



“REMOTE SURVEYS: DOES NECESSITY CREATE A NEW DIGITAL REALITY?”

AN UNDERWRITERS PERSPECTIVE

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THE NEED FOR CLASSIFICATION SOCIETY SURVEYS

ITC 1/10/83

4 - TERMINATION

This Clause 4 shall prevail notwithstanding any provision whether written typed or printed in this insurance inconsistent therewith.

Unless the Underwriters agree to the contrary in writing, this insurance shall **terminate automatically** at the time of

4.1 - change of the Classification Society of the Vessel, or change, suspension, discontinuance, withdrawal or expiry of her Class therein, provided that if the Vessel is at sea such automatic termination shall be deferred until arrival at her next port. However where such change, suspension, discontinuance or withdrawal of her class has resulted from loss or damage covered by Clause 6 of this insurance or which would be covered by an insurance of the Vessel subject to current Institute War and Strikes Clauses - Hulls - Time such automatic termination shall only operate should the Vessel sail from her next port without the prior approval of the Classification Society.

AIHC 2/6/77

CHANGE OF OWNERSHIP

In the event of any change, voluntary or otherwise, in the ownership or flag of the Vessel, or if the Vessel be placed under new management, or be chartered on a bareboat basis or requisitioned on that basis, or if the Classification Society of the Vessel or her class therein be changed, **cancelled or withdrawn**, then, unless the Underwriters agree thereto in writing, this Policy shall **automatically terminate** at the time of such change of ownership, flag, management, charter, requisition or classification; provided, however, that :

- (a) if the Vessel has cargo on board and has already sailed from her loading port, or is at sea in ballast, such automatic termination shall, if required, be deferred until arrival at final port of discharge if with cargo, or at port of destination if in ballast;
- (b) in the event of an involuntary temporary transfer by requisition or otherwise, without prior execution of a written agreement by the Assured, such automatic termination shall occur fifteen days after such transfer.

Nordic Plan

Clause 3-14. Loss of the main class

When the insurance commences the vessel shall be classed with a classification society approved by the insurer. The insurance **terminates in the event of loss of the main class** unless the insurer explicitly consents to a continuation of the insurance contract. If the vessel is under way when the...



THE NEED FOR MARINE WARRANTY SURVEYS - RISK

Examples of Risk surveys required by Underwriters...

- JH 2019 / 007A – Engine Room, Machinery, and Bunker Fuel Risk Assessment
- JH 2013 / 007B – Condition Survey
- JH 2013 / 007C – Crew and Office Management Assessment
- JH 2013 / 007D – Structural Condition Survey
- JH 2009 / 143A – Shipyard and / or Project Risk Assessment

JH2019/007A
4th April 2019

JH2009/143A
15th June 2009

Engine Room, Machinery, and Bunker Fuel Risk Assessment

In each case as a **condition precedent** to the liability of the Underwriters under the insurance

1. the vessel shall be subject to an Engine Room Risk Assessment with specific reference to:
 - a. the engine room management
 - b. a machinery risk analysis
 - c. suitability and management of bunker fuel
 - d. exhaust gas cleaning system (if fitted)by Marine Engineer Surveyor within thirty days of ; and
2. all recommendations shall be complied with by the date or dates required by the surveyor; and
3. all recommendations described by the said surveyor as ongoing shall be complied with throughout the period of this insurance and any extension thereof.

SHIPYARD AND/OR PROJECT RISK ASSESSMENT

It is a **condition precedent** to the liability of the Underwriters under this insurance contract that:

1. a shipyard and/or project risk assessment is carried out by _____
on or before ___/___/___²; and further that
2. any recommendations made by the surveyor in this survey (or any follow-up survey) are complied with within the timescales set down by the surveyor or continuously complied with throughout the period of this insurance contract in the case of recommendations said by the surveyor to require continuing compliance.

The shipyard and/or project risk assessment shall include review and assessment of the actual implementation of the safety management, quality assurance, and quality control of shipyard systems and procedures. It shall include but not be limited to:

- Geographical and Environmental Risks
- General Site Condition



THE NEED FOR MARINE WARRANTY SURVEYS - CLAIMS

The 'rules of engagement' drawn up by the Joint Marine Claims Committee in 2013...

LONDON TERMS OF ENGAGEMENT 2013 FOR SURVEYORS

1 GENERAL

- 1.1 These Terms of Engagement shall be known as the London Terms of Engagement 2013 ("LONS TOE 2013") and shall be the terms applicable to the contract between Instructing Insurers and the Surveyor in respect of the Services to be provided by the Surveyor, where the appointment of the Surveyor has been made or accepted upon the basis of LONS TOE 2013.
- 1.2 The purpose of LONS TOE 2013 is to define the Services which shall be provided by the Surveyor and the Service Standards applicable to those Services.

5 THE SERVICES

- 5.1 The Services to be carried out by the Surveyor on behalf of Instructing Insurers shall include, but not be limited to:
 - (a) Communicating with the Insured in order to assemble all documentation and information relevant to the loss.
 - (b) Making site/vessel visits as may be required.
 - (c) Assessing the extent of the insured damage and reporting to Instructing Insurers. Investigating (if necessary with the assistance of third party experts) the cause of the loss and reporting to Instructing Insurers.



CONSIDERATIONS (RATHER THAN CONCLUSIONS)

Remote Surveys...they are not the same?

- physical presence allows the surveyor to spend more time with the crew
- how can remote surveys be used effectively for causation?

Were we already heading 'remote' pre-COVID?

- vibration monitoring
- drones
- underwater imagery and scans with ROV's
- AIS vessel tracking

Post COVID?

- revert to using experts on site when and where possible?
- technology used as a supplement to save time and costs?

- In attendance or remotely, a survey is only as good as the surveyor undertaking it.



PROTECTING OCEAN INDUSTRIES

