

IIMS NEWS BULLETIN OCTOBER 2021



Dear Member

Welcome to this News Bulletin from the International Institute of Marine Surveying (IIMS). This bulletin is available in PDF and eReader format from the IIMS website. It aims to keep members and non-members up to date with information on a monthly basis. Members are encouraged to share and forward this newsletter to colleagues, who they think might like to join the Institute, or who may be interested in its content. For more information about the Institute visit:

www.iims.org.uk

CEO Chat

Dear Colleague

At the start of last month, I had the absolute pleasure to stand shoulder to shoulder with colleagues from four other well-known UK based professional organisations onboard HQS Wellington in the city of London. The reason? We were onboard to launch *The Maritime Professional Council of the UK* (MPC) on Merchant Navy Day. IIMS President, Geoff Waddington, was also in attendance. The event attracted over forty VIP guests, including three members of the House of Lords (all with a keen interest in maritime affairs) and assorted media. Launching a new lobbying group, the first of its kind in the UK, is a brave and bold initiative. Our collective desire to want to assist



the lawmakers to make better maritime regulations based on knowledge and experience is a genuine one at a time when it is much needed - as well as holding them to account when they make bad law! Can this collective make a difference and bring combined industry opinion to bear? I hope so, but time will tell.

And on the subject of collaboration with other organisations, I'd like to mention our support for the *Norman Finlay Memorial Development Scheme*, which is designed to increase the amount of small commercial vessel seafarers and those with a passion for these types of craft moving into advanced careers ashore within the sector. We have linked with the Marine Society, MECAL, Mercator Media, the Society of Consulting Marine Engineers and Ship Surveyors Benevolent Fund (SCMS) and The Workboat Association. Read more about it in the following pages.

Your President, Geoff Waddington, has written a hard-hitting article entitled '*Beware the challenges of surveying steel hull inland waterways craft – and other considerations*'. The article in this bulletin links to a much longer pdf feature (which can be downloaded and kept as a reference document). If this is the type of surveying you are engaged in, I would urge you to read Geoff's article and to take note.



CEO Chat (continued)

The sad and sudden passing of IIMS member, Nigel Ling (aged 74), has revealed his extraordinary backstory, untold until this day. I am grateful to his close friend, Dr Anthony Wells, who has written Nigel's fascinating obituary. In his younger days, Nigel was involved in the Cold War and helped to keep the UK safe against threats about which we almost certainly knew very little. I have published the obituary in full in this bulletin.

Although a number of boat and marine shows have been cancelled recently, it is encouraging to see a gradual return of live events. The Southampton International Boat Show got away successfully in the UK, as it seems did the Cannes Yachting Festival and Monaco Yacht Show in France last month too. Ocean Business is set to run live in Southampton from 12 to 14 October and the new Seawork Connect is taking place virtually from 5 to 7 October.

IIMS was set to test its own live event in the form of a one-day seminar for Australian marine surveyors to be held in Brisbane on 20th October. However, the best advice from my colleagues locally is that given the current uncertainty and the situation with ongoing State lockdowns, an online only event is the sensible way to go. I am grateful to those who have agreed to speak at the event and look forward to speaking personally to those who are in attendance - more details in this bulletin about how to reserve your place.

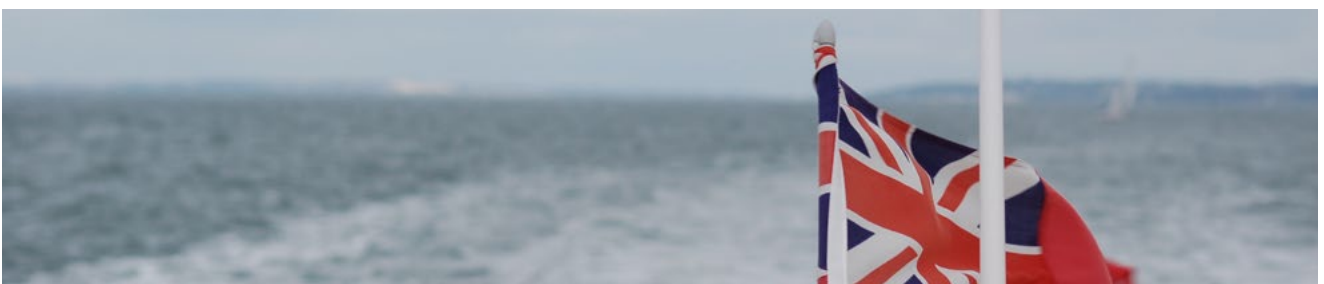
The Basics of Copyright Law was the subject of a recent seminar presented by Karen Brain and I am most grateful to her for sharing her knowledge in this complex area, which can easily trip up a marine surveyor. Consequently, Karen has written a short article taken from her seminar, which I am pleased to share with you in this bulletin for your benefit.

This month's news bulletin is one of the biggest we have produced, but only because there is a slew of news to bring to your attention at this time.

Survey well.

A handwritten signature in blue ink that reads "Mike".

Mike Schwarz
Chief Executive Officer



IIMS President speaks out: Beware the challenges of surveying steel hull inland waterways craft – and other considerations



IIMS President, Geoff Waddington, has spoken out passionately in light of a number of issues that are causing concern regarding the survey of inland waterways craft, steel narrowboats and barges in the UK particularly. His advice, however, is good practice for surveyors working around the world. The result is a helpful pdf document that can be downloaded and retained as a reference source (see below).

Geoff takes up the story: I admit that I have only limited experience of inland waterways craft. My career in the marine industry started over fifty years ago on ships. Over the last forty years of surveying both large and small craft, I have been involved with the new construction of a wide beam barge, fitting out of a narrowboat, insurance investigations involving narrowboats and small, steel inland waterways craft, and of course many GRP motor cruisers designed for both use on inland waterways and RCD CE CAT B vessels, which were in use on inland waterways.

During the last few insurance investigations into claims against surveyors of inland waterways craft it has become apparent that there is a wide range of standards being applied by surveyors during their assessments of surveyed vessels. This has resulted in claims against IIMS members, meaning it has become necessary to advise surveyors, insurers and lawyers in regard to 'what is the acceptable level of corrosion and resultant diminution of metal hull plate-work'. When asked, surveyors opinions varied wildly for the acceptable level of wastage due to the corrosion of steel plate as far as diminution and pitting are concerned. For example, in regard to 6mm plate, opinions vary between accepting a limit of 20%, (approximate 4.8mm) to 50%, (3mm), to the lowest limit of 70%, (2mm). In fact, both the MCA and Classification Societies have percentage rules, which in general are 20% dependent on longitudinal position and these rules apply to all craft whether sea going or inland waterways.

Talking to surveyors of inland waterways craft, as I have done, there appears to be a good deal of 'That's OK', and 'That's the way it's always been'. I have yet to see a survey report in dispute, as far as an inland waterways vessel was concerned, where the vessel surveyed was clean and presented in a condition where the hull plate work could have been thoroughly inspected and almost never has there been any access to inspect the outer bottom. A hull fouled by freshwater mussels, weed and slime cannot, in any circumstances, be properly inspected, examined or even assessed. However, this seems to be routine practice for some. I was advised the reasons are that owners and purchasers will not accept the cost of lifting and pressure washing the craft for survey - and due to the extensive use of cheap environmentally unfriendly bituminous paint, the potential cost of re-painting the hull prior to relaunch due to the "Blacking" being washed off by the pressure washer. I wonder if these same owners would be happy to drive a vehicle without a current MOT, or to buy a house without survey and the mandatory certification?

Contrary to popular belief, the MCA continues to be setting the standards for construction and maintenance of inland waterways craft. Additionally, a Code of Practice for Inland Waters Small Passenger Boats in cooperation with The Association of Inland Navigation Authorities and British Marine has been produced for inland boatbuilding. Sadly, there are a number of rules and standards and also a number of associations involved to confuse us - in fact over 60 different inland waterways authorities at my last count.

The reason for speaking out so forcibly at this time is that we would like to advise our members of the correct rules to apply in an attempt to level the playing field and ultimately to keep the surveyor as safe as possible from litigation.

Stalwart IIMS HonFIIMS, Jeffrey Casciani-Wood, has responded to Geoff's comments, wholeheartedly agreeing with them and adding his own further thoughts and commentary on this important topic.

Geoff and Jeffrey's combined thoughts and advice are available to download in a 10 page pdf document at <https://bit.ly/2WnmdPU>.

Did you miss the publication of the September Report Magazine last month?

IIMS last month published yet another impressive edition of its quarterly Report Magazine, this one running to 132 pages. Climate change is main news and as the significant United Nations COP26 gathering takes place soon, this edition carries a special 26 page report on the conference of nations, its aims and showcases some of the significant initiatives now underway to reduce emissions in the shipping and boating industry.


- COP26 and the road to global net zero - What's the buzz? A special 26 page Report Magazine supplement
- Ever Given fiasco illustrates the importance of the shipping container
- The synthetic rigging revolution continues
- New Zealand is the innovation nation for marine technology
- Seacor Power: A sobering note on incident reporting
- The reinvention of our ports is underway as part of the Green Transition
- Turning Tides: The new wave of e-boats taking to the seas
- The efficiency of riveted joints (Part III)
- Hold cleaning and the legal issues
- Hydrofoils, electric and the future of boating technology
- Alandia loss prevention app
- Nerves of Steel: Fleet-wide implementation of the next-generation hull integrity monitoring

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THE REPORT

The Magazine of the International Institute of Marine Surveying





COP26 and the road to global net zero. What's the buzz?

A special 26 page Report supplement

Could the X-Press Pearl disaster have been prevented?

Fleet-wide implementation of the next-generation hull integrity monitoring

When accidents go un-investigated, more will happen in the future!

Hydrofoils, electric and the future of boating technology

- An introduction to risk analysis
- A day in the life of Oli Byles

The Report Magazine can be read in either pdf or eReader format at <https://bit.ly/2WQTosu>.

Could the X-Press Pearl Disaster Have Been Prevented?

Hundreds of dead turtles continue to wash ashore in Sri Lanka; almost two months after a newly built container ship caught fire while anchored at Colombo port.



By Dr. Gnanasekaran, Director of the Centre for the Legal, Maritime and Environmental Studies, Sri Lanka Maritime University, Sri Lanka

THE X-Press Pearl was a 140,000-ton container ship that caught fire while anchored at Colombo port on 21 April 2020. The fire destroyed the ship and caused the death of hundreds of turtles. The ship was built in China and was carrying a large amount of hazardous cargo. The fire was caused by a gas leak from the cargo hold. The ship was damaged beyond repair and was scrapped in Sri Lanka.

THE X-Press Pearl disaster was a major maritime incident that raised questions about the safety of container ships and the handling of hazardous cargo. The ship was built in China and was carrying a large amount of hazardous cargo. The fire was caused by a gas leak from the cargo hold. The ship was damaged beyond repair and was scrapped in Sri Lanka.

Seacor Power: A sobering note on incident reporting

When accidents go un-investigated, more will happen in the future.



Seacor Power is a major maritime incident that raised questions about the safety of container ships and the handling of hazardous cargo. The ship was built in China and was carrying a large amount of hazardous cargo. The fire was caused by a gas leak from the cargo hold. The ship was damaged beyond repair and was scrapped in Sri Lanka.

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Nerves of Steel: Fleet-wide implementation of the next-generation hull integrity monitoring

Working in collaboration with Alterra Infrastructure, one of the world's leading operators of shuttle ferries, IIMS has successfully completed a fleet-wide implementation of Nerves of Steel, the industry's most advanced hull integrity monitoring system.




Nerves of Steel is a fleet-wide implementation of the next-generation hull integrity monitoring system. It is designed to detect and prevent hull damage before it becomes a major problem. The system uses a combination of sensors and software to monitor the hull's condition in real-time. This allows operators to take corrective action before a major problem occurs.

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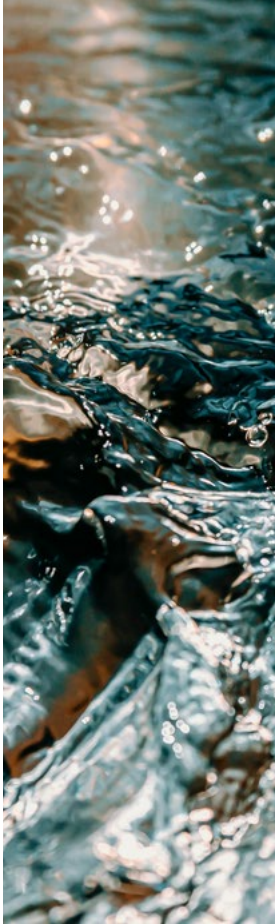
A special IIMS 26 page report

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Join IIMS in Australia for a one-day seminar (revised as an online only event now) – 20 October

IIMS is planning a one-day seminar for Australian marine surveyors – (and those from further afield who wish to join too) on Wednesday 20 October. Sadly, following the latest advice from colleagues on the ground locally, the decision has been taken to go online only in the interests of public health safety and common sense. But the IIMS Australian seminar (formally known as the Brisbane seminar) will be held via the Zoom platform. Presentations will be recorded and made available to all delegates after the event.

09.00 - 10:00	Justin Williams , AMSA: Regulation and Standards
10:00 - 11:00	Brian Gatt , Logix Group talks about corrosion
11.00 - 11.15	Break
11.15 - 12:00	John Kavanagh , Pacific Maritime Lawyers "Accredited persons a priority for compliance..."
12:00 - 13:00	Lunch
13:00 - 14:00	Russel Fraser : Update on NDT testing
14:00 - 15:00	Adam Brancher : Lessons marine surveyors learnt from CoVid and how we all must pivot in the coming years
15:00 - 15:45	Nick Parkyn : Synthetic rigging – background, latest evolution and good practice
15:45 - 16:00	Afternoon tea
16:00 - 16:30	Mick Uberti : Marine surveyor training, recruitment and accreditation.
16:30 - 17:00	Mike Schwarz will give a view from IIMS head office

Participants can register to attend as an online-only delegate. The cost is £85 (approx. AUS\$ 160) for attendance.

To register your place head to <https://bit.ly/39hLgXz>.

The second Professional Qualification in Marine Corrosion course starts on Tuesday 2nd November

Earlier this year IIMS successfully launched a standalone professional qualification in marine corrosion. The qualification comprises 10 modules of which 7 must be completed (4 core units) and a multiple-choice test passed for each module to gain the qualification.

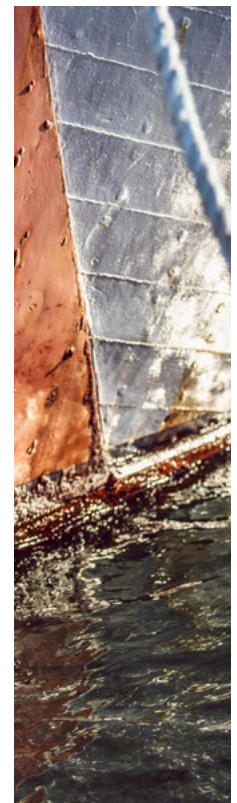
The programme has been written primarily with marine surveyors in mind, those whose job it is to inspect, understand and report on corrosion. The Professional Qualification in Marine Corrosion is pitched at education level 4 and is delivered by Mike Lewus. Students may attend live lectures or take the content on catch up by video. The feedback received so far is encouraging with delegates praising the value and depth of the course content.

Who should study for this qualification?

The qualification is intended for marine surveyors of yachts and small craft, ships, and offshore structures. It is also relevant for design engineers, material specifiers, other professional engineers and students of marine science and engineering.

Download the prospectus at <https://bit.ly/3az430w>.

For full details and to reserve your place go to <https://bit.ly/39PG3qG>.





Second IIMS 7 day residential **Practical Course** starts on 12 December 2021

Having piloted a successful week-long residential practical boat building course last year, the Boat Building Academy at Lyme Regis is once again looking forward to welcoming IIMS delegates back in December. This is your chance to get your hands dirty working with wood and GRP in a workshop environment.

One day in the week is turned over to other practical considerations for surveyors, including looking at and using a surveyor's tools on a mock survey, getting to grips with ultrasonic thickness gauges, a short report writing seminar, and learning about PI insurance and its importance.

There are 12 places available only and space is already limited. If you would like more information about the programme, cost and accommodation please email Vicki Loizides at education@iims.org.uk or call for an informal chat on +44 23 9238 5223.

Norman Finlay Memorial Development Scheme launched to discover **new talent** in the **small commercial vessel sector**



Norman Finlay MBE receiving his award from Her Majesty The Queen in 2018

A new scheme has been established that aims to support the development of talent ashore within the small commercial vessel sector. The Norman Finlay Memorial Development Scheme is designed to increase the amount of small commercial vessel seafarers and those with a passion for these types of craft moving onto advanced careers ashore within the sector.

This includes vessel owner/operator organisations as well as within the supply chain such as manufacturers, regulators, surveyors, inspectors, charterers and professional services. The stakeholders will work together to provide a variety of resources towards the development of small commercial sector seafarers.

The stakeholders of the Norman Finlay Memorial Development Scheme include the International Institute of Marine Surveying (IIMS), Marine Society, MECAL, Mercator Media, the Society of Consulting Marine Engineers and Ship Surveyors Benevolent Fund (SCMS) and The Workboat Association.

Speaking about this initiative, IIMS Chief Executive Officer, Mike Schwarz, said, "I had the pleasure of sitting with Norman Finlay in the quarterly meeting of the Small Craft Surveyors Forum for several years. Norman's knowledge of and passion for this sector was plain to witness and I am delighted that IIMS is able to join with the other organisations mentioned to support this worthwhile scheme."

The stakeholders have committed to supporting the Marine Society's 'Coming Ashore Project' to help seafarers get the support and skills they need to transition to a shoreside career in the maritime sector, tailored to the requirements of the small commercial vessel industry.

Norman Finlay MBE was known to many as the 'Grandfather' of the workboat industry. He was a key stakeholder in the development of The Workboat Association in 1994, of which he took the role as secretary until 2011, then life President. He is pictured in 2018 receiving his MBE from Her Majesty The Queen for 'Services to UK Shipping'. This award is further recognition of the dedication and commitment he has shown throughout a long and illustrious career in the maritime and workboat industries. Following his passing in August 2020, the industry has now come together to collectively find a way to honour his memory.

Obituary: Nigel Ling *MIIMS*

by Dr. Anthony Wells



The passing of Nigel Ling on Monday 30 August 2021 at the age 74, witnessed not just the loss of a fine human being and extraordinarily capable marine engineer and surveyor, but the United Kingdom also lost an incredible public servant whose contributions have never been publicly acknowledged, or indeed made known to the British public.

I first came to know Nigel well over forty years ago. In addition to being a gregarious, sociable, and hugely likeable person, who would help anyone, he put his great engineering and ship knowledge to the benefit of British Intelligence at a time when the UK was at the height of the Cold War when the Soviet Union was a serious threat to the UK in ways which the greater British public had no knowledge. Nigel put his incredible knowledge, skills, time, and energy at the disposal of a program that was in the vital national interests of the United Kingdom, the NATO allies, and the Five Eyes Intelligence Community.

Nigel helped in the tracking of what may be generically described as the unconventional uses of the Soviet and Warsaw Pact merchant fleet. One of the most insidious aspects of this activity was the clandestine insertion into the United Kingdom of the most undesirable types of Soviet agents and their surrogates. These were long term undercover 'plants' trained to penetrate the most sensitive of British facilities, organizations, and to create networks and obtain intelligence separate from the traditional Soviet KGB and GRU organizations.

Nigel was invaluable in the north of England in assisting in our efforts to counter these threats, and in addition rendering overall inputs to various aspects of local merchant shipping movements and other technical domains.

Nigel remained a lifelong friend after I came to the United States to work permanently. We stayed close, and only very recently Nigel was instrumental with Admiral Lord West and I in bringing to public attention the wonderful work during World War Two of another fine Yorkshire person, Mrs. Gladys Lewis. Gladys worked at Bletchley Park during World War II. Nigel was simply wonderful in working with Lord West to both celebrate Gladys' 98th birthday this year and also to have the official historian and archivist at GCHQ record for posterity her great contributions to the war effort.

The above is symptomatic of Nigel as a terrific caring and compassionate human being, and a public servant of the highest order. It has been truly a privilege to know and work with Nigel.

Nigel will be sorely missed. We all send our deepest condolences to his wonderful partner, Susan Bailey. Thank you for your wonderful life, Nigel. You were the best of the best.

Dr. Anthony Wells, The Plains, Virginia, USA.

Note: Dr. Wells is the only living person to have worked for British Intelligence as a British citizen and US Intelligence as an American citizen. He is the author of the recent book, "Between Five Eyes", published by Casemate, Oxford, UK.

About Bletchley Park

Bletchley Park is an English country house and estate in Bletchley, Milton Keynes that became the principal centre of Allied codebreaking during the Second World War. During World War II, the estate housed the Government Code and Cypher School, which regularly penetrated the secret communications of the Axis Powers – most importantly the German Enigma and Lorenz ciphers. The nature of the work there was secret until many years after the war.

According to the official historian of British Intelligence, the intelligence produced at Bletchley shortened the war by two to four years, and without it the outcome of the war would have been uncertain. The team at Bletchley Park devised automatic machinery to help with decryption, culminating in the development of Colossus, the world's first programmable digital electronic computer. All information about the wartime operations was classified until the mid-1970s.

Source Wikipedia

IIMS joins forces with four other leading organisations to form the Maritime Professional Council of the UK to influence lawmakers



HQS Wellington in the city of London hosted the MPC launch

Nautical Institute, International Institute of Marine Surveying, Institute of Seamanship, and the United Kingdom Marine Pilots Association. The MPC's position is that the government and government aligned bodies charged with the policy and direction of the Merchant Navy and associated sectors of the maritime industry, need the best practical pool of experience to draw upon.

Speaking at the launch, IIMS CEO, Mike Schwarz, said, "I am delighted that IIMS is in such good company and is a founding member of a group that hopes to make a difference, however small. I look forward to lending my weight to support the work and efforts of the MPC in the coming months."

While the individual maritime professional bodies are respected within the shipping and boating industry, their knowledge and experience are rarely sought when decisions are made on key policy and legislative changes. The MPC believes that having a strong collective voice will be a game changer.

One area of great concern to the professional bodies is maintaining the quality of seafarer training and the MPC will provide guidance to regulators and employers on the professional training standards for maritime professionals.

More generally the MPC will be able to provide independent expert advice and guidance based on its combined professional knowledge and experience unhindered by any financial or commercial interests.

The MPC is intended to provide a common space for collaboration, and exchange of ideas between the major technical organisations, closely allied with the Merchant Navy and associated sectors of the shipping industry. It is intended that the MPC will become a key source of knowledge and opinion reflective of the skills, experience, and professional status of the membership of the individual member organisations.

The formal launch of the MPC took place on HQS Wellington at 1200 hours on Merchant Navy Day, 3rd September 2021.

The MPC will bring together the collective voices of the United Kingdom based professional organisations for the British Merchant Navy and associated maritime industry. It will promote professionalism within the industry and offer expert opinion on maritime matters to the maritime community, industry, government and the media.

The founding organisations of the MPC are the Honourable Company of Master Mariners, The



Members of the MPC Council onboard HQS Wellington



House of Lords VIP guests - (from left to right) Lord Berkeley, Admiral Lord West and Lord Mountevans



**Virtual Seawork
Connect 2021**
is coming –
don't miss it!

The hugely popular Seawork exhibition at Southampton has been sadly missed the past two years and could not run as a face-to-face event due to the pandemic. In its place is Seawork Connect, a brand-new virtual exhibition with rich and engaging content that enables visitors and exhibitors to meet and develop business.

Mercator will hold Seawork Connect from 5-7 October to help business this autumn.

Seawork Connect will have engaging content. The organisers can produce their full conference programme, USV Applications in Commercial Marine, Hybrid & Electric Propulsion Solutions as well as the next in the successful CMN Commercial Marine Network Workboat 2050 series.

Clients will still be able to reach the Seawork and Marine Civils audiences plus a broader international audience. Visitors will be registered, and exhibitors will be able to see their profiles and organise meetings with them at stands or designated meeting areas. The platform also offers a clever AI based matchmaking system that pairs interested visitors with the correct equipment or service providing exhibitor that suits their requirements.

Take advantage of great networking opportunities, set up meetings and attend the fully packed conference programme! Sign up now at <https://seaworkconnect.com/index/registration>.

To read the full conference programme go to <https://bit.ly/3zfdJVy>.



Ocean Business is back live
from 12 to 14 October

Ocean Business 2021 is taking place from 12-14 October at the National Oceanography Centre in Southampton, UK and will bring the ocean technology community together with an exhibition of 300 companies from around the world. The show will be packed with live product demonstrations, giving visitors the opportunity to see equipment in action and 'test drive' products before they purchase.

Some highlights of the programme this year include demos of cutting-edge autonomous surface vehicles (ASVs) and autonomous underwater vehicles (AUVs), as well as high-tech visualisation and positioning systems. L3Harris will run several sessions displaying their ASVs' capabilities for hydrography applications in a port environment.

Cheri Arvonio, Event Director for Ocean Business says: "We're delighted that so many exhibitors are taking up the unique opportunity of showcasing their products at Ocean Business. After 18 months of the industry not being able to connect with their buyers, we are confident and excited that OB provides the perfect platform for everyone to get back to business."

For more information about the show and to register go to www.oceanbusiness.com.

UK government's maritime biennial report April 2019 to May 2021 published



Just published, the maritime biennial report outlines the UK government's maritime achievements for 2019 to 2021. It compares them against the priorities of the 2018 to 2019 maritime annual report. The following text is the introduction taken from the report itself.

Maritime UK estimates that the maritime sector helped to support a total of £108.8 billion in turnover, approximately 1.1 million jobs and £21.6 billion through the compensation of employees (2017). With the role the sector plays in supporting the lives of UK citizens it will be integral to our continuing success now that we have left the European Union and move towards our recovery from the COVID-19 pandemic.

Maritime 2050, published in January 2019, sent a clear message to the world that the UK has the ambition to be a leading maritime nation for the next 30 years and beyond, setting out the strategic framework which informs Government policy and gives confidence to potential investors in the UK economy. This report sets out how the Government has continued to work with the maritime industry to deliver this strategy. It also outlines our ambitions for the next 12 months, demonstrating that the Government will not compromise on delivering the vital services that make the UK a safe and secure place to do business, while tackling the additional challenges faced by the sector.

This report covers some of the exceptional work that has taken place under great pressure, but also outlines how our strategic priorities will be progressed over the next 12 months. The long-term vision of Maritime 2050 remains just as relevant as when it was first published. However, it must be acknowledged that to ensure a successful recovery from COVID-19, the maritime sector needs support in specific areas in order to guarantee a recovery which allows for post COVID-19 growth. As the country restarts, recovers, and Builds Back Better following COVID-19, Maritime 2050 remains a crucial shared commitment between Government and industry.

Download the full 80 page report at <https://bit.ly/2XmVcMu>.



CE marking acceptance for boats extended until 2023 by UK government

The UK government has announced an extension to the start date for the new post-Brexit certification rules for CE products by 12 months. This extension means that the CE mark will continue as a recognised trademark into next year, after the Department for Business, Energy and Industrial Strategy agreed to push back the deadline for the UK Conformity Assessed (UKCA) stamp until 1 January 2023.

Any CE marked goods that meet EU requirements may continue to be placed on Great Britain's (GB) market for another year.

The UKCA marking is a new UK product marking that is used for goods being placed on the market in GB. UKCA gives the UK control over its goods regulations and covers most goods that previously required the CE marking, known as 'new approach' goods. The UKCA marking came into effect on 1 January 2021 and is now being used. However, to allow businesses time to adjust to the new requirements, businesses will now be able to use the CE marking until 1 January 2023 in most cases.

MCA publishes MGN 436 new guidance to mitigate serious injury on small vessels

New guidance on mitigating the risk of serious injury from whole body vibration on small vessels has been published in MGN 436 (Amendment 2) by the Maritime & Coastguard Agency (MCA).

Whole Body Vibration (WBV) and Repeated Shock (RS) injuries are a known issue of travelling on small vessels at high speeds. When they occur, they can be life-changing or even fatal. MGN 436 (Amendment 2) is aimed at operators of small vessels and focuses on mitigating strategies, following several serious incidents in recent years. It provides guidance on ways to alleviate risk of injury, both severe and chronic, for crew and passengers.

This latest update to the guidance reflects the evolving knowledge and best practice including the use of shock mitigating technology and data. Incidents have occurred on inland waters and estuaries as well as at sea, and to a wide demographic of the population. Injuries sustained include spinal compression injuries, serious damage to joints and fractures in the leg and feet.

Julie Carlton, head of seafarer safety and health for UK Maritime Services, said: "Without the proper mitigation of vibration and shocks, workers on small vessels are at risk of chronic injury at low levels, and severe shocks can cause life-changing injuries to crew and passengers."

The new guidance note provides best practice for boat designers, builders, managers and operators to reduce the likelihood of such injuries occurring. There is also guidance for operators on reducing the risk of injury through training, pre-departure briefing and ensuring that the vessel is operated considering vessel design, sea conditions and the health and experience of those onboard.

Read the new guidance note at <https://bit.ly/3A0yE2p>.



RYA publishes Pathways to Zero – a plan for the recreational boating sector to reach zero carbon by 2050

The Royal Yachting Association (RYA) has published Pathways to Zero: The RYA's Vision for a Zero Carbon Recreational Boating Sector by 2050. It is an ambitious document and outlines the key actions and milestones that will need to be reached by both the organisation and the wider maritime sector to achieve the vision for zero-carbon in response to the climate emergency.

The Pathways to Zero report includes over 100 individual actions, many of which are related to policy, logistics and behaviour change, and can be achieved at minimal cost. The report also contains recommendations for broad technology changes which will require funding by the sector, with Government support, over the coming years.

Commenting on the launch of the Pathways to Zero report, Phil Horton, RYA environment and sustainability manager, said: "The development of this report follows wide research across the sector, analysis of sustainability forecasts, as well as speaking with RYA members and marine businesses. In addition to addressing our own operational impacts, we believe that it is essential to the safeguarding of our sport that the RYA contributes to mitigating the long-term environmental impacts of recreational boating. Addressing these concerns will have many benefits for boaters that go beyond carbon emission reductions, such as reduced noise, better manoeuvrability and response, reduced maintenance costs, and zero pollution.

Read the full report at <https://bit.ly/3swNBXb>.

United Kingdom National Maritime Strategy for the IMO Instruments Implementation Code

The UK Maritime Administration, collectively, commits to giving full effect to her flag, port and coastal State responsibilities and obligations, to advance maritime safety and environmental protection for our seafarers, our local communities, our economy and our international peers.

The UK National Maritime Strategy aims to support and facilitate the UK Maritime Administration's implementation and enforcement of the III Code, and UKG Maritime 2050 by:

- Enacting and maintaining UK legislation;
- Enforcing all Instruments;
- Review and Improve performance; and
- Collaborate to grow capability and capacity;

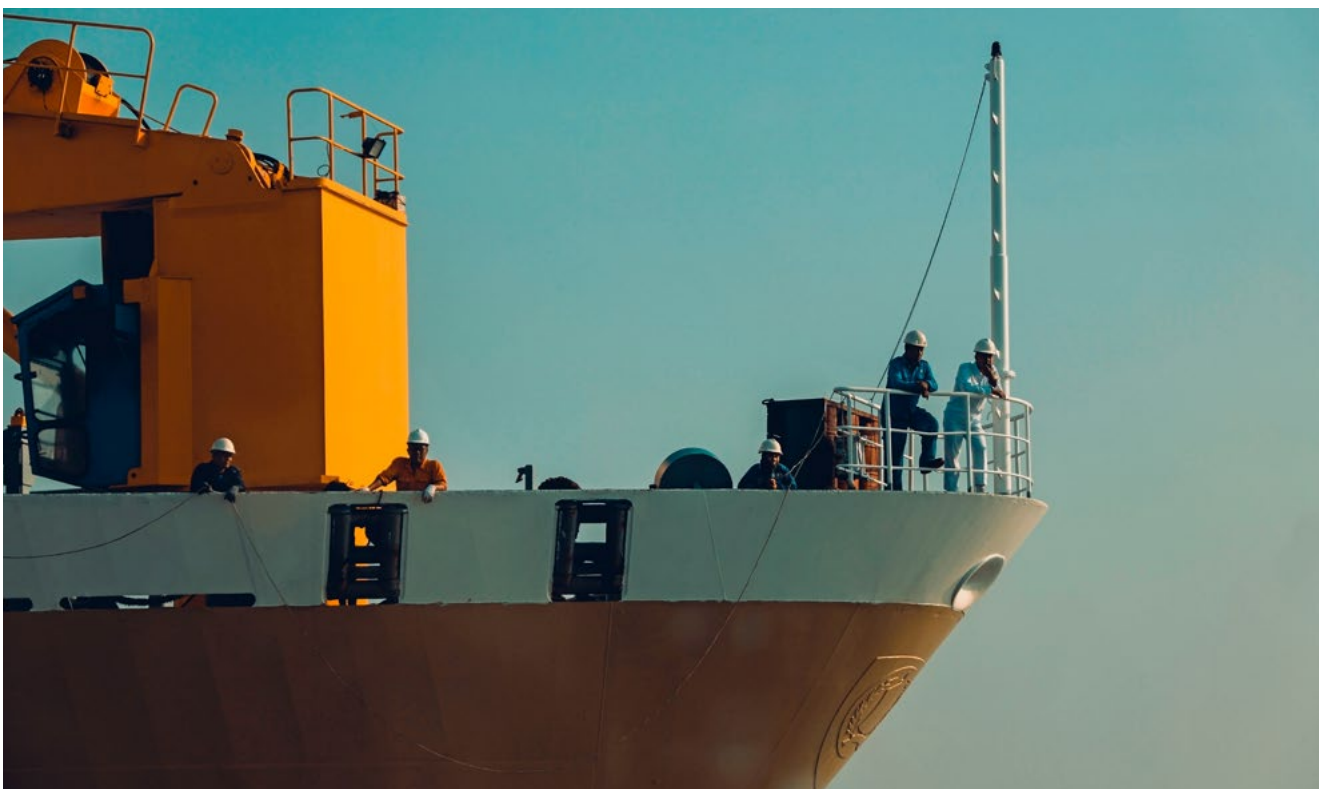
These aims will enable the UK Maritime Administration to continually improve the adequacy of measures to give effect to the international instruments.

Brian Johnson, Chief Executive Officer & UK-MSC Chair Maritime & Coastguard Agency, issued this statement. As an IMO Member State and IMO Council Member, the United Kingdom of Great Britain and Northern Ireland (UK) is committed to enhancing maritime safety and protecting the maritime environment through effective implementation and enforcement of the IMO Conventions. In 2018, the UK Government set out its Maritime 2050 strategy and high-level vision for the maritime sector. This strategy is fundamentally underpinned by the UK's commitment to the IMO Conventions and the IMO Instruments Implementation (III) Code.

The Maritime 2050 strategy provides a framework for stakeholders across the breadth of UK maritime activity. The UK National Maritime Strategy for the III Code is a focused element of the Maritime 2050 wider strategy, as are the individual business plans of each entity within the UK Maritime Steering Committee (UK-MSC) for the III Code.

The UK's aim is to be the best performing flag, port and coastal State in the world. The III Code sets the criteria by which the UK continually measures its effectiveness in delivery of maritime safety and environmental protection across all stakeholders. The National Maritime Strategy for the III Code has been developed to facilitate our objectives, enable compliance, and maintain vigilance to ensure that we meet our national and international responsibilities and obligations.

Read the documentation and annexes at <https://bit.ly/3niwWv>.



UK Government opens consultation to strengthen the enforcement of the dangerous use of recreational and personal watercraft

The Department for Transport has published a consultation document to modernise laws and clamp down on dangerous driving of jet skis to protect the public and coastal areas. The consultation will bring recreational and personal watercraft, such as jet-skis and speedboats, under the same laws as those who operate ships, meaning tougher sentences for those caught driving dangerously.

Under the current system, local authorities (LAs) have the power to regulate speed and nuisance driving through byelaws, with the power to fine those breaching the rules up to £1,000.

Although many LAs have introduced speed limits, signage and ID tags to prevent accidents, there remains a number of unmanaged waters around the UK and, since the beginning of 2020, there have been 4 fatalities related to dangerous driving on jet skis, which these laws will help to prevent. Bringing recreational and personal watercraft in line with laws in place for boats will ensure tougher sentences for reckless driving across all waters.

Maritime Minister Robert Courts said:

"The vast majority of jet-skis users, and those operating personal and recreational watercraft, do so safely and responsibly. However, there are those who unfortunately put others in danger.

"Introducing these laws will help prevent accidents from happening, allowing everyone to enjoy our waterways, beaches and coastlines safely and with peace of mind."

The consultation closes at 11:45pm on 1 November 2021. Download the consultation pdf: <https://bit.ly/3yNbdbG>.



Launch of the Workboat Association recognised Carriage of Dangerous Goods on Workboats training

Targeted at both those working on board Workboats and those ashore who are concerned with the transportation of Dangerous Goods on board Workboats, the training covers;

- Familiarisation with the rules governing the carriage of dangerous goods by sea (IMDG Code),
- The use and structure of the IMDG Code,
- The documentation and rules specific to the carriage of Dangerous Goods on board workboats,
- Industry Best Practice.

Training providers and vessel operators can become recognised by the Workboat Association for providing the half-day training and subsequently use the official [bespoke] Workboat Association stamp on their certification to identify that the course meets the requirements of the syllabus.

The intention is to fill a gap within sector training with specific and relevant information related to the Carriage of Dangerous Goods at Sea for the small commercial vessel industry. The concept was first developed following an Offshore Wind Safety Forum where many industry stakeholders (including clients, vessel operators and regulators) identified a lack of suitable understanding specific to the common operations of the modern workboat sector.

The syllabus can be viewed at <https://bit.ly/3yZ4P1Y>.

The Basics of Copyright Law *by Karen Brain*

Copyright law is a part of a wider area of law known as Intellectual Property often referred to as IP and its purpose is to protect the interest of those who create content but balance this with the public interest of having the widest possible access to the created content.

Copyright is commonly protected around the world but there can be national variations. Copyright is sometimes referred to as author's rights but there is often what is referred to as moral rights, a separate area of rights recognised in some areas of the world.

It is common that copyright remains for 50 years plus after the death of the creator, but this is looking to be extended.

The other branch of law that is encompassed by IP is industrial property, which we are not discussing here. This includes patents, industrial designs, trademarks, service marks, layout-designs of integrated circuits, commercial names and designations, geographical indications and protection against unfair competition. Often the protection is afforded for 20 years although it frequently can be extended.

The World Intellectual Property Organization (WIPO) is an international organisation dedicated to promoting creativity and innovation by ensuring the rights of creators and owners of IP are protected worldwide and that inventors and authors are recognized for their ingenuity. The WIPO administers the international treaties related to protecting copyright and industrial property listed at the end of this article. If you wish to know more about copyright and industrial property rights there is a link at the end of this article to the WIPO website.

So, what is copyright and what does it cover?

This word describes the rights that creators have over their literary and artistic creations and includes:

- literary works such as novels, poems, plays, reference works, newspaper articles
- music
- artistic works such as paintings, drawings, photographs, and sculpture
- films
- musical compositions and choreography
- computer programs and databases
- maps
- technical drawings including architectural
- advertisements
- your survey reports!

The protection afforded is only given to expressions, and not to ideas, procedures, methods of operation or mathematical concepts as such.

Some objects may not be protected such as titles, slogans, or logos, depending on whether they contain sufficient authorship.

What rights does copyright give me? What are my rights as an author of a work?

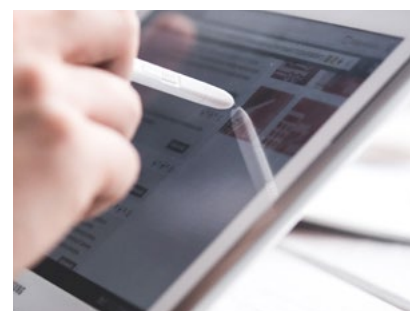
- 1** economic rights - this allows owners to derive financial reward from the use of their works by others; and
- 2** moral rights – this protects the non-economic interests of the author.

Most copyright laws state that the owner has the right to prohibit, authorize and prevent certain uses in relation to the work they have created and to receive remuneration for the use of their work. These are their economic rights.

So, owners generally have a say in the reproduction of their creations such as:

- printed publication or sound recordings
- public performance, such as in a play or musical works
- recordings in for example the form of compact discs or DVDs
- broadcasting by radio, cable or satellite
- translation into other language
- adaptations of their work for example a novel into a film screenplay

Examples of widely recognized moral rights include the right to claim authorship of a work and the right to oppose changes to a work that could harm the creator's reputation.



There are some limitations on the protections and these limitations allow for free use of these creative works, but this can change nationally:

- You can quote work provided the source of the quotation and name of the author are mentioned and the extent of the quotation is compatible with fair practice.
- Whilst teaching and training you can quote works for illustration purposes.
- News reporting uses creative works frequently.

Who is the creator and who is the owner?

This is an interesting point. It is widely acknowledged that employees do not own the work of their employer if they were engaged by their employer to create the work. Ownership rights can also change by virtue of contract. So, the creator is not always the owner!

Also, owner and rights to economic benefits can differ if the owner has given licences for use by a third party.

How can I protect my copyright?

Copyright protection in countries is frequently obtained automatically without the need for registration or other formalities. However, most countries have a system in place to allow for the voluntary registration of works.

Penalties for using without permission

It can be expensive to use works without permission. You should always seek permission before using creative works not owned by yourself. If you use them without permission, you are likely to receive a request for money for the use. It can be expensive to argue and hard to win.

It is easy to overlook the rights of owners of creative literacy and art. So, do be careful when using photographs, databases, quotes from books and so on.

Copyright-related treaties administered by WIPO

- Beijing Treaty on Audiovisual Performances
- Berne Convention for the Protection of Literary and Artistic Works
- Brussels Convention Relating to the Distribution of Program-Carrying Signals Transmitted by Satellite
- Geneva Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms
- Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled
- Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations
- WIPO Copyright Treaty (WCT)
- WIPO Performances and Phonograms Treaty (WPPT)

View the WIPO website at <https://bit.ly/3mREAHp>.

Note: IIMS offers members access to a copyright free image database containing over 560 categorized images via a password protected page on the website.



Images currently available for free download are:

Yacht & Small Craft (212 images)	Workboats (31 images)
Commercial Ships (70 images)	Superyachts (63 images)
Equipment (125 images)	Ribs (34 images)
Miscellaneous (29 images)	

Karen Brain, Managing Director
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The story of a 90-year-old lifeboat is captured in a new book by Graeme Ewens

The LIFE of a BOAT is a new book, or as author Graeme Ewens calls it, a 'Nautobiography', about of a 90-year-old lifesaver comprising tales of shipwreck, heroic rescue, wartime tragedy and its later resurrection.

Ninety years ago, in February, 1931, the RNLI took charge of a new lifeboat, the W&S, which is still surviving after a heroic career and a longer period of retirement. The publication of its 'nautobiography' celebrates the boat's history and will help finance its life support. A share of proceeds will also be donated to the Penlee Lifeboat Station.

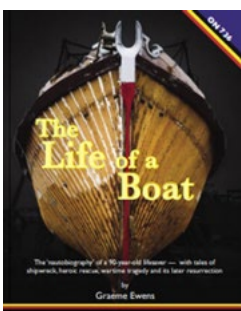
The LIFE of a BOAT is the story of a remarkable boat which served the RNLI for 40 years. The 45ft 6ins Watson Cabin class boat W&S (ON736) was named after the benefactors Winifred Coode and Capt Sydney Webb. It spent its first three decades at Penlee in Cornwall, responding to more than 100 shouts, often in the most extreme weather and including harrowing wartime conditions, before it was replaced in 1960 by the ill-fated Solomon Browne. It later spent a further 10 years in Scotland as part of the Reserve fleet, saving another six lives during its final service. One of the RNLI's longest serving lifeboats, it saved a total of 108 lives.

This diary of the vessel's long life is written by maritime journalist Graeme Ewens in collaboration with Elaine Trethowan (Bawden), Press Officer at Penlee lifeboat, and the current owner, Essex lifeboat man Capt Rod Shaw MBE. Its 224 pages include more than 300 period and contemporary photographs and artworks. The story begins with profiles and nautical interests of Winifred and Sydney whose bequests funded the build of the boat, designed by the legendary firm of G.L. Watson Ltd, and built at the Cowes yard of J.Samuel White. Chapters establish the Cornish context in which it operated and profile leading crew members - mostly fishermen from the village of Mousehole. This is social history, maritime history, lifeboat history, littoral history.

The LIFE of a BOAT details every single service, identifying the casualty vessels and people involved. Memorable services to several dramatic shipwrecks included the medal-winning rescue of the crew from the battleship HMS Warspite, which went aground in Mount's Bay in 1947.

After years of neglect it was rediscovered in a sad condition near Falmouth by retired sea captain Rod Shaw, who took the boat to Harwich on a prolonged labour of love to bring it back into use, realising that the superb quality of the hull would see it safely through into its next century. Capt Shaw has been immersed in the boat's resurrection since 2013 and had managed to get her back up and running. As Capt Shaw says, "This is obviously an ongoing, long-term project and despite inevitable ups and downs, I am determined to maintain the W&S (ON736) fully functional and in a serviceable condition for whatever role awaits her. In the context of nine decades a few more years is a mere blip. The resurrection continues and I wish to thank everybody who has expressed interest and support for the project and hope to welcome you aboard when circumstances permit."

The author, Graeme Ewens is a photojournalist, author and editor of magazines and non-fiction books, with a particular interest in maritime affairs. His works have been published and/or syndicated on five continents and in many languages. From 2008-2015 he published Harwich Ahoy! for the Harwich Lifeboat, and witnessed the arrival of the W&S, which he documented and helped to decaulk.



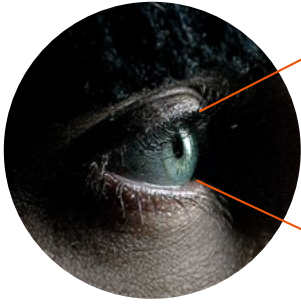
This edition of The LIFE of a BOAT is limited to 1,000 copies and any proceeds, after the production costs, will be shared between the boat's restoration and the Penlee lifeboat station.

The cover price of the thread-sewn paperback is £15.

The book extends to 224 pages, 240 x 170mm, Buku Press, 2021. ISBN 978-0-9523655-3-2
For sales and distribution enquiries please contact by email: lifeofaboaton736@gmail.com.



*W&S on acceptance trials in February 1931 by Beken of Cowes.
Credit RNLI Archive*



What
caught
my eye...

*Mike Schwarz casts
his eye back over last
month's eye-catching
marine news*

The boat made for Prince Rainier III has come to grief

It is genuinely a shame to see this grand vessel with royal connections on the rocks of the Italian island of Stromboli. The iconic Perini Navi's 24.2m sailing yacht, Malizia, built in 1989 for Prince Rainier III of Monaco, met a sad end when it ran aground recently.



Image credit: Liguria Nautica

According to reports, the yacht was on charter at the time of the incident, with five guests and three crew members on board. There are no reported injuries. The cause of the incident has yet to be identified. One unconfirmed theory is that the the captain may have run the yacht aground in an attempt to save the boat from sinking entirely. It is too early to know if the vessel can be salvaged and repaired.

Angry orca whales causing mayhem in Spanish waters (again)

This really is a bizarre story. Let's face it, there are enough challenges for sailors who choose to take to the seas without having to contend with a pod of angry orca whales! For the second time in a year, there is something of a standoff between small boat owners and these disenchanted mammals. Spain has ordered small boats to steer clear of a stretch of the country's southern coast around Cape Trafalgar after reports of more than 50 encounters with boisterous orcas, including as many as 25 incidents which have resulted in boats having to be towed to shore.

The order to give the area a wide berth came one day after three separate encounters with orcas were reported in the area within five hours. Two of the vessels suffered damage to their rudders and had to be towed into port, according to Spain's maritime rescue service.

Describing the behaviour as highly unusual, scientists have struggled to explain the encounters. "These are very strange events," cetacean researcher Ezequiel Andréu Cazalla told the Guardian last year. "But I don't think they're attacks." Scientists have been cautious in characterising the encounters, given that the accounts have not come from trained researchers.

Survey shows frighteningly low vaccination rate among seafarers



As we continue to vaccinate the population at large around the world against Covid-19, it seems that seafarers are getting a raw deal. Why? I have read that according to data from the Neptune Declaration Crew Change Indicator, only about 15% of the world's seafarers have been vaccinated. And in the meantime, figures from ten top ship managers, who collectively have about 90,000 seafarers currently onboard, confirm that the crew change crisis continues to increase.

Covid-19 vaccinations of seafarers are critical in solving the crew change crisis. For this reason, the Neptune Declaration Crew Change Indicator as of August has been expanded to include the aggregate percentage of seafarers who have been vaccinated.

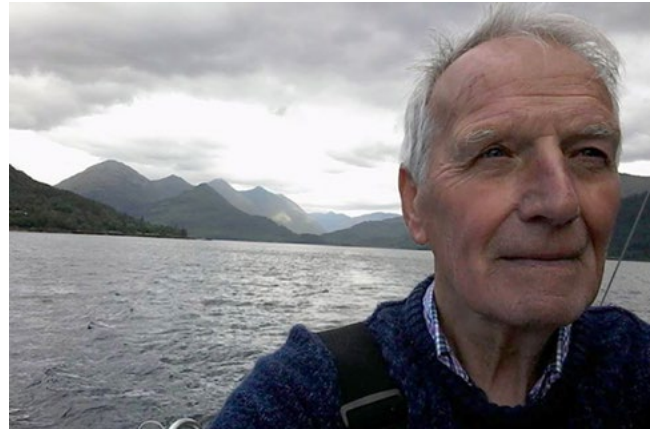
The last set of data reveals that only 15.3% of seafarers have been vaccinated by comparison with the share of the population fully vaccinated against Covid-19 in large shipping nations in Europe, North America and Asia, which stands at about 50% and rising. Despite progress in seafarer vaccinations being made, it is slow and those involved in administering vaccines are urged to speed things up.

An 82-year-old sailor sails solo around the UK

Despite the turbulent times we live in these days, here is a truly heart warming story that dropped into my inbox. Murdoch McGregor, 82, recently embarked on a UK circumnavigation in memory of his younger brother Jim, and has only been sailing since he was 72. The Scottish sailor has raised thousands of pounds in aid of Mental Health UK. It's a cause close to McGregor's heart, as his bother struggled with metal health problems until he passed away two years ago, aged 75.

"Thankfully mental health treatment has improved greatly over the years and Jim did receive help but he still struggled. His last days were sad and I only saw him look at peace after he died and his suffering was over," McGregor said.

Although he's only been sailing for a decade, McGregor has proved its never to late to adopt a new passion.



"The purpose of my solo UK circumnavigation is to highlight the fantastic work of Mental Health UK, which helps thousands of people across Britain, and I feel my brother is with me on this poignant voyage," he said.

Sometimes one has to just stand back and look in awe at another's achievements and admire it. Well done to Murdoch McGregor for his incredible effort.



Young Ryan Paul Batchelder, who tragically lost his life

What price for a child's life tragically lost in a boating accident due a defectively designed craft?

I close this month with details of a sad case that has reached me from America and one that should make all boat manufacturers take note. Young Ryan Batchelder lost his life in the most harrowing manner because of what one might call 'voluntary boat manufacturing standards being applied'.

Following a three week trial in Rabun County Georgia recently, a firm of attorneys has secured a \$200 million verdict for their clients, Stephan and Margaret Batchelder, who tragically lost their 7-year-old son, Ryan Paul Batchelder, in a boat swamping accident back in 2014.

The Batchelder family rented a 2000 Malibu Response LX open bow ski boat for a family reunion held at Lake Burton. While the boat was being operated at about 5-7 mph and properly loaded at a weight hundreds of pounds below the maximum rated capacity, the bow carrying 4 children swamped washing Ryan into the water. In an effort to prevent the boat from sinking, the operator briefly put the boat into reverse and Ryan became entangled in the boat's unguarded propeller. He died as a result of drowning and significant injuries causing extensive blood loss.

Malibu Boats West, Inc., and Malibu Boats, LLC created the 2000 Malibu Response LX open bow boat, by cutting a hole in the forward deck of a closed bow boat and adding seats. The jury determined that occupant weight forward in the boat decreased bow freeboard to unacceptable levels and rendered the boat unreasonably dangerous and susceptible to bow swamping. In addition, the unusual 'playpen' bow seat design trapped and held any water flowing over the bow, exacerbating the swamping effect by holding the boat in a bow down orientation. Malibu failed to provide any warnings or guidance to users of the boat that the low bow freeboard design was susceptible to bow swamping if weight was being carried in the bow seat.

Don Fountain stated that "the jury sent a very loud and clear message to Malibu and the entire boating industry that manufacturers who have actual knowledge of life threatening safety hazards and intentionally fail to warn and withhold information of dangerous conditions will be held accountable." Clark Fountain and the Batchelder family hope that this verdict will change the boating industry and prevent any parent from ever experiencing the horrors associated with losing a child in such a fashion.

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