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SUB-COMMITTEE ON STABILITY AND  
LOAD LINES AND ON FISHING  
VESSELS SAFETY - 36th session  
Agenda item 13

LIVESTOCK CARRIERS

Report of the correspondence group on the tonnage  
measurement of livestock carriers

Submitted by the Netherlands

1 During the fifty-eighth session of the Maritime Safety Committee an Ad Hoc Working Group was instructed to consider, among others, the application of the 1969 Tonnage Measurement Convention (TM-69 Convention) to livestock carriers based on the information provided by Italy. The Committee instructed the SLF Sub-Committee to deal with this matter after more information was submitted (MSC 58/25, paragraph 4.29).

2 The Italian delegation submitted a paper (SLF 35/13) concerning this subject to the thirty-fifth session of the SLF Sub-Committee. The SLF Sub-Committee could not arrive at a conclusion at that session and decided to establish an intersessional correspondence group, co-ordinated by the Netherlands, to investigate this matter further.

3 The tonnage measurement problem concerns the measurement of the spaces above the upper deck of a livestock carrier constructed for the stowing of livestock. If the space is an enclosed space (regulation 2(4) of annex 1 of the TM-69 Convention), the volume of such a space is included in the gross tonnage. If a space above the upper deck fulfils one of the conditions as described in regulation 2(5)(a) to (e), this space can be excluded from the gross tonnage only if the space is not fitted with shelves or other means for securing cargo or stores and/or the openings are fitted with any means of closure and/or the construction provides any possibility of such openings being closed. The question is: are livestock corrals constructed as spaces fulfilling regulation 2(5)(a) to (e) to be excluded from the gross tonnage, even when it is clear that the spaces are designed to secure the livestock (cargo) during transport?

4 Information was received from the following Member Governments:

- Australia
- Germany
- Greece
- Netherlands
- Norway

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and from shipowners in:

- Hong Kong
- Italy
- Lebanon
- Netherlands

5 Supporters of the opinion to include these spaces in the gross tonnage are Australia, Germany, Norway and the Netherlands. Greece refers to the three conditions of regulation 2(5). All the livestock carrier owners are of the opinion these spaces have to be excluded from the gross tonnage.

6 The arguments to support the opinion to include the mentioned spaces in the gross tonnage are the following:

- (a) The stanchions, fences and railings to keep the livestock in the corrals on board the ship are "other means for securing cargo" according to regulation 2(5). The livestock is considered cargo.
- (b) It was accepted at the 1969 Tonnage Conference that the tonnage of certain types of ships according to the TM-69 Convention will be considerably larger than when these ships are measured under the previous tonnage regulations (the "open" shelterdecker). The gross tonnage of car carriers and ro-ro ships will increase even more.
- (c) After consultation of livestock carrier operators, Australia concluded that some livestock carriers are already trading successfully into Australia with these spaces treated as "enclosed".
- (d) A decision to exclude these spaces stimulates designers to design "open" cargo spaces to minimize the gross tonnage. A new type of "open shelterdecker" as constructed before 1964 could arise. Such a development is undesirable and should be stopped.

7 The arguments used to support the opinion to exclude the mentioned spaces from the gross tonnage are the following:

- (a) The spaces are excluded spaces according to regulation 2(5) and do not fulfil the three conditions that should preclude these spaces from being excluded spaces. Gates, pillars and railings should not be interpreted as "shelves or other means of securing cargo".
- (b) During the discussions resulting from the TM-69 Convention, it was agreed by the experts, that the "new" tonnage measurement system should be guided by the following principles among others:
  - it should not influence design and in particular it should not encourage structural features which may impair safety and efficiency;
  - it should not adversely affect the economics of the shipping industry;
  - it should avoid dependence on details of construction;
  - the resulting new tonnage should be close to the "old" tonnage.

The following arguments were put forward to prove that a decision to include the spaces in the gross tonnage is in contradiction with the above-mentioned principles:

- the gross tonnage of a livestock carrier will increase up to 52% according to the example provided by the Italian delegation to SLF 35;
- this increase will seriously affect the economics of this trade;
- the second-hand market of ships able to be converted will be reduced because certain kinds of vessels will no longer be suitable to be converted, such as tankers, bulk carriers, etc. This will also encourage the transfer of ships without a good watertight compartmentation, such as car carriers, ro-ro ships or ferries, into livestock carriers. Or ships with a good watertight compartmentation are converted into ships where the original safety is lost;
- the designers can also adopt the concept to transport animals in containers on deck, since the deck cargo is not considered as included spaces.

(c) Only 28% of these spaces is used for the cargo.

(d) Several organizations and classification societies authorised to execute the tonnage measurement calculation informed livestock carrier owners that in their opinion these spaces may be excluded from the gross tonnage.

## 8 Economics

The most important concern of the livestock carrier owner is the increase in exploitation costs. In order to get an impression of this increase, a livestock carrier company was requested to submit a general financial view on these costs. The following charges based on gross tonnage were taken into account:

- drydock charges and general services, such as mooring, wharfage, lighterage, etc;
- light dues, pilotage, mooring gangs, towage, berthage, etc;
- other port dues.

In the calculation example a ship of 11,500 gross tonnage was compared with a ship of 17,500 gross tonnage (increase 50%), both operating in a regular livestock carrier trade. The increase of the technical and commercial costs will be approximately 30% due to the difference in GT value.

## 9 Conclusion

The problem can be divided into two main questions.

- I. From the measurement point of view: are railings, gates, fences, pillars, etc., of livestock corrals means to secure cargo?

The consulted tonnage experts share the opinion that these constructions are means to secure cargo.

II. From the economic point of view: is it acceptable, considering the economic impact, that the gross tonnage of certain types of ships, measured according to the TM-69 Convention, will increase substantially as compared to the gross tonnage measured according to previous tonnage measurement regulations?

**Note:** The increase in tonnage of certain existing ro-ro vessels and "open" shelterdeckers will be considerably more (100-300%) than the increase in tonnage of livestock carriers.

Taking into account the transitional period of twelve years until 18 July 1994, when all existing ships have to be remeasured according to the TM-69 Convention, the consulted tonnage experts accept the mentioned increases in gross tonnage of certain types of ships as a consequence to be expected.

10 Proposal

The Sub-Committee is invited to consider the above report of the correspondence group and to decide as appropriate. It is proposed to establish a Ad Hoc working group to prepare a decision.