BRITANNIA LOSS PREVENTION

B GUIDANCE

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PRECAUTIONS FOR NAABSA

OFTEN, WHEN A SHIP CALLS AT A PORT OR BERTH, IT IS CONVENTIONALLY EXPECTED THAT THE SHIP SHOULD ARRIVE, DOCK FOR CARGO OPERATIONS, AND DEPART SAFELY WITH MINIMUM DISRUPTION.

Typically, charter party agreements implicitly adhere to the standard requirements of 'one safe port/always afloat'. However, it is not uncommon for ships to need to rest safely aground in a NAABSA port.

NOT ALWAYS AFLOAT BUT SAFELY AGROUND

Charterers may direct ships to call at specific ports that, while not explicitly named, fall under a broad authorisation covering designated regions or continents, such as ports on the east coast of South America or the east coast of Africa. This blanket authorisation often includes ports that may operate under the NAABSA protocol. Occasionally, the master may overlook whether the port they are calling at is a NAABSA port.

NAABSA IN CHARTERPARTY

USUALLY, NAABSA REFERS TO PORTS OR BERTHS WHERE IT IS CUSTOMARY AND AN ACCEPTED PRACTICE FOR SHIPS TO GROUND OR REST ON THE SEABED, PARTICULARLY IN AREAS WHERE THE TIDAL VARIATIONS ARE SIGNIFICANT.

This allows ships to optimise cargo operations and minimise downtime, which would be the case if they were required to always remain afloat. Consequently, NAABSA clauses are usually incorporated to prevent charterers from breaching the 'always afloat' requirements found in most charter parties (C/P).

Shipowners or managers will also seek to include a NAABSA clause in their C/P wordings to protect their interest. For instance, they will sometimes adopt the Baltic and International Maritime Council's (BIMCO) NAABSA C/P wording.

BIMCO NAABSA CHARTER PARTY WORDING

Note: This wording to be added to the existing berthing provisions in charter parties

Always subject to the Owners' approval, which is not to be unreasonably withheld, the Vessel during loading and/or discharging may lie safely aground at any safe berth or safe place where it is customary for vessels of similar size, construction and type to lie, if so requested by the Charterers, provided always that the Charterers have confirmed in writing that vessels using the berth or place will lie on a soft bed and can do so without suffering damage.

The Charterers shall indemnify the Owners for any loss, damage, costs, expenses or loss of time, including any underwater inspection required by class, caused as a consequence of the Vessel lying aground at the Charterers' request.

The clause provides a way to address and limit the risks associated with the operation. The NAABSA clause is a pre-agreed term between the shipowner and charterer, subject to the owner's approval, to allow the ship to ground at designated berth locations. However, there is no legal definition of "customary". To address the shipowner's concern regarding the seabed conditions at the designated port, the charterers are now required to provide written confirmation that the ships using that specific berth or location will rest on a soft bed and can safely lie aground.

If the owner accepts the clause, the charterers must protect the owners for all losses that may result from lying aground. Additionally, the charterers are responsible for the costs and time required for an underwater survey to check for damages, as mandated by the ship's classification society.

KEY CONSIDERATIONS

SHIPOWNERS OR SHIP MANAGERS SHOULD PROVIDE CLEAR GUIDANCE ON NAABSA PROCEDURES IN THEIR SAFETY MANAGEMENT SYSTEM (SMS) WHICH THE MASTER AND CREW CAN REFER TO WHEN CONDUCTING THE NECESSARY RISK ASSESSMENTS.

Additionally, the master should verify with the charterer and local agent that the nominated port in the voyage instructions is indeed a NAABSA port. If possible, obtain the following information from the agent or port authority in writing, or obtain equivalent information from other sources such as navigational publications:

- Minimum depths and maximum allowable drafts at berth
- Nature and topography of the seabed
- Confirm the bottom of the berth is level enough to allow the ship to rest aground evenly
- Details of any underwater obstructions that pose danger to the ship's hull and date of the last dredging or survey (photographs of seabed) carried out for that berth
- Loading or discharging rate of the facilities for that berth
- Bollard pull at berth
- Fender availability
- Official guidelines from port authority
- Historical berthing records for similar-sized ships.

It is critical for the master to assess whether the nominated port is officially declared as a NAABSA port and if the designated berth is suitable for resting aground safely. The master must also consider the ship's design compatibility and structural integrity because not all ships can withstand the physical stress of resting aground. Next, the master should confirm if the Hull and Machinery insurer and the ship's classification society have specific requirements for notification and if there is a need to conduct an underwater hull survey after resting aground.

There are practical considerations and safety tips ships should practice when calling at a NAABSA port. The process can be split into four key phases; pre-arrival, berthed, aground, and refloated.

Certain aspects are common to all phases of the operation. For example, the moorings and gangway(s) fitted must be monitored and tended regularly, particularly at points before the vessel rests on the seabed and when expected to refloat. Similarly, the liquid levels of all compartments and bilges should be known and regularly confirmed to give early warning of any hull damage. Record keeping is particularly important, the stability condition, times of taking ground/refloating, and all compartment checking must all be accurately recorded. Open communication with the shore authorities and stevedores throughout will help the crew to react quickly should circumstances change.

PRIOR TO ARRIVAL

- The navigator should ensure all navigational charts and the chart datum are up-to-date
- Check the tidal information and make calculations to understand the estimated timing of resting aground and refloating
- Consult the ship's classification society if the on board stability software cannot calculate the ship's stability when resting aground
- Change the cooling water intake to appropriate sea chest so it does not to compromise the mechanical performance of the ship
- Ensure the ship's mooring lines are in good working condition.

AFTER ALONGSIDE

- Conduct risk assessments with the port operator and stevedore of the operation
- Confirm the loading or discharging rate of the cargo operations to estimate the time of resting aground
- Ensure the crane operator is aware of the expected timing for resting aground and any possible listing when lifting cargo or hatch covers
- Ensure the port operator can provide alternative firefighting arrangements in case of an emergency when the ship is resting aground
- If possible, carry out visual check of the ship's drafts and conditions of shore bollards
- After berthing, use hand lead lines to check the water depth and nature of the seabed around the ship. Compare this information with tidal data to obtain a more accurate estimate of low tide timing
- Endeavour to keep the ship as close to even keel as possible when taking the ground on NAABSA berth
- Regular visual inspections of the berth
- Check for any visible obstructions or fallen objects during cargo operations when at low water. Inform berth operator and take photos
- Post notices that steering gear should not be operated prior to checking that ship is fully afloat.

WHEN RESTING AGROUND

- Check for any signs of indentation of the ballast tanks, duct keel, cofferdams or cargo hold bilges
- Be cautious of sudden ship listing caused by uneven seabed
- Have emergency procedures in place, including pollution control measures, in case of hull breach or any unforeseen complications
- The master should be aware that the ships may not always refloat at the time expected, due to nature of the berth and external influences
- Consider informing the berth operator and port authority if the ship is not refloated at the expected time and be prepared to activate the ship's contingency plan, if necessary.

AFTER REFLOATING

- Inspect the hull for any potential damages
- Conduct thorough safety checks of all systems, especially the thrusters, propulsion and any hull appendages such as echo sounder or doppler log to ensure they are fully operational
- Ensure the steering system and rudder can turn freely to the maximum angles and has not been affected when the ship was resting aground
- Keep records of timing and all the condition checks after ship has been refloated
- Carry out an underwater survey, if required by class.

NAABSA operations can improve turnaround time, but they demand detailed preparation and strict adherence to safety protocols. To ensure a safe NAABSA operation, it is crucial to understand the ship's capabilities, engage the appropriate charter party clauses for legal protection, and take practical steps to mitigate risks. While the BIMCO clauses on NAABSA offer some guidance, shipowners and charterers should mutually agree on and understand a standardized contractual clause to manage the associated risks and maintain a cooperative relationship for a safe port call.

FOR FURTHER INFORMATION

For further information, please do not hesitate to contact the loss prevention department.