



# TT CLUB & other insurers PORTS & TERMINALS

GEORGE GRISHIN

FIRST EXPERIENCE IN P&T IN 1989



# PORTS & TERMINALS INSURANCE

- TWO TYPES OF ASSURED: (1) PORT AUTHORITIES & (2) OPERATORS OF TERMINALS, DEPOTS, WAREHOUSES
- TWO TYPES OF INSURANCE: (1) PROPERTY INCLUDING FINANCIAL LOSSES AND (2) THIRD PARTIES LIABILITY
- PROPERTY: CARGO HANDLING EQUIPMENT / PIERS / NAVIGATING EQUIPMENT / BUILDINGS
- FINANCIAL: LOSS OF INCOME = BUSINESS INTERRUPTION
- LIABILITY: CARGO LOSSES / HEALTH & SAFETY / NAVIGATIONAL AIDS



# LOSS OF INCOME = BUSINESS INTERRUPTION

- 75% людей не знают математику.
- Хорошо, что я отношусь к остальным 18%.



# TWO TYPES OF INSURERS:



- COMMERCIAL – “NORMAL” INSURANCE COMPANIES
- MUTUAL = COOPERATIVES, LIKE P&I CLUBS
- MUTUALS – INSURANCE AT COST, NO PROFIT
- PROTECTING THEIR MEMBERS, NOT BARGAINING WITH THEM
- LEGAL ASSISTANCE
- NON-SHIPOWNING WORLD – TT CLUB / THROUGH TRANSPORT CLUB SINCE 1969
- PORT AUTHORITIES / TERMINAL OPERATORS / ROAD HAULIERS / FREIGHT FORWARDERS / CONTAINERS AS PROPERTY





# **CONTAINER VESSEL RHL FIDELITAS COLLIDED WITH PILOT BOAT, ODESSA**



- In Odessa, the Liberian container vessel sank a pilot boat from Nikolaev. "During the second berth mooring the vessel « RHL FIDELITAS » due to malfunction, engine did not work astern and the container could not carry out the alleged maneuver, - says the press service of the port. The ship came over to the first idle berth and collided with the pilot boat which was alongside.
- Eyewitnesses say that the 294-meter giant cast anchor, but it did not help stop and avoid a collision. By the way, the pilot boat belonging to the state enterprise "Delta-Pilot", almost new - they built it and sent it to Odessa in 2009 from Estonia.
- 18-meter vessel filled with water for 40 minutes. In the port noted that the accident no one was hurt, no threats to the environment. The boat was sent to the shipyard. The amount of damages "Soon" and establishes a special commission berth.





# TT TALK - 1



- **March 2018: FOCUS ON ILEGAL TRADE.**
- **PIRACY / COUNTERFEIT GOODS / WILDLIFE CRIME**
- **2013: SOME 2.5 % OF WORLD'S GDP,**
- **i.e. 3 MN CONTAINERS OF 122.35 MN**
- An increased likelihood of poorly stowed and secured cargoes, a greater propensity to mis-declare the nature and mass of cargo
- Perform due diligence on all customers
- Signatories to the Declaration of Intent to Prevent the Maritime Transport of Counterfeit Goods





# TT TALK - 2



- **TERMINAL SAFETY IS PARAMOUNT**
- **IN THE BUSY 'INDUSTRIAL' PORT ENVIRONMENT, 85% OF THE COST OF MAJOR INJURIES AND FATALITIES ARE CAUSED BY THE USE OF VEHICLES AND HEAVY EQUIPMENT**
- 1. ONE-WAY TRAFFIC FLOWS
- 2. LIMITING VEHICLES & PEDESTRIANS ACCESS
- 3. SITE INDUCTION PROCEDURES FOR EXTERNAL TRUCKERS AND VISITORS
- 4. A SAFE AREA FOR TRUCKERS TO LOCK AND UNLOCK TRAILER/CHASSIS TWISTLOCKS



# INSURANCE LITTLE ISSUES – 1



## ■ WHAT OAKESHOTT INSURES in ODESSA

- THE OWNERSHIP INTEREST OF THE INSURED, WHICH DO NOT CONTRADICT TO THE LEGISLATION OF UKRAINE RELATED FOR A RESPONSIBILITY OF ASSURED FOR CAUSING HARM OF LIFE, TO HEALTH OR PROPERTY OF OTHER PERSONS AND LOSS OR DAMAGE TO HANDLING EQUIPMENT AND INCLUDING BUSINESS INTERRUPTION.
- 
- CARGO HANDLING FACILITY
- SECTION 1:
- LOSS OR DAMAGE TO HANDLING EQUIPMENT AND INCLUDING BUSINESS INTERRUPTION
- SECTION 2:
- LIABILITY ARISING OUT OF THE OPERATION OF CARGO HANDLING FACILITY
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- *ИМУЩЕСТВЕННЫЕ ИНТЕРЕСЫ СТРАХОВАТЕЛЯ, НЕ ПРОТИВОРЕЧАЩИЕ ЗАКОНУ, СВЯЗАННЫЕ С НАСТУПЛЕНИЕМ ОТВЕТСТВЕННОСТИ ЗАСТРАХОВАННОГО ЗА ПРИЧИНЕНИЕ ВРЕДА ЖИЗНИ, ЗДОРОВЬЮ ИЛИ ИМУЩЕСТВУ ДРУГИХ ЛИЦ, А ТАК ЖЕ ЗА ГИБЕЛЬ/ПОВРЕЖДЕНИЕ ПОДЪЕМНО-ТРАНСПОРТНОГО ОБОРУДОВАНИЯ, ВКЛЮЧАЯ ПЕРЕРЫВ В ПРОИЗВОДСТВЕ.*
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- *ОТВЕТСТВЕННОСТЬ ПОРТОВОГО ПРЕДПРИЯТИЯ ПО ОБРАБОТКЕ ГРУЗОВ*
- *СЕКЦИЯ 1:*
- *ГИБЕЛЬ ИЛИ ПОВРЕЖДЕНИЕ ПОДЪЕМНО-ТРАНСПОРТНОГО ОБОРУДОВАНИЯ, ВКЛЮЧАЯ ПЕРЕРЫВ В ПРОИЗВОДСТВЕ*
- *СЕКЦИЯ 2:*
- *ОТВЕТСТВЕННОСТЬ, ВОЗНИКАЮЩАЯ....*



# INSURANCE LITTLE ISSUES - 2



- **WHAT OAKESHOTT INSURES in ODESSA**
- USD 30,000,000.00 ANY ONE ACCIDENT OR OCCURRENCE
- SUB-LIMITS:
  - 1. FIRE EXTENSION SUB LIMIT – USD 2,000,000.00 ANY ONE ACCIDENT AND IN THE AGGREGATE
  - 2. RIGHTS SUB LIMIT – USD 2,000,000.00 ANY ONE ACCIDENT AND IN THE AGGREGATE
  - 3. FINES SUB LIMIT – USD 2,000,000.00 ANY ONE ACCIDENT AND IN THE AGGREGATE
  - 4. WRONGFUL DELIVERY SUB LIMIT – USD 1 250,000.00 ANY ONE ACCIDENT AND IN THE AGGREGATE

C1	Customers Liability <i>Ответственность перед заказчиками</i>	10,000,000
	Customers Property, Ships & Aircraft (Para 1.2) <i>Имущество, морские и воздушные суда (п. 1.2.)</i>	10,000,000
	Valuable Cargo (Para 3) <i>Ценный груз (п.3)</i>	2,000,000
C2	Errors & Omissions <i>Ошибки и упущения</i>	5,000,000
C3	Third Party Liabilities <i>Ответственность перед третьими лицами</i>	10,000,000
	Pollution by Bulk Cargo <i>Загрязнение навалочными грузами</i>	10,000,000
C4	Fines & Duty <i>Штрафы и пошлины</i>	10,000,000
	Pollution (Para 1.2.5.) <i>Загрязнение (п.1.2.5)</i>	10,000,000
C5	Costs (except Mitigation - see C5:3 & C5:4) <i>Расходы (за исключением уменьшения суммы взыскиваемых убытков — см. C5:3 и C5:4)</i>	10,000,000
C6	Handling Equipment <i>Подъемно-транспортное (разгрузочное) оборудование</i>	10,000,000
	Terrorism <i>Терроризм</i>	10,000,000
C9	Business Interruption (Except Berth) Clause <i>Перерыв в производстве (за исключением причала)</i>	1,000,000
C10	Business Interruption (Berth) Clause <i>Перерыв в производстве (причал)</i>	1,000,000
C15	Advice & Information <i>Консультации и информация</i>	1,000,000



# DO LOSSES OCCUR? - 1



## ■ УБЫТОК ОПЛАЧЕН

СТРАХОВАТЕЛЬ — LLCCC      СТРАХОВЩИК - ГОРОДСКАЯ СК  
ПЕРЕСТРАХОВЩИКИ — ПЯТЬ СИНДИКАТОВ ЛЛОЙДА.

**ОБЩАЯ СТРАХОВАЯ СУММА — 11 469 425 ЕВРО**

**ЗАСТРАХОВАННЫЕ РИСКИ - ОТВЕТСТВЕННОСТЬ + ИМУЩЕСТВО ТЕРМИНАЛА**

С ЗАСТРАХОВАННЫМ ИМУЩЕСТВОМ ПРОИЗОШЛИ СОБЫТИЯ:

1) 29 ЯНВАРЯ 2012

**DAMAGE TO LIFTING WIRE (ROPE) OF CONTAINER CRANE ZP 799-1**

**RECOMMENDED RESERVE : UAH 300,000 (~ EUR 30,000)**

2) 07 ФЕВРАЛЯ 2012

**DAMAGE TO POWER CABLE OF CONTAINER CRANE ZP 799-2 LEASED BY THE INSURED**

**RECOMMENDED RESERVE : ~ EUR 80,000**

КОМПАНИЯ ITAL (ВЕЛИКОБРИТАНИЯ) БЫЛА НАЗНАЧЕНА СЮРВЕЙРОМ, ОТ ИМЕНИ И В ПОЛЬЗУ КОТОРОЙ БЫЛ ПРОВЕДЕН ОСМОТР НА МЕСТЕ ПРОИСШЕСТВИЯ. ОСМОТР ПРОВОДИЛА КОМПАНИЯ INTER TECH SERVICES UKRAINE LTD (КИЕВ). СОГЛАСНО СЮРВЕЙЕРСКИМ ОТЧЕТАМ, ОБЩАЯ СУММА ВОЗМЕЩЕНИЯ СОСТАВИЛА 58 629 ЕВРО.

ПРИМЕЧАТЕЛЬНО ТО, ЧТО К МОМЕНТУ ОКОНЧАНИЯ УРЕГУЛИРОВАНИЯ СТРАХОВЩИК ДЕ-ЮРО СУЩЕСТВОВАЛ, ДЕ-ФАКТО - БЫЛ БАНКРОТ.

ЧТО БЫ ВОЗМЕЩЕНИЕ "НЕ ПОТЕРЯЛОСЬ", НАМИ БЫЛО СОГЛАСОВАНО С ПЕРЕСТРАХОВЩИКАМИ ОПЛАТА НЕПОСРЕДСТВЕННО НА СЧЕТ СТРАХОВАТЕЛЯ.

ИЗНАЧАЛЬНО, СИНДИКАТЫ ОТКАЗЫВАЛИСЬ ПЛАТИТЬ НЕПОСРЕДСТВЕННО СТРАХОВАТЕЛЮ, НО СПУСТЯ НЕСКОЛЬКО МЕСЯЦЕВ ПЕРЕПИСКИ, МЫ **ТАКИ** СМОГЛИ ИХ УБЕДИТЬ ОПЛАТИТЬ НЕПОСРЕДСТВЕННО СТРАХОВАТЕЛЮ.



# DO LOSSES OCCUR? - 2



## ■ УБЫТОК В ПРОЦЕССЕ УРЕГУЛИРОВАНИЯ

21 ИЮНЯ 2016 НА ТЕРРИТОРИИ ТЕРМИНАЛА ВЫЯВЛЕНА НЕДОСТАЧА 5-ТИ  
КОНТЕЙНЕРОВ С ГРУЗАМИ - КОФЕ, МАШИННОЕ МАСЛО, СПЕЦИИ  
ПРЕДВАРИТЕЛЬНАЯ СУММА УЩЕРБА - 4,5 МЛН ГРН

06 ОКТЯБРЯ 17 INTER TECH SERVICES  
LIMITED ПРЕДОСТАВИЛА ОКОНЧАТЕЛЬНЫЙ ОТЧЕТ, СОГЛАСНО КОТОРОМУ

■ THE FINAL CLAIM IN AGGREGATE (GROSS OF POLICY DEDUCTIBLE):  
SUB-TOTAL I (CARGO): USD 45,153.90      EUR 73,945.24  
SUB-TOTAL II (EQUIPMENT): USD 13,002.00

■ TOTAL                      USD 58,155.90      EUR 73,945.20



# TT TALK - 3



- **ENCLOSED SPACE RISKS**
- **TANKERS - “GAS-FREE CERTIFICATE” AND A “PERMIT TO WORK”**
- **NOT ON DRY CARGO / CONTAINER SHIPS**
- **IT’S ONLY A STEEL BOX**
- CONTRARILY, CARGO HOLDS THEMSELVES MAY TEND NOT TO BE CONSIDERED AS ENCLOSED OR CONFINED SPACES
- FUMIGATION COMPLETELY FILLS AN AREA WITH GASEOUS PESTICIDES TO SUFFOCATE OR POISON THE PESTS WITHIN – OR PERSONNEL SUBSEQUENTLY ENTERING A CONTAINER
- THERE ARE REPORTS OF CONTAINERS BEING ROUTINELY FILLED WITH FUMIGANTS BY PERSONS WHO HAVE KNOWLEDGE OF NEITHER THE CARGO, NOR THE PROPERTIES OF THE GAS
- EVEN CARGOES THAT DO NOT REQUIRE FUMIGATION, FOR EXAMPLE BULK CARGO WOOD CHIPS, PULP WOOD AND WOOD PULP PELLETS MAY GENERATE A RISK TO THE UNPACKER. DURING THE TRANSPORT OF SUCH CARGOES CHEMICAL PROCESSES TAKES PLACE THAT DEplete OXYGEN AND MAY EMIT CARBON MONOXIDE OR CARBON DIOXIDE THROUGH OXIDISATION.
- EVEN AFTER VENTILATION A CONTAINER SHOULD STILL BE CONSIDERED AS AN ENCLOSED SPACE



# BOOKS AND AWARDS



- BOOK IT RIGHT AND
- PACK IT TIGHT
- GUIDANCE ON PACKING DANGEROUS GOODS FOR CARRIAGE BY SEA – IMDG CODE AMENDMENT 38-16
- THE 2ND TT CLUB INNOVATION IN SAFETY AWARD
- A PRODUCT, IDEA, SOLUTION, PROCESS, SCHEME OR OTHER INNOVATION HAD RESULTED IN A DEMONSTRABLE IMPROVEMENT TO SAFETY





# CLEVER THOUGHTS



- \* Seen on a bulletin board: Success is relative. The more success, the more relatives.
- \* When I read about the evils of drinking... I gave up reading.
- \* Sign in a bar: 'Those drinking to forget..... please pay in advance.'
- \* The surest sign that intelligent life exists elsewhere in the universe is the fact that it has never tried to contact us.