

Newsletter

September 2012



Aircraft Carrier USS Carl Vinson Hosts Spartans vs Tar Heels Basketball Game, San Diego (US Navy photo by Mass Communication Specialist Seaman Apprentice Dean M. Cates)

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Carnival Australia is proud to support the Nautical Institute and in particular the NI commitment to help drive continuous improvement of professional marine standards.

September 2012

The regulatory landscape for shipping in Australia is changing. In August, Parliament passed two major new acts: a new Navigation Act to replace the Navigation Act of 1912, and a new approach to the regulation of domestic commercial shipping. This historic event comes close on the heels of the recent implementation of a second register for Australia and changes to the Workplace Health and Safety Act, which has implications for marine surveyors.

Learning doesn't abate. Yours truly has been hard at it refreshing skills before heading back to sea. This includes IMOcompliant ECDIS training at the RAN's school of navigation warfare at HMAS Watson, and shiphandling with our shipmates at Port Ash. It's pleasing to see the uptake of ECDIS by the savvy younger generation and this equates with a culture shift across the maritime sphere. I have also been subjected to formal COLREGS examinations, and I can tell you it's been a long time between drinks sitting these exams. Do the COLREGS (or ACOLREGS purported by some) need modernisation? See what your peers have to say.

Some fascinating articles and links in the September newsletter including ECDIS from our friends at AMSA, some great work and a plug for Hunter TAFE, an interesting look at private security firms at sea, and a disturbing insight into what can happen when rescues at sea end up in court.

Your contributions to the branch newsletter are welcome at any time and are necessary to focus the membership on pertinent issues and camaraderie. I try to cover the vast and varied audience. Please forward your input to ashlevpapp@gmail.com.

Stay safe and keep the land on the left, Ed.

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Next NI SE Australia Branch Meeting

When: 14 November 2012

Where: NSW Sports Club, Hunter Street, Sydney

When: 1800 for 1830

Speaker: Ken Fitzpatrick, Chairperson of Shipping Australia, 'The Challenges Facing Shipping in Australia'

RSVP: 8 November.

Noticeboard

August 2012 Presentation

Capt. Peter Lambert, Regional Director IIMS Australasia, "Raising Professional Standards in

Marine Surveying"



IIMS conference Follow-Up

Follow-up on IIMS membership from the conference held on the James Craig in August: Peter Lambert asked to clarify one matter of eligibility for the Register. In addition to being a marine surveyor, naval architects and marine engineers may be accepted where applicants can demonstrate marine surveying experience. The IIMS has several naval architects and marine engineers who have been members for many years. For more information visit the website at www.iimsaustralasia.org

Newcastle News

A 'shout out' to the Newcastle ex-officio sub-committee which held its first members' dinner on 15 August at the Custom House restaurant for local NI members. It's great to see momentum in the branch looking at future proceedings locally, including hitting up Hunter TAFE for a visit to their impressive simulator (and to sign up NI members!). For details contact lain Steverson: iainsteverson@netspace.net.au

South Australia News

1 November - Adelaide. NI, AIMS and Flinders Port welcome experts in the field to a seminar on the Changing Regulatory Landscape - with a focus on the implications for marine surveyors. 1000 - 1400, light lunch provided. Offices of Flinders Port, 296 St Vincent Street, Port Adelaide, South Australia. RSVP: sec@nisea.org by Friday 26 October.

If you have an event, photo, not-for-profit plug or date for the Noticeboard, please submit it to the editor.



Page 4 of 13 **Features**

AMSA Clarifies Emerging Issues With ECDIS

Electronic Chart Display and Information Systems (ECDIS) constitute one of the greatest changes in marine navigation since the introduction of radar. A quantum leap in the safety and efficiency of navigation can be realised when geographical information system technology, in the form of an ECDIS, is married to an electronic position-fixing system such as the Global

Positioning System (GPS).

ECDIS is much more than the simple display of chart-like images on a computer screen. The chart information in ECDIS is continuously analysed and compared with a ship's position, intended course and its manoeuvring characteristics to give warning of dangers that might lie ahead. ECDIS provides alerts and prompts for planned course alterations. Safety contours and safety depths can be set to clearly indicate no-go areas. With some ECDIS



installations additional information, such as radar, ARPA and AIS can be accessed instantly and displayed as required on high resolution colour screens. ECDIS provides many other sophisticated navigation and safety features, including data recording for later analysis.

The undeniable safety benefit of navigating with ECDIS was recognised through an IMO-led Formal Safety Assessment conducted by Det Norske Veritas, Norway. In 2008, IMO's Maritime Safety Committee made ECDIS carriage mandatory on certain classes of SOLAS ships engaged on international voyages (depending on ship type, size and construction date) starting from 1 July 2012. Many ships are already navigating with ECDIS and many ships face a forthcoming mandatory carriage requirement for ECDIS depending on their type, size and construction date.

In January 2012, AMSA issued Marine Notice 7/2012 on ECDIS providing guidance for ECDIS-fitted ships calling at Australian ports. The notice contained two flowcharts outlining ECDIS implementation and operational issues. The flowcharts assist AMSA's Port State Control Inspectors when assessing the carriage and use of ECDIS on board ships. AMSA's Marine Notice on ECDIS and the associated flowcharts have received accolades both nationally and internationally for providing timely guidance on key aspects of ECDIS carriage such as type approval, back-up arrangements, maintenance and seafarer training.



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As ship operators begin to install ECDIS on board their ships, AMSA has been receiving a wide range of ECDIS-related queries from its various stakeholder groups. To further clarify some of the emerging issues on ECDIS and to address the queries from its stakeholders, AMSA has amended the earlier ECDIS marine notice. The updated marine notice (11/2012) takes into account feedback received. Additionally, AMSA has developed answers to a set of Frequently Asked Questions (FAQ). The FAQs (and answers) provide further information on regulatory, charting, software and training-related issues.

AMSA's ECDIS marine notice and the FAQs can be accessed from AMSA's website at:

Marine Notice on ECDIS: http://www.amsa.gov.au/Shipping_Safety/Marine_Notices/

Frequently Asked Questions and answers on ECDIS: http://www.amsa.gov.au/Shipping_safety/Navigation_Safety/ECDIS/ECDIS.asp

Editor's note: You can stay informed and get ECDIS aware through the Nautical Institute's ECDIS Forum at www.nautinst.org.

Images sourced from jrceurope.com and pilotmag.co.uk.



Navy's New Giant Enroute To Australia

Courtesy: www.navy.gov.au

The hull of the first of the Royal Australian Navy's two new amphibious ships is enroute to Australia. Launched in Spain in February 2011, the Landing Helicopter Dock (LHD) Canberra (LHD 02) is loaded on the heavy lift ship MV Blue Marlin for the voyage to Australia.

MV *Blue Marlin* is a semi-submersible heavy lift ship designed to transport very large semi-submersible drilling rigs above the transport ship's deck. *Blue Marlin* is operated by the Dockwise group that provides specialty heavy marine transport services.

On arrival in Australian waters in November, the ship will transit to Port Phillip Bay to BAE Systems at the Williamstown shipyard for consolidation of the superstructure and installation of the combat and communications and navigation systems. This will be followed by sea trials. The vessel is scheduled to be delivered to the Royal Australian Navy in early 2014, followed by her sister ship *Adelaide* the year after.

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The <u>Canberra Class</u> vessels are bigger than Australia's last aircraft carrier HMAS *Melbourne*. They are 230.8 metres long, beam of 32 metres, and draught of 7.2 metres. At full load, *Canberra* will displace 27,851 tonnes, making the new LHDs the largest ships to serve in the RAN. Each ship can carry a combined arms battle group of more than 1100 personnel, 100 armoured vehicles and 12 helicopters, and features a 40-bed hospital.



Images of the LHD hull loading and departure can be found on the Australian

Defence Image Library at: http://images.defence.gov.au/12130483.

You can also track *Blue Marlin*'s journey at: <u>www.marinetraffic.com</u>.



Panama Canal in 2 minutes?

Check out this time-lapse transit of the Panama Canal created by engineering Cadet Ancil Hoffman of California State University (Ed: I especially like the bump and grind @ 1:26).

http://www.youtube.com/watch?feature=player_embedded&v=5sx3ZodnJNA#!



Pirates and Privateers: Managing the Indian Ocean's Private Security Boom

Source: James Brown, The Lowy Institute for International Policy

The fight against Somali-based pirates is becoming a private battle as global defence cuts reduce naval counter-piracy deployments. Because governments have struggled to contain the spread of piracy in the Indian Ocean, shipping companies have turned to private military security companies to guarantee the safety of their crews and cargo. Private armed teams have proliferated on commercial shipping and several private armed vessels are operating in the region. Meanwhile, some governments are hiring out their own national militaries as security guards onboard ships.

However, this private counter-piracy boom is creating fresh problems. Already shootings at sea have led to international disputes and accidental confrontations. Murky legal and consular difficulties loom. There is a legitimate role for private companies in fighting piracy, but the challenge for governments will be to recapture the policy agenda and define the limits of what that role is before it leads to new kinds of trouble on the high seas.

The maritime security business in the Indian Ocean is booming as ships turn to private military security companies to help in the fight against piracy. Over 140 companies now provide armed

protection for ships in the Indian Ocean. At least 2700 individual contractors are employed as armed guards on ships and 18 floating armouries are operating in waters near the Gulf of Aden.

Forty private armed patrol boats are now, or will soon be, operating in the Indian Ocean. The most sophisticated of these private navies is outfitting three large boats in Singapore - each with a crew of 20, capable of carrying 40 private marines, and equipped with a helicopter and drones. The use of these boats, and the aggressive tactics they



employ, should be discouraged by governments and the International Maritime Organisation.

Because of shipping company demands for armed teams and shrinking defence budgets, governments are now privately hiring out their soldiers to provide security onboard commercial ships as 'vessel protection detachments'. The use of these teams potentially has serious legal and political consequences for states should they be involved in disputes.

Read the full article at: www.lowvinstitute.org.



2012 Boulton Lecture

Source: Mike Bozier.

The annual lecture was held in Sydney on 18 September and given in two parts, with the common theme of safety in shipping.

Boulton to Schettino - Down the Slippery Slope

Captain Peter Murphy, Principal, Peter Murphy & Associates, Solicitors

The poem "Sea Fever" was used to portray a previous generation's life at sea after WW II and before the current extreme weather events caused by climate change. Now there is virtually no stellar navigation or the accompanying night star watching. Bridges, especially on passenger vessels and ferries are enclosed with control positions surrounded by electronic equipment. Paper charts are on the way out and some navigators carry their own chart portfolios on laptop computers. The question was put – what is wrong?

The search for scapegoats after any accident now concentrates on the master's liability and culpability with a long paper trail to follow in looking for errors. Masters are under continuous

pressure from owners and operators through electronic communications yet the law regards only a master's responsibility to command. Traditional seafaring countries operated nationally flagged fleets, staffed with highly qualified and experienced company employees, supported by shore based superintendents and operations management. Now there are open registries, more pliable national flags and classification societies, crewing companies, ship management companies taking over from company superintendents for a fee, 'just in time' maintenance, cheaper third world crews and a new type of ship owner – one that is commerce oriented, hiding behind multiple company structures. No thought is given to social pressures arising from polyglot crews with different cultures. Ships' crews are no longer a community but "capable of being classified as tools of trade" (House of Lords, *Derbyshire* inquiry).

In spite of all the new equipment there are still old causes of accidents as illustrated by three parallel pairs of events. In 1967 the master of the *Torrey Canyon* was warned that if he failed to catch a tide at Milford Haven the ship could be delayed for five days in berthing. He decided to set a course through the Scilly Isles even though there was no copy of the Channel Pilot on board. In 2012 the master of the *Rena* was warned that the ship could be delayed a few hours in berthing by a change of tide, unless he made his best speed. In 1978 the *Amoco Cadiz* experienced a steering gear failure when off Brittany. The master negotiated with owners/ operators in New York over accepting an offer of help from a tug, losing four hours – too late to prevent grounding. In 2007 the *Pasha Bulker* master ignored 16 warnings of approaching heavy weather and the departure of 47 other ships before attempting unsuccessfully to clear a lee shore. In 1989 the *Exxon Valdez* grounded after the third mate failed to alter course and the master failed to supervise the departure navigation. In 2010 the *Shen Neng* grounded after the chief mate failed to alter course: he'd had 2 ½ hours sleep over the previous 38 hours.

Fatigue is a 'killer' factor that is now being recognised but to which only lip service is paid on ships. This combined with a lack of proper training and faster promotion has led to a 60% increase in claims due to lack of experience. The rapid disappearance of experienced ships' officers has left a void that cannot be filled. A cultural shift in ship manning and operation is needed, from the boardroom to the bridge.

Titanic 100 years on — the Continuing Challenge of Passenger Ship Safety John Jeremy BE FIEAust FRINA

The second part of the Boulton Lecture reviewed the changes in passenger ship safety legislation since the loss of the *Titanic*. The ship had greater lifeboat capacity than was required but still only sufficient for about half of the persons on board. 1,522 people were on board when she sank and 705 survivors were in the boats, which still had 450 unfilled seats. Almost all of the persons who were recovered from the water had died of hypothermia.

Following the loss of the *Titanic* an international conference was convened in London to develop international safety regulations for ships. The resulting 1914 Convention was overtaken by World War I and the convention was updated in 1929. Progress was still slow until advancing technology led to the 1948 SOLAS convention. Thereafter progress has accelerated and continues to do so, although generally spurred by disasters such as the *Torrey Canyon*, *Herald of Free Enterprise* and *Estonia*. The adoption of the 'tacit acceptance' of new conventions was a key to this.

The increase in the size of passenger ships, almost entirely cruising ships, has prompted that industry to become proactive with the entire IMO membership agreeing that passenger ship safety issues have to be viewed holistically. The IMO Maritime Safety Committee adopted six principles, including:

- The regulatory framework should place more emphasis on the prevention of a casualty from occurring in the first place;
- Future passenger ships should be designed for improved survivability so that, in the event of a casualty, persons can stay safely on board as the ship proceeds to port; and
- Passenger ships should be crewed, equipped and have arrangements to ensure the safety of persons on board for survival in the area of operation, taking into account climatic conditions and the availability of SAR functions.

New provisions specify the design criteria for the extent of damage that future passenger ships must be able to withstand and still safely return to port under their own power. If this is not possible then the ship must remain viable for at least three hours to permit safe and orderly abandonment. *Costa Concordia* was built in 2006. Nevertheless, in clear weather and calm seas, albeit complicated by capsizing, it took six hours to evacuate the ship. Following this incident IMO has issued interim safety recommendations for passenger vessels, including carriage of additional lifejackets at muster/assembly stations to reduce the need for passengers to return to their cabins to retrieve a lifejacket, evacuation drills for embarking passengers prior to departure from every port and limiting bridge access to necessary persons when increased vigilance is required.

Shipping safety has improved. In 1912 shipping losses were 1/100 vessels compared to 2012 losses of 1/670 vessels. However, as an industry seafarer, fatalities are twelve times higher than those of the general population.



Academic Partnership to Support the Shipping Industry

Hunter TAFE has joined forces with two other major maritime training providers to raise the profile of seafarer training and deliver far-reaching benefits for students, the shipping industry, and the Australian government.

Hunter TAFE (NSW), Australian Maritime College (Tasmania) and Challenger Institute of Technology (WA) have signed a Memorandum of Understanding to further strengthen and develop maritime education, training and research. The aim of the Memorandum is to generate synergies between the institutions, combine efforts to raise the profile of seafarer training, and see a new era of cooperation and a national approach to maritime education and training that spans all levels of vocational and higher education qualification and all locations across Australia.

The intention has been to create a much more flexible, responsive and quality supply of internationally recognised education and training. Key points of the MOU include:

- A streamlined credit transfer arrangement, allowing students undertaking AMSA accredited courses to move between the three institutes
- Vocational units completed at any of the institutes will be applied as credit towards bachelor degrees issued by the University of Tasmania
- Sharing of resources for example, skilled staff or infrastructure located at one institute may be used across common curriculum or in new ventures
- Ensuring maritime vocational training and education reaches emerging regional and industry demand, and

 Cooperating with the Maritime Workforce Development Forum, established by the Minister for Infrastructure and Transport, to address skill areas that are fundamental to building a sustainable domestic maritime industry.



Alleged Failed Rescue Results in Legal Proceedings

Source: GCaptain

Lawsuits are piling up against Princess Cruises alleging the cruise line was negligent when one of its luxury ships failed to assist a group of distressed fishermen adrift in the Pacific Ocean, ultimately leading to two deaths and one miraculous story of survival.

The lawsuits stem from an April incident where Princess Cruises' *Star Princess* ship came within close proximity of the group of three recreational fisherman who had broken down 15 days earlier off the coast of Panama, setting the small fishing boat adrift in the vast Pacific Ocean. Following the chance encounter, two of the fisherman died of dehydration while the third, just 18



years old, was miraculously rescued after 28 days at sea without food or water.

As the media later found out, a group of birdwatchers on the *Star Princess* spotted the fishermen frantically waving for help, reported what they saw and their concerns to crew, and even snapped photos of the distressed vessel that they later sent to the US Coast Guard. In spite of the passengers' best efforts to relay the information, the *Star Princess* never stopped, or even investigated, what was reported.

Three federal lawsuits have been filed in Miami against Princess Cruises on behalf of each of the three children of the eldest victim, Elvis Antonio Oropeza Diaz, who was 31 when the *Star Princess* passed him and his group by, seeking damages for negligence, breach of the duty to rescue, and pain and suffering.

What exactly happened after the initial report by the cruise ship passengers is still being investigated, but it has been reported that crew members themselves may have seen the distress signals and reported to the ships bridge, although no log of the incident was ever recorded. Meanwhile, the ships captain, Captain Edward Perrin, insists that neither he nor the officer of the watch were notified of the incident.

In a statement, Princess Cruises said there appeared to have been a "breakdown in communication in relaying the passengers' concern" and notes that the company and its employees understand that a responsibility and the law of the sea is to provide assistance to

any vessel in distress. The lawsuits join an earlier lawsuit filed in May against Princess Cruises by the loan survivor Adrian Vasquez, 18, alleging similar complaints.

Princess Cruises is a subsidiary of Miami-based Carnival Cruises, who has also been sued in connection to the Costa Concordia disaster.

Photo: A zoomed-in view taken by Jeff Gilligan. When he saw the image, Adrian Vasquez (the boat's only survivor) said, "That's us."



Stay Informed: Social Media Extracts - Your Institute Online

Linked In: Has the time come for a complete rethink and revision of COLREGS?

D - For many years there has been a debate, off and on, as to whether the COLREGS are appropriate for modern shipping. One such discussion I recall centred around the premise that if a number of ships (say 10) were converging from all compass points onto the same spot, the complication of calculating who would do what and the consequences would be extremely taxing. Whereas if everyone altered course to Starboard (for example) everyone would be turning into (say) a 2 mile diameter circle the outcome of which could be easily and safely resolved. Assume open water, plenty of sea room and UKC.

A - Yes it is time to rethink and revise COLREGS. There should be an objective approach and possible reflection of case studies/ corrective actions. For a start we may begin with defining a crossing vessel- objectively- not by inference.

AN - In addition to rethinking & revision of COLREGS, Major busy ports, should plan to slot the incoming ships as per their ETAs, rather than allowing all ships to come together and then face the congestion at approaches and anchorages.

SB - Any seagoing officer will agree that the COLREGS provide a critical basis for understanding a navigating situation and deciding on possible action both for own ship and powered targets. However the rules are designed to give a wide room for navigators to opt for best possible actions, this element is critical. Any review should resist an attempt to codify certain understanding of navigating situations and rigid maneuvers by OOWs. A literature review of collision accidents indicate that lack of understanding and inaccurate judgement of situations may constitute the big problem in collision avoidance. I therefore would emphasize on good practical understanding of the RORs and good decision making skills.

SM - I agree entirely on the rethink part of things, as A has suggested. We also need to see a quantum change in the manner in which COLREGS are approached by OOWs as well as senior officers. I have seen far too many cases where it is clear they have learned their COLREGS for their exams and then forgotten it the moment they've walked out the examiners door. Very often, when I ask a question pertaining to ROR, the response I get is "long time since my exams sir." Sad reflection of the state the industry has got into in terms of competence.

Got an opinion on this or other professional issues? Join the social media commentary.



And now for some vocab-hilarity:

The Washington Post's Style Invitational also asked readers to take any word from the dictionary, alter it by adding, subtracting, or changing one letter, and supply a new definition.

Here are this year's winners:

- 1. Bozone (n.): The substance surrounding stupid people that stops bright ideas from penetrating. The bozone layer, unfortunately, shows little sign of breaking down in the near future.
- 2. Foreploy (v): Any misrepresentation about yourself for the purpose of getting laid.
- 3. Cashtration (n.): The act of buying a house, which renders the subject financially impotent for an indefinite period.
- 4. Giraffiti (n): Vandalism spray-painted very, very high.
- 5. Sarchasm (n): The gulf between the author of sarcastic wit and the person who doesn't get it.
- 6. Inoculatte (v): To take coffee intravenously when you are running late.
- 7. Hipatitis (n): Terminal coolness.
- 8. Osteopornosis (n): A degenerate disease. (This one got extra credit.)
- 9. Karmageddon (n): its like, when everybody is sending off all these really bad vibes, right? And then, like, the Earth explodes and it's like, a serious bummer.
- 10. Decafalon (n.): The grueling event of getting through the day consuming only things that are good for you.
- 11. Glibido (v): All talk and no action.
- 12. Dopeler effect (n): The tendency of stupid ideas to seem smarter when they come at you rapidly.
- 13. Arachnoleptic fit (n.): The frantic dance performed just after you've accidentally walked through a spider web.
- 14. Beelzebug (n.): Satan in the form of a mosquito that gets into your bedroom at three in the morning and cannot be cast out.
- 15. Caterpallor (n.): The color you turn after finding half a grub in the fruit you're eating.

Are you a maritime professional? Join the Nautical Institute



The presence and influence of The Nautical Institute confers professional standing on seafarers and those with nautical qualifications. Seaways is the monthly journal which links members and provides an opportunity to keep up-to-date and share knowledge.

Check out the NI website for all the details (www.nautinst.org). You can update your membership details using the on-line system.

NI Social Media Links

Facebook at https://www.facebook.com/thenauticalinstitute





Linked In at http://www.linkedin.com/groups/Nautical-Institute-1107227/about

Standing dates for your calendars...

Sydney Branch of the Company of Master Mariners Of Australia

South Australia Branch of the Company Of Master Mariners of Australia

2nd Wednesday of the month Standing invitation to members

1830 hrs

NSW Sports Club, Hunter Street, Sydney Contact: Barclay Ross or Jillian Carson-Jackson

Joint NI / CoMMA meeting 2nd Wednesday of Feb. May.

NSW Sports Club, Hunter Street, Sydney Aug and Nov - 1830 hrs Contact: Barclay Ross or Jillian Carson-Jackson

Melbourne Branch of the Company of Master Mariners of Australia

Standing invitation to members 4th Wednesday of the month

RACV City Club, 501 Bourke Street, Melbourne

1830 hrs Contact: Ms. Alex Evered (secmel@mastermariners.org.au) or phone 03

9699 3332)

Last Wednesday of the

month 1230 hrs Standing invitation to members

Largs Pier Hotel, 198 Esplanade, Largs Bay

Contact: Howard Pronk (08 84475924 / 0417 714 649)

Please be aware that the NSW Sports Club requires notice of numbers attending meetings and will charge for "no shows" – the cost for the fabulous three course meal is \$40.00. Please advise Barclay Ross (02 9975 5578 or barclay.r@optusnet.com.au) or Jillian Carson-Jackson (sec@nisea.org) by 1200 on the Thursday before the meeting. Realising that unforeseen events arise, should you find that that you cannot attend please advise Barclay by 0930 on the Monday before the meeting and the "no show" charge may be avoided.

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