

From the Editor's Desk



"The execution of laws is more important than the making of them". — THOMAS JEFFERSON

"Everywhere there is one principle of justice, which is the interest of the stronger." — PLATO

(i) "Lawyers are alive, but, laws are dead and judges are alive, but, justice is dead".

(ii) "Unless a Country adopts a foolproof justice delivery system, it cannot prevent internal conflicts and violent self-help of its citizens to secure justice".

(iii) "Indian citizens are forced to end their lives either by retaliatory attacks or by sudden deaths of stress related diseases thanks to the diluted justice delivery system in India". — Advocate S.JEEVAGAN (www.jeevaganadvocate.com)

Innovate and drive the change in a global shipping environment by ensuring that all the essentials are put together, considering valid feedbacks for improved quality and implementing the best, putting into early practice, thereby having a uniform and updated improved standard of curriculum into maritime training institutions/academy, as Shipping is international. Seafaring, needs men who are physically and mentally fit of the highest order, a calibre and willingness to perform with an undisturbed mindset, to give their best in performance in quality, with optimised utilisation of resources. primarily valuing the precious 'time'.

STCW, now to contain new comprehensive "Competence Tables" for training in oil, chemical and gas tanker operations, at both basic and advanced levels, with the new guidance developed, inclusive for crew on offshore support vessels, dynamic positioning operators and all ships in polar waters, considering new "Seafarer Grades and Certification", and these address some extensive training and certification requirements for new grades of 'Able Seafarer' for Deck and Engine Services onboard'. Also introducing new competence certification standards for the position of "Electro-Technical Officer" and "Electro-Technical Rating". Allied to the training requirements, there are new medical standards too, and an attempt to prevent "Unsafe Alcohol Use". These include a specific limit of 0.05% blood alcohol level or 0.25mg/l alcohol in the breath. There will be a phased entry commencing by a couple of months time, as seafarers holding STCW certificates issued prior to 1 January 2012, will have to meet the new requirements, including new refresher training, in order for their certificates to be revalidated beyond 1 January 2017. From 1 January 2014, all seafarers will have to be trained and certified in security matters in accordance with the new 2010 provisions, which include new anti-piracy elements. After January 2017, all medical certificates must be issued in accordance with the 2010 standards, though in practice some administrations may require the new standards before 2017. For a full view of this excellent new guide see www.marisec.org/quickguide.htm. The more esoteric aspects of the new standards - Fatigue and leadership. The battles against shipboard fatigue have been fought (fairly unsuccessfully) for years. Given that the record for the longest period without sleep is 18 days, 21 hours and 40 minutes, set during a rocking chair marathon in the UK, perhaps seafarers have it too easy. Mind you, the record holder, Maureen Weston reported hallucinations, paranoia, blurred vision, slurred speech and concentration lapses as she rocked her way to victory - and a possible early grave. So the changes to the minimum rest hours to prevent fatigue and ensure that seafarers are fit for duty are now harmonised with the work hour requirements adopted by the International Labour Organization including the ILO.

The new IMO rest hour requirements-Maritime Labour Convention (MLC), will enter into force in January 2012 and introduce stricter minimum requirements than those currently in force. The main changes are as follows:

- Minimum amount of rest in any 7 day period is increased to 77 hours from 70 hours;
- Seafarers must always have 10 hours rest in any 24 hour period with no exceptions, except during an emergency;
- It is now mandatory to maintain records of each individual seafarers' rest hours, which may be inspected during Port State Control inspections; and
- The rest hour limits now apply to most seafarers on board, including masters, not only watch keepers as had previously been the case.

From January 2012, seafarers will need to review and sign a record of their work/rest hours periodically (typically at least once a month) to ensure they comply with the minimum rest hours stipulated. Like many of these things there will always be some individuals who think they are super-heroes and try to work longer, while there will be some unscrupulous companies who try to gloss over the whole sleep affair. As we mentioned, STCW now has a new "Leadership and Teamwork" emphasis. Deck and engine officers have substantial new competence requirements related to leadership, teamwork and managerial skills to contend with. While "Assertiveness" training for all seafarers has also been included to ensure that even seafarers in lower grades at sea are able to communicate confidently and clearly on issues such as safety with senior officers, the master and/or shore personnel.

Leadership, teamwork and assertiveness... the three pillars of a confident professional, engaged and engaging seafarer, seeing from differing perspectives, the changing relationships between ship and shore-based. With the rise of fast communication, emails for instance, freely exchanging views, an awakening brought out to better the situation. Enlightened Leaders at sea are now, expected to also be followers of the shore regime, which was managed by retired naval personnel (non-commercials) and ill-conceived old timers without learning and not keeping abreast with updates. Computer Age, has created an unusual dynamic, and strategic change, which these new training standards assist with some of our messages having been heard. Planned curriculum with a good foresight drawn out with this type of training, for the seafarers of today and into tomorrow, is clear that terms such as leadership and teamwork are actually more simply summed up as "Relationship Management", the bedrock of human existence - and perhaps even more so in the isolation and stress of the maritime "pressure cooker" of life at sea. We need to ensure that they understand relationships, so that they can relate to other people and to the means of getting tasks performed safely and efficiently. Senior "people at sea" haven't (usually) been promoted because of their relationship skills, or their vision - they have been promoted because they have been to college and sea while ashore, often enough to have hopefully accrued some learning-experience. This is perhaps the first hurdle - we are now expecting qualified, expert navigators and engineers to keep developing more extra skills etc., just because they have to now manage sophisticated vessel with enlightened people, while squeezed manning. We need, "people at sea" become skilled in creating effective relationships, and so we need to start thinking differently about so many of the usual ways in which they were schooled, trained and nurtured. If we want the end products to be different, it would seem sensible to effect the needed timely changes. Leadership should be born out of understanding the essential needs. Officers need to have great advantage by knowing how the tasks to be performed efficiently knowing their vessels and their people - but knowledge is not enough, it takes commitment and application of the relevant knowledge gained. Awareness and understanding are vital, as are the tools and ability to constantly be on the alert with activeness for changes in the quality of their leadership. Most senior officers do have an advantage, as it has been said that the only real training for leadership is leadership itself by initiation. While that may be true to an extent, being a successful leader is about more than being thrown in at the deep end. We have to reinvent the old established image of what it was to be a maritime leader? The very essence of leadership is its purpose, and the purpose of leadership is to accomplish a task efficiently. That is what leadership does-and what it does is more important than what it is or how it works. At sea this is perhaps even more so - the task at hand is to get people, cargo and vessel safely, efficiently and with as little damage to the environment as possible to the right destination in a given time-frame. This is the same as the tasks at sea everywhere - there may be fancy new names for what we have to do, but there is also much to learn from the past too. With these new requirements we have a chance to aid the "people at sea" today, while ensuring we have a chain of command which is worthy of the "people at sea" of the future.

Dr. Chandran Peechulli, Ph.D ; D.Sc., F I E (India), F.I.I.P.E., M.S.E.I., Pg.DTED, Pg.DIMS(UK), MSNAME(US), Fellow - Institution of Engineers (India), Indian Institution of Plant Engineers & Ex. Vice Chairman TN Chapter, Life Member & Ex.Executive Member-Indian Institute of Standards Engineer T N Chapter, Indian Institute of Occupational Health, Managing Editor & Publisher - "Marine Waves" International Maritime Newsletter. Corporate Member, Chennai Press Club. Ex. Chief Engineer (Marine) & General Manager (Tech), Consultant - Cee Cee Industrial & Marine Management Consultants. seafarersman@indiatimes.com
Address : M107-5, 29th Cross Street, Besant Nagar, Chennai-600090. +91-44-42018982.

Armed Pirates Hijack a Fuel Tanker Off

Benin: Armed pirates commandeered a fuel tanker off the West African nation of Benin on Wednesday and took its 23 crew members hostage, an international piracy monitoring group reported. The hijacking was the latest in a series of increasingly brazen assaults on commercial shipping in a coastal region of Africa that had been considered relatively safe until this year. The attack on the tanker, a Cyprus-flagged vessel laden with oil, came as it was trying to transfer some of its cargo to a Norwegian-flagged vessel, according to the monitoring group, the International Maritime Bureau in London.

Oil Tanker Newlead Avra Fails to Load Libyan Cargo:

The oil tanker Newlead Avra, which had been traveling to the port of Mellitah in western Libya, failed to load a cargo and is now heading to Cyprus, the vessel's owner said. The vessel, which has a carrying capacity of 73,400 deadweight tons, was instructed to sail to Limassol, Cyprus without having collected a cargo, Elisa Gerouki, a Piraeus, Greece-based spokeswoman for NewLead Holdings Ltd. told Bloomberg.

Boskalis clinches • 30 million cable

contract: Royal Boskalis Westminster N.V. has been awarded a contract worth approximately • 30 million to provide and install a submarine fiber optic cable across the Strait of Magellan, Argentina. The contract was awarded by the state-owned corporation AR-SAT (Empresa Argentina de Soluciones Satelitales S.A.). The fiber optic cable, which will be used for internet and digital television, will connect the city of Rio Gallegos in the province of Santa Cruz with the city of Rio Grande in the province of Tierra del Fuego.

Horizon Lines clarifies exchange offer

documents: Horizon Lines, Inc. (NYSE: HRZ) announced that it filed on September 13, 2011, an amendment to its Registration Statement on Form S-4 and an amendment to Schedule TO relating to its previously announced exchange offer and consent solicitation for its \$330.0 million of existing unsecured 4.25% convertible senior notes. The exchange offer documents were revised in response to comments received by the Securities and Exchange Commission (SEC) to (i) further clarify what exchange consideration holders of the 2012 convertible notes who are non-U.S. citizens will receive, (ii) provide additional terms of the redemption notes, (iii) revise the summary of the material terms of the new convertible secured notes to be issued in the exchange offer, (iv) update the pro forma financial statements and (v) other updating and conforming changes. The company also provided the form of U.S. citizenship questionnaire as an exhibit to the Registration Statement on Form S-4. The SEC is continuing to review the company's Registration Statement on Form S-4 relating to the exchange offer and consent solicitation and has not yet declared the Registration Statement effective, which is a condition of the exchange offer, among others.

As part of the exchange offer, the company is also seeking

consents from all holders of the 2012 convertible notes to remove substantially all of the restrictive covenants and certain events of default from the indenture governing the 2012 convertible notes. The company will exchange the 2012 convertible notes for shares of the company's common stock and new 6.0% series A convertible senior secured notes and 6.0% series B mandatorily convertible senior secured notes. The company said that it continues to work with the financial and legal advisors to the informal committee of noteholders to finalize the documentation and terms of the recapitalization plan, of which the exchange offer and consent solicitation are a part. The company expects to complete the exchange offer of the existing 2012 convertible notes by the end of September, at which time it expects to close the entire refinancing.

As discussed in the exchange offer documents, each participating holder in the exchange offer must confirm their U.S. citizenship by completing a questionnaire and certifying that such holder is a U.S. citizen prior to the company accepting such holder's tender and consent of its 2012 convertible notes in the exchange offer.

Important Information about the Exchange Offer

This release is for informational purposes only and is not an offer to buy or the solicitation of an offer to sell any security. An exchange offer will only be made by means of a prospectus, a letter of transmittal and other offer documents, as described below. In connection with the exchange offer by Horizon Lines, Inc., the Company previously filed a Registration Statement on Form S-4 (which contains a preliminary prospectus), amendments to the Registration Statement, an exchange offer statement on Schedule TO, as amended, and other related documents and materials with the SEC. Investors and security holders are strongly urged to carefully review the registration statement, amendments to the registration statement, the preliminary prospectus, the exchange offer statement, the amendments to the exchange offer statement and the other related documents and materials filed with the SEC, including the final prospectus described below, when available, as well as any amendments and supplements thereto because they will contain important information about the Company, the exchange offer and related transactions and are the sole means by which any offer to exchange or sell, or any solicitation of any such offers, will be made.

The registration statement contains a preliminary prospectus and related transmittal materials that were delivered on or around August 26, 2011 to holders of the 4.25% convertible senior notes. Investors and security holders may obtain a free copy of the registration statement, amendments to the registration statement, preliminary prospectus and transmittal materials, as well as other documents filed by the Company with the SEC, at the SEC's website, www.sec.gov. Prior to the completion of the exchange offer, the registration statement must become effective under the securities laws, and after effectiveness, the Company will file with the SEC the final prospectus. Investors and security holders are strongly urged to carefully review the final prospectus when it is available. Free copies of the exchange offer documents,