



**MERCHANT SHIPPING SECRETARIAT**  
**GOVERNMENT OF SRI LANKA**  
**CERTIFICATE OF COMPETENCY EXAMINATION**

GRADE : CHIEF MATE ON SHIPS OF 500 GT OR MORE (UNLIMITED)  
SUBJECT : Business & Law  
DATE : 26<sup>th</sup> November 2018

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Time allowed **THREE** hours Total marks : 145  
**ANSWER ALL QUESTIONS IN ALL PARTS** Pass marks : 50%

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Formulae and all intermediate steps taken in reaching your answer should be clearly shown. You may draw sketches wherever required. Electronic devices capable of storing and retrieving are **NOT** allowed.

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**Use the following vessel particulars in answering PART – I and PART – II**

Name: MV Nonsuch / Flag: Singapore / Call sign: S6B67

Lightship: 11000t / Summer Dead weight: 26,859 t / Tropical Dead weight: 31666 t

Winter Dead weight: 22345 t

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**PART – I**

1. MV Nonsuch has been chartered for a single voyage from Buenos Aires in Argentina to Malta. The vessel is to load maximum possible cargo in Buenos Aires and additional 400t of cargo, Bunkers and Fresh water to be taken in Dakar, Senegal.

Calculate the maximum cargo the vessel can load in Buenos Aires. Also calculate the bunker and fresh water quantity requirement in Buenos Aires and Dakar.

Constant : 50t,

Stores : 45t,

Consumptions:

Fuel oil consumption : 25t per day,

Fresh water consumption : 10t per day.

vessel should have 3 days reserve of bunkers and fresh water at all times.

Buenos Aires to Dakar – 7 days (Summer and Tropical)

Dakar to Malta – 5 days (1 day in Tropical, 4 days in Summer)

(25 marks)

## PART – II

2. During the passage MV Nonsuch will be passing Morocco keeping a distance of 15nm to 18nm from the coast, then through the Gibraltar strait to Malta. The ‘Strait states’ of Gibraltar strait are Spain and Morocco.
- a) What law applies to MV Nonsuch during its sea passage and on what situations could a foreign naval vessel board MV Nonsuch in high seas.  
(10 marks)
  - b) List 5 duties of a flag administration as given in UNCLOS III Art.94 on vessels registered under their flag.  
(05 marks)
  - c) What jurisdiction the coastal state Morocco has on mv Nonesuch when the vessel is passing its coast.  
(05 marks)
  - d) The narrowest section in Gibraltar strait is 9 nm. Discuss whether the transit passage given in UNCLOS III applies in this passage and give the reasons.  
(05 marks)
3. While on passage MV Nonsuch observes a cargo of persistent oil escaping to the sea from a Libyan VLCC after it has run aground near the coast of Morocco. Whilst Morocco is a party state to both 1992 Civil Liability Convention and the 1992 Fund Convention, Libya is a non-state party to both above conventions.
- a) What is the civil liability of the ship owner for the claims arising from pollution by cargo oil if the grounding has caused due to an error in placing navigational marks by the Moroccan authority.  
(05 marks)
  - b) What certificate, related to financial responsibility of the ship owner, of a persistent oil tanker should carry if it intends to enter a Moroccan port and the certificate's validity period.  
(05 marks)
  - c) On what situations FUND Convention applies in pollution incident in a party state.  
(05 marks)
4. MV Nonsuch is to undergo annual surveys of certificates issued under harmonized system in Malta.
- a) List the certificates coming under HSSC.  
(10 marks)
  - b) Briefly describe the types of surveys coming under HSSC.  
(10 marks)

### PART – III

5. Answer the following questions with regards to seaworthiness:
- a) Define the word seaworthiness (03 marks)
  - b) Give few examples of un-seaworthiness (03 marks)
  - c) Briefly describe how you would make your vessel seaworthy as a **CHIEF MATE** (09 marks)
6. MLC 2006 was adopted by ILO with the aim of harmonizing all the existing maritime related Conventions adopted by them. Explain how you would ensure that your vessel is complying with the requirements MLC 2006. (15 marks)
7. Mr. A (seller) and Mr. B (buyer) agrees for a sale contract on FOB terms. Answer the following questions with regards to this contract:
- a) Who is supposed to charter a vessel?
  - b) What will be the preferred chartering mechanism?
  - c) Who is supposed to pay the freight?
  - d) Who has to take insurance coverage for the cargo?
  - e) Who is required to clear the goods for export at the port of loading?
  - f) When the risk will be passed to the buyer? (01 mark each)
  - g) Who will be the carrier? Explain your answer. (03 marks)
  - h) If the carrier has issued a straight bill of lading, answer the following questions:
    - i. Can the buyer, Mr. B sell the goods to another person? Explain your answer. (03 marks)
    - ii. If the cargo is mis-delivered at the port of discharge, explain the legal consequences against the carrier? (03 marks)
8. Answer the following questions with reference to port of refuge:
- a) Define “port of refuge” (03 marks)
  - b) Lists the actions to be taken by a master when decided to take a vessel to a port of refuge along with the actions during and after repairs. (12 marks)

## Answers

1. MV Nonsuch has been chartered for a single voyage from Buenos Aires in Argentina to Malta . The vessel is to load maximum possible cargo in Buenos Aires and additional 400t of cargo , Bunkers and Fresh water to be taken in Dakar, Senegal.  
Calculate the maximum cargo the vessel can load in Buenos Aires. Also calculate the bunker and fresh water quantity requirement in Buenos Aires and Dakar.  
Constant 150t, Stores 45t, vessel should have 3 days reserve of Bunkers and Fresh water at all times.  
Buenos Aires to Dakar – 7 days (Summer and Tropical)  
Dakar to Malta –5 days (1 day in Tropical , 4 days in Summer)  
Fuel oil consumption 25t per day, Fresh water consumption 10t per day.  
  
***BA Cargo 26119 t , BA Fuel 250 t, FW 100t / Dakar F/O 125t , F/W 50t***