

SHIPPING  
&  
TRANSPORT  
INTERNATIONAL®  
GUTHRUM HOUSE



Nigel Jacobs QC - Costs, Counterclaims and the Single Liability Principle  
Professor Yvonne Baatz - Deck Cargo and Hague-Visby Rules  
Omar Omar - UAE Mortgages  
Richard Gordon - Steel Repair Costs  
Mediterranean and Posidonia  
Interview with José Maura, Director, IOPC Funds

**Managing Editor**  
Roger White LL.M. (Solicitor)

**Publishing Director**  
Kathryn Grandon

**Research**  
Michael McQuilkin

**Subscription/Advertising Manager**  
Kathryn Grandon

**Concept Design**  
Tony Pryce

Published by Guthrum House Limited  
Registered Office: Abacus House, 33 Gutter Lane,  
London EC2V 8AR

Printed and bound in Great Britain by Impress Print  
Pike Road,  
Corby, NN18 9QA

Shipping & Transport International was formerly titled  
Shipping & Transport Lawyer International.

**Advisory Panel**

John Balfour  
Clyde & Co

Simon Baughen  
Bristol University

Ray Burke  
Burke & Parsons (New York)

Captain Graham Botterill  
Ferryby Marine

Professor Charles Debattista  
Inst. of Maritime Law, Univ. of Southampton

Dr Sarah C Derrington  
University of Queensland

Rob Fisher  
Chaffe, McCall (New Orleans)

David Glass  
Cardiff University

Professor Rolf Herber  
Ahlers & Vogel (Germany)

Robert Haugh  
Formerly Tindall Riley (Britannia) Limited

Måns Jacobsson  
Former Director IOPC Funds

Alex Sinclair  
Marine Consultant

Ray Luukas  
Brookes Bell

**Contributions**

We welcome contributions to *Shipping & Transport International*. All material should be submitted to:

The Editor, Guthrum House Limited, Guthrum House,  
145 Angel Street, Hadleigh, Suffolk IP7 5BY, UK.

**Subscriptions and Orders**

Shipping & Transport International is published four times  
per subscription year.

Annual Subscription (including postage) UK: £274 per  
volume. Overseas: £304 (US\$490) per volume.  
20% discount for new subscribers purchasing all nine  
volumes at the same time. Visa and Mastercard  
accepted. Cheques payable to Guthrum House Ltd.

**Subscription Department:**

Guthrum House Limited, Guthrum House,  
145 Angel Street, Hadleigh, Suffolk IP7 5BY, UK.

Tel: +44 (0)1473 822061. Fax: +44 (0)1473 822839.

www.STL-Mag.co.uk

ISSN 1751-9896

The opinions expressed in this magazine are not necessarily  
those of "Shipping & Transport International" or the Advisory  
Panel; the magazine accepts no responsibility for those  
views so expressed. While every effort is made to ensure the  
accuracy of the information contained in this magazine, the  
magazine and the publishers do not guarantee the accuracy of  
the information contained in this publication nor do they accept  
responsibility for errors or omissions or their consequences. The  
magazine is not designed to provide legal advice on specific issues  
or problems and professional legal advice should be sought.

**Law is as stated at 16 April 2012.**

**The issue should be cited as 9(1) S.&T.I. (2012)**

© Guthrum House Limited 2012. Registered  
Office: Abacus House, 33 Gutter Lane,  
London EC2V 8AR. All rights reserved. UK statutory material in this  
publication is acknowledged as Crown copyright. No part of this  
publication may be reproduced or transmitted in any form or by any  
means, or stored in any retrieval system of any nature without prior  
written permission, except for permitted fair dealing under the  
Copyright, Designs and Patents Act 1988, or in accordance with  
the terms of a licence issued by the Copyright Licensing Agency  
in respect of photocopying and/or reprographic reproduction.  
Application for permission for other use of copyright material  
including permission to reproduce extracts in other published  
works shall be made to the publishers. Full acknowledgement of  
author, publisher and source must be given.

**COSTS, COUNTERCLAIMS AND THE SINGLE LIABILITY PRINCIPLE - IN THE CONTEXT OF COLLISION ACTIONS .....4**  
*Nigel Jacobs QC (Quadrant Chambers) examines MIOM 1 v Sea Echo (No. 2) and the single liability principle in the context of a collision case.*

**MEDIATION AT THE BALTIC EXCHANGE.....9**  
*Crispin Eccleston on the Baltic Exchange's mediation offering in conjunction with the LMAA.*

**MANDATORY APPLICATION OF THE HAGUE-VISBY RULES, DECK CARGO AND JURISDICTION.....10**  
*Professor Yvonne Baatz (Institute of Maritime Law, University of Southampton) on The BBC Greenland case and some of the complex legal issues arising from the carriage of cargo on deck.*

**MARINE LICENCES: THE LEGAL ISSUES .....14**  
*Andrew Oldland QC (Michelmores Solicitors LLP) looks at the new regime for marine licences following the introduction of the Marine and Coastal Access Act and the creation of MMO.*

**HOW THE VESSEL MORTGAGE PROCESS AND RELEVANT LAWS WORK IN THE UAE.....16**  
*Omar Omar (Al Tamimi & Company) on ship mortgages in the UAE.*

**MEDITERRANEAN, AND POSIDONIA  
CURRENT DEVELOPMENTS IN MALTA .....22**  
*An interview with Ann Fenech (Fenech & Fenech Advocates).*

**RESPONSIBILITY OF AERODROME OPERATORS - BIRD STRIKES.....24**  
*Nicholas Valenzia (Mamo TCV Advocates) looks at a recent case from Malta in which damages were claimed for a bird strike on an aircraft.*

**BETTER SOLUTIONS FOR SALVAGE IN TURKISH STRAITS .....26**  
*Caglar Coskunsu (Cavus & Coskunsu, Istanbul, Turkey) looks at the Turkish Open Form salvage agreement and some recent developments.*

**POSIDONIA 2012 .....28**  
*A preview of this important event for the international shipping industry.*

**REVIEW  
TIME CHARTERS 6TH EDITION .....30**  
*Nick Parton (Jackson Parton) reviews this major book for practitioners and the industry.*

**TECHNICAL  
STEEL REPAIR COSTS.....32**  
*Richard Gordon (C.F. Spencer and Co Ltd) explains how steel repair costs can vary considerably from basic quoted prices and the pitfalls for owners, insurers and lawyers.*

**MARITIME DRUG AND ALCOHOL TESTING.....38**  
*Iain Forcer (Concateno) considers the international regime for drug and alcohol testing and, in particular, some of the changes made to STCW.*

**BRIEF CALLS  
UPDATE ON NEWS AND DEVELOPMENTS.....42**

**PERSONALITY  
A WELL-OILED MACHINE .....43**  
*An interview with José Maura, Director of the IOPC Funds.*