

Welcome to the latest edition of TT Talk, number 66 in the series

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1. US legislators debate liability under interchange agreements

Leo Kirchner, the Club's regional director for the Americas, reports that legislators in Washington have recently become interested in intermodal equipment interchanges. H.R. 1296, the "Intermodal Equipment Safety and Responsibility Act of 2005," was introduced in Congress earlier this year and would have affected TT Club equipment provider members by requiring them to undertake equipment inspections and repairs "each time prior to offering a motor carrier agent the equipment for interchange" and potentially limiting their indemnity rights. There has been no significant action on this bill since it was introduced.

In response to H.R. 1296, and as a result of a long campaign among rail, motor, and ocean carriers to reach agreement on inspection and liability obligations of the various parties involved in intermodal transport of cargo, the members of OCEMA (the association of major U.S. and foreign flag international ocean common carriers) have worked out an agreement with the American Trucking Association (ATA) and the Association of American Railroads (AAR). They have agreed to present alternative legislation – called Intermodal Chassis Roadability Rule-Making - during this session of Congress. This will address concerns about equipment safety without affecting the present indemnity and insurance terms of the Uniform Intermodal Interchange and Facilities Agreement (UIIA). The regulations required by this bill would place inspection obligations on the equipment providers, but preserve most of the motor carriers' obligations to check equipment they receive under interchange arrangements. Unlike H.R. 1296, this proposal does not purport to limit the scope of any intermodal interchange agreement and specifically refers to the UIIA, reflecting congressional recognition of it as the standard industry contract. The industry bill has been introduced as an amendment to the Senate version of the annual highway funding legislation and is being considered by the Senate as part of that legislation.

We will keep you informed of the progress of this legislation as it passes through both houses of Congress.

2. ICHCA International highlights crane danger

In the April edition of its bulletin Cargo World, ICHCA International reports on an incident where a trainee dockworker was killed when he was crushed and fell from a container crane. He had left the crane cab and was crossing from the movable walkway attached to the rear of the cab onto the crane's fixed walkway. The crane operator had an obstructed view of the crossing point and believed that the trainee had already descended. As the crane driver moved his cab off, the trainee was caught between the sets of railings on the two walkways and suffered severe crush injuries before falling to the ground.

ICHCA International notes that this fatality led to court action in which it was said that the company should either have prohibited people from visiting operational cranes or installed interlocking access gates that would have prevented the crane cab from moving while anyone

was crossing between the walkways. ICHCA understands that a similar accident has happened in an RTG in another country where the deceased fell 20 metres. It comments that the implication of these accidents is that all owners or operators of container cranes (and other similar types of crane) should review their own equipment and procedures to ensure that similar accidents do not occur again.

<http://www.ichcainternational.co.uk/>

3. Stop Loss bulletin - Guidance on the Transport of Packaged Dangerous Goods by Sea

Over the last seven years there has been an average of two major ship incidents a year caused in some way by the incorrect carriage of dangerous cargoes. Many are believed to have been the result of improper packing or incorrect declaration (non-declaration or misdescription) leading to inappropriate stowage and handling.

The Club continues to be concerned at this trend and, as readers are aware, it is running a series of seminars to raise awareness about the legal requirements relating to the safe carriage of such goods. A full list of the seminars planned for the second half of this year was published in TT Talk No. 64.

As part of the same initiative, the Club has published a new Stop Loss information sheet on the subject. This provides, in summary form, the information required for everybody in the supply chain (manufacturers, shippers, forwarders, terminals and lines) to identify their responsibilities and ensure compliance with the regulations.

The new Stop Loss sheet, No. 15 ("Guidance on the transport of packaged dangerous goods by sea") can be downloaded from the Club's website at <http://www.ttclub.com/TTClub/ttclub.nsf/HTML/StopLoss>, or obtained in hard copy from your usual Club contact.

4. Network Partner appointed in Korea

We are pleased to welcome Hyopsung Shipping Corporation of Seoul, Korea as the Club's newest Network Partner. The company has been the Club's correspondent for the last thirty years and the appointment as network partner recognises the support and important assistance it has given the Club and its membership over that time.

The Club acquired its first Korean member in 1980 and, in those early days, the local membership was dominated by ship operators. However, with the valuable assistance of Hyopsung Shipping, the Club has successfully expanded and now insures most of the Korean terminal operators too.

Hyopsung was founded in 1965 by Mr S E Wang, the honorary British consul in Busan, who is now the chairman of the company. Its head office is in Seoul and it maintains branch offices in Busan and Incheon. Mr K H Kim is the general manager and Mr J H Han the assistant general manager.

Hyopsung's addresses and other information can be obtained from its website www.hyopsung.co.kr

Email seoulhs@hyopsung.co.kr

5. Australian office moves

Thomas Miller (Australasia) Pty Limited has moved to a new address in Sydney:

Suite 1001, Level 10
117 York Street
Sydney NSW 2000
Australia

Its postal address, telephone and fax numbers have also changed:

PO Box Q697
Queen Victoria Building
Sydney NSW 1230
Australia

Tel: (02) 9267 3123
Fax: (02) 9267 9547
IDC: (+61 2)

The email addresses remain unchanged sydney@ttclub.com.

6. Transport Logistics 2005

The 10th international trade fair for logistics, telematics, freight and passenger transport will be held at the fairground (Messegelaende) in Munich, Germany from 31 May to 3 June. More than thirteen hundred exhibitors are taking part, ranging from forwarders to fork-lift truck manufacturers, from container lines to computer software suppliers, offering a wide range of products for the distribution and supply chain.

TT Club's stand number for the exhibition is 318A, hall A5.

For further details about the exhibition, and to obtain tickets please go to www.transportlogistic.de.

7. Conclusion

We hope that you will have found the above items interesting. If you would like to have further information on them, or have any comments you would like to make, then e-mail the Editor at tt.talk@ttclub.com. We look forward to hearing from you.

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