the total supply of officers.

The report estimates there is a current surplus of about 119,000 ratings (15.8%), with demand only having increased by about 1% since 2010.

Significantly, China is thought to have overtaken the Philippines as the largest single source of seafarers qualified for international trade (although the Philippines is still the largest source of ratings). Data from international shipping companies suggest that the extent to which

Chinese seafarers are available for international service may be limited, with the Philippines and Russia seen as equally important sources of officers, followed closely by Ukraine and India.

BIMCO CEO, Angus Frew, said: “The industry can put this report to good use by ensuring we can continue to operate the world merchant fleet with sufficient numbers of qualified and competent seafarers.”

ICS secretary-general Peter Hinchliffe commented: “Without continuing efforts to promote careers at sea and improve levels of recruitment and retention, the report suggests it cannot be guaranteed that there will be an abundant supply of seafarers in the future.” (Source: *MarineLog*)

## Unions, owners protest jailing of former captain

The European Transport Workers’ Federation (ETF) and European Community Shipowners’ Associations (ECSA) have joined forces to protest at the decision of the Supreme Court of Spain to sentence the 81-year-old former captain of the Greek-owned Prestige oil tanker, *Apostolos Mangouras*, to prison. The ruling overturned the judgment by the Provincial Court of La Coruña, which had cleared both Capt. Mangouras and the ship’s chief engineer of criminal responsibility after the tanker sank off Spain’s Galician coast in 2002, causing widespread oil pollution. The Supreme Court has now convicted Capt. Mangouras of gross negligence.

The ETF and ECSA say the latest legal decision is “nothing less than a further proof – one time too many – of the ill-treatment of seafarers that began as early as the time of accident and which, in the case of Capt. Mangouras, has continued for 14 long and stressful years of judicial harassment”.

They added that seafarers “are too often used as easy scapegoats upon whom to shift all the responsibility for possible environmental damages”, and called on the shipping industry to condemn the Supreme Court’s judgment. The two organizations said they were willing to travel to Greece to meet Capt. Mangouras and demonstrate their solidarity, “and make it publicly clear they remain determined to stand firm against the trend in criminalization of seafarers”. (Source: ITF Seafarers)

# Unnecessary engine shut-down causes trouble

The Nautical Institute has issued Mars Report referring to an incident in which engine was shut down automatically due to the main engine crankcase oil mist detector (OMD) having been activated.

A general cargo vessel had completed loading and the crew were undertaking the usual tasks prior to departure. Once the pilot was on board, the vessel left the berth with the assistance of one tug. Within ten minutes, the vessel was turned and the tug released. The vessel was then underway. About ten minutes later there was a sudden blackout. Both anchors were quickly dropped but the

vessel came into contact with the harbour breakwater nonetheless.

The company investigation found that the engine was shut down automatically due to the main engine crankcase oil mist detector (OMD) having been activated. As it happened, the particular make and model of OMD on the vessel had only one operational mode: if oil mist was detected, it shut down the main engine.

Other vessels under the same management had OMDs with two modes:

1) “sea mode” where detection would shut down the main en-

gine, as in this case, and

2) “harbor mode” where detection of oil mist means the main engine RPM is reduced automatically and vessel maneuverability is maintained.

The investigation also found that in this case the OMD experienced a false alarm. While loading in port, the main engine stand-by heating had been switched off to allow maintenance, allowing a higher than normal humidity within the engine. The OMD detection was apparently triggered by the resulting water condensation.

The lessons learned:

- Although it is tempting to free harbor tugs as quickly as possible, in the restricted waters of a small port their assistance can be invaluable should something go wrong.

- A well-designed safety device such as an OMD should have at least two operating modes to better mitigate risks.

- When conditions are changed from normal operational values, such as in this case by shutting off the main engine stand-by heating, expect the unexpected. Take the time to think through whether any unwanted consequences may result. (Source: *The Nautical Institute/ Mars Reports*)

## New law to protect seafarers

A new law has recently been passed in the Philippines that is intended to protect seafarers from incurring unfair legal fees.

The ANGKLA Seafarer’s Protection Act [Republic Act No. 10706], also known as the Anti-Ambulance Chasing Act, became effective from Dec. 16, 2015. The implementing rules and regulations, which define the details of the law are expected to be published in the next few months. The Seafarer’s Protection Act does not have retrospective ef-

fect.

The act is intended to limit any legal fees to 10% of the compensation or benefit awarded to the seafarer. It is also hoped that one effect of the Act will be to stop claimant lawyers from engaging in ambulance chasing or soliciting from seafarers in pursuit of any claim against an employer for compensation.

Strict penalties, including fines and imprisonment, can be applied to those who violate the law. (Source: *North of England P&I Club*)

## UK detains eleven foreign ships

The United Kingdom detained 11 foreign flagged ships during March 2016 for failing port state control inspections, including four new detentions.

The Belize-flagged *Luka* was found to have 21 deficiencies and was detained because wages to crew were missing and the food provided was below quality and nutritional value.

The Malta-flagged *Jozica* had 14 deficiencies, with four grounds for detention – including poorly main-

tained arrangements for launching rescue boats and personal equipment for fire safety.

The Bahamas-flagged *Condor Liberation* was found to have 11 deficiencies with four grounds for detention, including problems with the main engine and steering gear.

The Liberia-flagged *Ekarma* had 14 deficiencies and was detained because its International Safety Management was not as required. (Source: ITF Seafarers)

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