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AUSTRALIAN MARITIME OFFICERS UNION

The Australian Maritime Officers Union (AMOU) was formed when the Merchant Service Guild and the Australian Stevedoring Supervisors Association amalgamated. With a proud history extending back to the 1880s the AMOU is uniquely placed to represent all professional, administrative, supervisory and technical employees in the maritime and stevedoring industries and in Port and Marine Authorities.

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Sydney — The last Tuesday in each month, at the AMOU Office, 5th floor, 377 Sussex Street, SYDNEY -0930 hours.

Melbourne — The last Tuesday in each month, at the AMOU Office, 194 Drummond Street, CARLTON, -0930 hours.

Adelaide — The last Tuesday in each month, at the Port Dock Brewery, 10 Todd Street, PORT ADELAIDE - 0930 hours.

Fremantle — The last Tuesday in each month, at The Flying Angel Club, 76 Queen Victoria St., FREMANTLE - 1030 hours.

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The Australian

Maritime Officer

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PRESIDENT'S REPORT

Richard Hoare

By being party to these changes we have achieved a certificate structure that allows the flexibility for seafarers to move from smaller vessels to larger ones.

Putting it simply, because one chooses to follow a particular path at sixteen it should not limit one to that path forever providing you are prepared to meet the academic and service requirements of the higher certificates. For seafarers who wish to follow a seagoing career it would be to their advantage to lock in early to the AMSA stream and not the State system.

(2) I have reviewed the policy on training of cadets and the costs of upgrading certificates and the need to make training costs more affordable providing the employers commit to training future officers from within Australia.

The changes to Marine Orders and the change in our approach to cadet training will result in overcoming the shortage of deck officers in the coming years. The carriage of these matters has been allocated to the Divisional Director Offshore Division.

Shipping Policy

With the return of the Coalition Government, if the past is any guide, the shipping industry cannot expect any government assistance. In fact during the election campaign there was little reference to shipping by either party, which means that we are not on their radar screen.

It is therefore important that we must continue to maintain high levels of productivity and take into account the needs of the enterprise when determining our claims for increased wages and conditions.

Marine Orders and Training

During the past year the AMOU has concentrated on two very important issues:

(1) The AMOU participated in the consultative process leading up to agreement on Marine Orders Part 3 Issue 6, which made a number of important changes.

Marine Orders are now better aligned with STCW 95, which has resulted in a number of State certificates now capable of being AMSA endorsed and consequently being recognized in a number of overseas countries including the UK Maritime and Coastguard Agency.

Master and Mate Class two are now able to move to Master and Mate Class One, subject to attending an upgrade course and additional sea-time served in the position of the certificate.

Master and Mate Class two have the same academic standards as the Class one certificate with the only difference being the tonnage of the vessel where the sea time was gained. With the ability of Master Class two holders to move to a Class one certificate will open up shore opportunities including pilotage.

The highest state certificates will now be able to obtain AMSA STCW certificates as Master and Mate <500 GT subject to an oral examination with the academic standards being maintained as well as the sea service.

Rule Changes

The operations of the AMOU are constantly changing to meet the difficult industrial environment we work within. The proposed changes to the Industrial Relations Act by the coalition government will put even greater pressure on the organisation and officials.

All members, depending on their area of work, are allocated to one of the two divisions and I have decided, by way of referendum, to bring the rules in line with the operational needs of the organisation. The main purpose of the change will be to acknowledge that the Divisional structure is the heart beat of the organisation and needs greater authority and flexibility to carry out its duties.

Page *two* of this Journal shows a structure, which in many cases shows Honorary officials with little or nothing to do and is a relic of the past MSG Federal system.

Page *four* shows the management structure as it applies today with the Divisions having a mandate from the Executive Council to manage the Professional and Industrial needs of the membership. This will be a difficult task for as with any organisational change there will be casualties and as usual the line of resistance will be in the name of democracy when in reality it is more about maintaining positions and self-interest.

Members Conduct

There seems to be a tendency by some members to blame the officials when their problems cannot be resolved and on occasions the behavior becomes more than offensive. I understand the pressures of the work of officials, the strains that it places on their families and this type of harassment is no longer acceptable and I have advised officials to ignore and record it. The AMOU policy is to ensure that members are provided with a workplace, which is free from harassment, and officials expect no less from the membership.

Should you have problems gaining satisfaction from the Industrial Officers on industrial matters, they should be referred to the Divisional Director and if the matter is not resolved, to myself.

Staff Vacancies

Over the coming year there will be two vacancies in the industrial staff. As you are aware Divisional staff are appointed, not elected and it is my intention to try and fill these positions from within the organisation on merit and should that not be possible advertised externally. Expressions of interest will be treated in confidence with all correspondence marked Confidential and addressed to:

Captain Richard Hoare
President, Australian Maritime Officers Union
PO Box 407, Haymarket NSW 1240

The following is the current structure but by agreement between the Divisional Directors joint use of Industrial Staff is possible or by my direction.

Richard Hoare

Divisional Structure

Offshore Division

The Offshore Division shall consist of members employed on vessels trading overseas, interstate, intrastate, or tugs pushing or towing barges being used to carry cargo, dredging and those members engaged in offshore hydrocarbon, oil and gas operations.

Management

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Seagoing

Fred Ross, Wayne Moore, John Wydell

Oil and Gas

Fred Ross, Brad George

Seafarers Compensation and Rehabilitation

John Wydell

Certification and Training

Fred Ross

Port Services Division

The Port Services Division shall consist of members engaged or employed in or in connection with Port and Marine Authorities including Port Corporations, Government Departments (including sections), Waterways and Channels Authorities, Pilotage Services, Stevedoring and Harbour and Deep sea Tugs, or on craft on or about inland and coastal waterways, bays, harbours, port and rivers.

Management

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Divisional Director

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Michael Fleming

Tugs, Ferries and Tourist Vessels

Kevin Pinch

Dredging and Port Services VIC/TAS

Steve Groves

Bluewater EBA's

**BY FRED ROSS -
DIRECTOR MARITIME POLICY**

Following on my last report a number of Blue water EBAs are now being finalized or are in the process of being voted on. In the main negotiations have been co-operative and constructive with a view to finalising a document into which the new salary rates can be inserted in the next EBA and rolling it over.

Prior to commencing the current EBA round I advised in the last Journal that the process was not about satisfying the needs of the greedy but rather about ensuring that the parties to the agreement were satisfied with the outcome. It is pleasing to report that apart from few ambit claims the majority of claims were realistic and achievable. The test for those who carry out the negotiations is to find the balance between the differing views and reach a resolution without conflict. To date this has been achieved.

Wages

The outcomes are between 11.9% and 12.5% over the three- year term of the agreement.

Medical Insurance

With the exception of one small company all officers will be covered for medical insurance to intermediate level. Generally this is around \$2704 per annum indexed by the wage increase each year.

Superannuation

There has been a general tidying up of superannuation funds to ensure they provide an adequate contribution by employers and contain Salary Continuance and Death, Total and Permanent Disablement provisions. In tidying up the fund a number of anomalies have been found which do not favour the members. It is important that members, and particularly Trustees, report to the AMOU any proposed changes to the Trust Deed. Further information will be given to members as the timetable for "Choice of Funds" approaches.

Hours of Duty and Rest Periods

When the current round of negotiations is completed all officers will be provided with protection from excessive hours of work and a provision for minimum rest periods. The agreement recognizes that all hours over and above

the 10-hour rest periods are not work hours and provide the following.

"To achieve maximum flexibility, officers shall work as a team with each officer working to the level of their classification, job description, training, competence, certification and applicable legislation in a co-operative effort, to ensure the safe and efficient operation of the vessel. Navigational and cargo watches will be based on a three (3) watch rotation system (one Officer on duty and two off duty) with all Officers having the necessary statutory certification and training to enable them to carry out their duties without direct supervision.

The normal daily working duration shall be eight hours, seven days per week. However Officers may be required to work up to twelve (12) hours in any one day to meet the commercial and operational requirements of the vessel but the average hours spent on duty per day shall not exceed eleven (11), averaged over a period of one week.

Where Officers are required to work beyond these hours to meet an immediate operational requirement of the Vessel, which could not have been reasonably foreseen, the Master and the employer will ensure that the provisions of STCW95 Chapter (vii) are strictly complied with and it is the responsibility of the Officer concerned to advise the Master who shall ensure that the incident is recorded and reasons given.

When vessel is tank cleaning or gas freeing prior to proceeding to Lay-up, Dry Dock or repairs an extra Officer will be carried and shall remain on board if necessary to ensure that this clause can be complied with. Officers' duties shall be regulated by the Master after consultation with the Officers to ensure that Officers receive a minimum of 70 hrs rest and a maximum of 77 hrs work in any one week. A full and accurate record of hours of work and rest periods will be maintained by the Officers on board each vessel and kept in an accessible place in accordance with Marine Orders Part 28."

New Cadets

Since the mid 1990s the employers have slowed down or ceased training altogether, which the AMOU has advised is no longer prepared to allow employers to rely on imported officers to meet the shortfall.

The employers are responsive to the AMOU's concerns but complained of the cost of training but more importantly that there was no mechanism for them to retain the newly trained officers for a period and gain some value for the dollars spent. In an attempt to address the concerns of the employers the AMOU has agreed to reduce costs by having cost penalties on officers who complete their training and move on.

The owners have agreed to maintain (at times this will not be always possible) one Cadet for each vessel while the current shortage exists. They also appear to be reverting to old system of training i.e. obtain your Second

mate certificate first and return later for your Masters. I accept this is a significant change in policy and it means that the womb to tomb mentality has been discarded and cadets in the future (many of whom would have not got a start in the industry without this change) must realise that there is a payback to those who spend so much on their training.

Offshore EBA's

The comments I made in this journal and the last one to the Bluewater members apply equally to the Offshore Oil and Gas members. Over the coming months I will attend a monthly meeting in Fremantle to discuss the direction they would like to take and identify any issues. In December I will write to each member to ascertain their views and by the end of February we will know where we are heading. In the last two EBAs significant progress was made in updating and modernising the Oil and Gas EBA which has led to some important changes to members' conditions. The task ahead is to examine where we are today and what further changes should be made.

On the question of Superannuation, Training and Hours of Rest and Duty a resolution must be found for the EBA's to be finalised. Some of the more obvious are:

Wage increase

With inflation remaining low wage increases are around the 4% mark.

Superannuation Funds

They should be brought into line with the Blue water.

The majority are with the only deficiency being the Death and Temporary/Total Disablement.

Manning

Because some officers are prepared to work whatever is required and in some instances exceeding that allowed by STCW 95 a more rigid hours and duties clause must be developed.

Training

Although some companies have commenced Cadet training a number still have to move and there must be a fixed quota for each company to meet the training needs of the enterprise.

Construction Work

There are some problems in this area and it will be necessary to separate the fact from fiction to determine if the agreed position in the last EBA is sustainable.

Works Council

The Works Councils have a clearly defined role which is to work with management to ensure that the EBA is followed and develop methods of increasing the productivity and profitability of the company. It is not about the Works Council remaining dormant or non-existent for the period of the EBA and then springing to life so as to attend EBA discussions. Works Councils have not been a strong point for us and this has probably been brought about by the fact that Masters/Mates are management, in constant contact with their employer.

There is no doubt other matters, probably of a domestic nature, will come to light in the coming months.

"Oceanic Viking"



Free Money for Some (Maybe)

Dear Editor

My purpose in writing this article is to inform persons who have worked in the UK in the past about their possible entitlement to a part British Old Age Pension and how to find out if they are eligible. I completed the exercise myself a couple of years ago, and hopefully this article will save interested persons some time if they choose to pursue it.

This article must not be considered as financial advice, this must be provided by a licensed financial adviser, and whether or not to claim the UK OAP would be part of an overall financial plan suited to an individual's personal and unique circumstances. I must also say that the statements made are from my own experience and my interpretation of the rules as a lay person. As with most legislation, changes can be made in the future which could have an adverse effect on someone's situation.

If you have worked in the UK in the past and paid National Insurance (NI) contributions, provided that you fulfil certain criteria, you could qualify. You do not have to be a UK citizen for this to apply to you. The basic UK Old Age Pension (OAP) is NOT (unlike Australia's) means tested, because contributions via NI are a separate entity from Income Tax. In essence, in the UK, you have "bought" a pension separately – much like privately buying insurance. In Australia, no such separation exists, the Australian OAP being funded from general tax revenue with rules in place concerning who is eligible.

I should mention at this stage, if you wish to investigate further, that a certain amount of form filling in is required and replies from the UK can take several weeks to arrive, so some degree of patience is required. You should preferably have access to the Internet with a printer on your system. My experience with emailing the organisations concerned was not particularly good, there was a seeming reluctance to reply, but this may be a reflection of the volume of correspondence they deal with. Generally speaking, communications are through the mail, and you would be wise to keep a copy of everything.

If you consider that the whole process is a little intimidating, your financial adviser could do it for you (no doubt for a fee). To get a full basic UK OAP, a person needs to have completed 44 "Qualifying Years", but at the lower end of the system, the minimum amount paid is 25% of the basic OAP.

The absolute rock bottom number of "Qualifying Years" required is 11, but all is not lost if you don't make this, as

it is possible to back pay to reach the 11 (or indeed pay more to reach a higher level than the minimum 25%). There is currently more favourable treatment for women, but this is being phased out over time.

How to find out where you stand

You will be corresponding with two UK departments, the Inland Revenue, which deals with non residents enquiries, and the Pension Service. The first step is to get a Retirement Pension Forecast (RPF) this will tell you exactly what your entitlement is, and how much you as an individual would need to pay to "catch up" if this is relevant.

What you need to do is complete a RPF request form, and post it to the UK. This form can be downloaded from the Inland Revenue website, which incidentally is huge, so the following steps will take you directly to what you want.

<http://www.inlandrevenue.gov.uk/cnr/osc.htm>

Scroll down until you get to the section "the paperwork" : what forms do I need?" You will see a section : NI contributions – how you can get a Retirement Pension Forecast, and to the left in green is : CA3638 which is the form you want.

Click on this (Adobe Acrobat needed) and print it out. It is 12 pages (two mysteriously blank). This form wants information on your work history in UK, former addresses, etc so if you don't know what your old National Insurance number was, it can identify you and your entitlement status. If you do know that number, so much the better.

If you do not have access to a computer or the web, write to:

*Inland Revenue
Centre for Non Residents
Benton Park View
Newcastle upon Tyne
England NE98 IZZ*

and ask for a request for pension forecast application form. You might like to look on the Pension Service website, once again this is huge, but an interesting start point is Lump Sums and Deferrals. This covers some very recently formulated changes to the system, in which there will be advantages in deferring the entitlement after age 65. I am unsure if this is applicable to non residents, but it may be when it is enacted.

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Operation Patonga I



The Longest Maritime Pursuit Recorded

Or

Where The Hell Are We Going Now??

By: Customs Officer Stephen Duffy, Group Commander, Operation PATONGA

The following is an extracted narrative account from the journal kept by the author during the Australian Customs and Fisheries patrol onboard “*Southern Supporter*” (SS) to the Heard and MacDonal Island (HIMI) Exclusive Economic Zone (EEZ) 22 July until 5 September 2003. This operation resulted in the longest maritime hot pursuit in history and the successful apprehension of the suspected illegal, unregulated and unreported (IUU) fishing vessel “*Viarsa-1*” after a 21 day, 4060nm (7520km) sea chase through the frozen Southern and South Atlantic Oceans.

After sailing at 1500 on 22 July, daybreak on Wednesday 23 July found the SS and embarked personnel well to seaward with the strong winds and heavy seas from the previous day significantly abated. From that day and for

the duration of the transit to the area of operations (AO) the ship and crew settled into an established routine. In the forenoons a safety training was conducted. Afternoons were generally set aside to train Team PATONGA personnel on ship’s fitted equipment, discussing operational and tactical options, reviewing Standard Operating Procedures (SOP), preparing and checking serviceability of evidence gathering equipment and analysing information.

During the transit seas were mainly force seven plus, with winds of 30 knots making for a good day onboard. Frontal activity and tight isobar gradients ensured life remained interesting but the SS ploughed relentlessly onwards, though the going was at times slow. In one particularly heavy patch, the lookout reported the ship’s

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wake overtaking the ship whenever she was stopped dead by a larger swell / wave combination. Although the ship experienced difficult conditions, she rode the weather with impressive stability and reassuring composure, allowing the crew and Team PATONGA to go about their business with relative ease and accomplish the tasks they assigned themselves.

On Sunday 3 August SS finally crossed the Australian Fishing Zone (AFZ) boundary and commenced operations proper. In fact operations watchkeeping commenced from a position 60 nautical miles (nm) outside the HIMIEEZ at 1200 on the Sunday. It was during the final approach to the area that the operation was particularly vulnerable and Team PATONGA were very keen not to be discovered by any vessel while still outside the AFZ as all IUU Vessels in the area would soon be aware of our presence should SS be detected. Luck played its part with afternoon daylight hours enshrouded in a seamist haze, limiting visibility to about 0.5nm. Then at night a sickle moon reduced the chance of silhouette and this gave Team PATONGA confidence they could arrive on task without being compromised.

On Tuesday 5 August the SS altered course towards the Kerguelen Island EEZ (KIEEZ) / HIMIEEZ boundary in the vicinity of 'Pike Bank'. Our intention was to investigate the areas around the banks to the NW of Heard Island as these are known as productive fishing grounds for IUU FFVs. Once this investigation was completed course was shaped towards the south to investigate the *Coral Bank* and *Aurora Bank* areas. The following day it was decided to search for possible IUU Vessels between the 1000 metre and 2000 metre contours, shaping a southerly mean line of advance (MLA). The ship continued on that path overnight, monitoring several radar emissions along the way that suggested IUU activity in the area to the south and west of Heard Island. That night there was concern that the IUU activity was closing in around SS and that the position of the ship might again be compromised before our desired time of the following morning. Fortunately there appeared a cold front approaching from the NW and as the leading edge of the front passed over the ship, SS's speed was increased to take advantage of the associated radar clutter and moved quickly from the NW to the SW of MacDonald Island and into a more advantageous position from which to prosecute potential targets the following day.

The early hours of Thursday 7 August found SS to the southwest of McDonald Island and moving slowly to the south in a covert posture in order to gain a position of advantage against potential IUU FFV activity being monitored in the immediate vicinity. SS loitered to the southwest of Heard Island awaiting instruction from CW on which target to prosecute, and for the approaching dawn so as to make the strike. At about 0400 that day, word was received from the Operational Commander to intercept the vessel thought to be south of Heard Island and so the ship was manoeuvred into its final approach

position and at 0600 commenced to close on the estimated target position at speed. Somewhat earlier than expected, the SS Master, Andy Codrington, declared he had a contact on radar at a distance of slightly over seven nautical miles fine on the starboard bow. On tracking this for a short time he determined it was initially stationary, however after only a few minutes of tracking, the contact increased speed towards the south.

As SS had a 2 knot speed advantage, the fleeing vessel was eventually overhauled by 1000 with SS stationing 300 yards on the starboard beam of the IUU Vessel. During the preceding period evidence collection and proof for elements of any case that might be brought before the courts was gathered, as well as continued attempts to establish communications with the absconding ship. Actions undertaken to achieve these outcomes included plotting the initial position of each vessel and subsequently every half-hour, calculating and updating courses to close the target on a steady bearing, VHF Ch16 radio communications, signalling by flag hoist and Morse flashing light, making visual observations of the IUU FFV, recording prevailing weather conditions and verifying positional accuracy of navigation equipment. Due to the limited visibility the contact only became visual at a range of 4.7nm, 45 minutes after the chase had begun. The vessel had been tracked on radar until that point. The fleeing Vessel refused to make radio contact even when it was obvious SS was requesting communication and stationed quite close. It was also observed that the name, port of registry and international call sign of the target had either been painted over or blackened out. This prevented Team PATONGA from establishing the identity of the vessel. In order to obtain this vital piece of information it was decided to put a tender in the water and send it close enough to observe and film the ship name and other details through the overpainted sections. However, during the preparations for this the IUU FFV established radio communications with the Senior Fisheries Officer (SFO).

For the next hour the information was obtained necessary to forward an effective FISHREP signal to HQ. The details obtained also enabled the fisheries officers to determine that there existed sufficient evidence to warrant further investigation into an alleged offence against the Vessel. To this end apprehension was recommended and the offender was ordered to stop and follow the directions of the SFO. The vessel, which had identified itself as the *Viarsa*, refused to act on instructions so on advice from the SFO, SS entered into a 'Hot Pursuit' of *Viarsa* under the United Nations Convention of the Law of the Sea (UNCLOS) article 111.

During the afternoon of Thursday 7 August, the weather deteriorated into storm conditions but *Viarsa* continued south at its best speed. SS followed tenaciously, and pounded through the severe seas, maintaining contact though superficial damage was sustained and Team PATONGA and SS crew roughly shaken around. By

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daybreak on Wednesday 8 July it appeared that *Viarsa* accepted the SS would not be shaken off so with the weather abating the pursuit adopted a more prudent speed. During the morning the SFO read a communiqué prepared by the operation command staff stating that the Australian Government would pursue *Viarsa* until it resolved to comply with the lawful directions given by the SFO. The master acknowledged this message but said he would seek instruction from the vessel's owner. Soon thereafter both vessels exited the southern boundary of the HIMIEEZ and later that morning *Viarsa* turned to a westerly course and then a WSW course taking both ships into colder latitudes.



Viarsa refused to stop and in the main did not respond to any radio calls made from SS. The Australian Government had resolved to bring this perpetrator to account and indicated that hot pursuit was to continue at all cost bar the safety of the SS and its crew. To this end SS stuck doggedly to the heels of the fleeing *Viarsa* even in the most adverse of weather conditions. *Viarsa* pressed through wind and seas at speeds that were less than prudent though the capability of SS was more than adequate to match that of *Viarsa*. That said the conditions were telling on the crew and Team PATONGA. The constant pounding and excessive movement was wearing on the mind, body and soul. It was a common theme amongst all onboard that their discomfort and exertions would be significantly rewarded with the result of bringing the rogue vessel to heel.

On Sunday 10 August the *Viarsa* slowed to allow personnel onto the aftdeck in order to secure fishing apparatus that had come loose in the previous storm and to secure the anchor and cable, as well as chip off and discard ice that had built up on the mast, rigging and shipside. At 1640 on Saturday 9 August the SFO and Group Commander (GC) read a prepared communiqué to *Viarsa* to the effect that Australia would mobilise 'on the water enforcement interdiction' if she did not submit to the will of Team PATONGA. This message was transmitted without response from the *Viarsa*. On Thursday 14 August and situated just north of the 60th

parallel SS was slowed to allow crew onto the foredeck to resecure hatches that had started leaking with the heavy weather, the anchor and cable and other deck equipment. The opportunity was also taken to chip a little ice from the ship and turn it overboard. On completion the SS manoeuvred close to the *Viarsa* to allow Team PATONGA to gather detailed photo intelligence of the vessel. This was precipitated by the relatively calm weather the vessels were now experiencing. Besides warning the SS away because he considered the close manoeuvring unsafe, the *Viarsa* master refused to enter into any exchange over the radio. He was directed to hold his course and speed so that the vessels' safety could be maintained and again he was encouraged to desist in his current actions and proceed with SS to Australia. To this suggestion there was silence. Later that day the vessels passed two nautical miles south of a rather large iceberg. It was an awesome sight for those of us who were 'first timers' in these latitudes and proved a popular photographic opportunity.

Friday 15 August saw SW winds bring very cold temperatures and both ships began to build-up ice once again. With the temperature remaining below -6° Celsius all day, and with the presence of Snow Petrels gliding in the ship's wind vortex the SS bridge team predicted that the sheet ice was located not far south. A good watch was commenced for the solid seawater and a request



for ice charts was made to HQ so SS could be prepared to meet this navigational danger.

The small convoy did not have to wait long for floe ice and on Saturday 16 August the sea was filled to about fifty percent with 'nival' ice (small round ice cubes) with slurry 'shuga' ice in between. As this got denser the vessels altered to a northerly course in order to clear the ice. From that stage onwards and for the next few days the ships edged their way around the perimeter of the pack ice in the less densely packed floes.

At times the temperature dropped to -9° Celsius with an even colder wind chill factor and the ice reached

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'pancake' status. During this dangerous navigation phase *Viarsa* maintained an imprudently high speed, especially for the hull thickness the vessel was assumed to have. The GC on several occasions called *Viarsa* on VHF Ch16 and informed the master about thick ice ahead and advised safe courses and speeds to adopt. In the main these recommendations were ignored thereby exposing *Viarsa* to a more dangerous situation than was necessary.

On Saturday 16 August the SS received an electronic recording of a message drafted by the Uruguayan Government and spoken by the Uruguayan ambassador to Australia. In essence it advised the *Viarsa* to comply with the directions of the SFO and return to Australia with the SS. The only response was a visual one from someone on *Viarsa* making an unsavoury sign (two fingers). The following day the vessels entered into an extremely thick section of pancake ice, so solidly packed together that no water was visible between the frozen masses. From this point it is not long before the ice sets into solid sheets entrapping craft incapable of navigating in such conditions. The GC broadcast several messages to the *Viarsa* informing that vessel's master of the conditions into which he was sailing his ship and crew.

To complicate matters the *Viarsa* was travelling at a speed considered very unsafe. The messages implored the *Viarsa* to reverse its course, reduce speed and follow SS into clear water. These requests were disregarded

compromised the safety to his ship and crew. During this time the SS crew considered appropriate rescue measures in these bleak conditions. It appeared that the Master of the *Viarsa* might have given himself somewhat of a scare as the rest of that night and the following day a rather direct route towards the north was made in an attempt to clear the ice laden waters as soon as possible.

Navigating the ice floes where there is nothing but white from horizon to horizon is something to experience. With large icebergs evident from time to time, penguins and whales observed on occasions and snow engulfing the ship the whole encounter was awesome. As a mariner



and without response the *Viarsa* ploughed on into danger. The *Viarsa* was informed that SS would standby VHF Ch16 and assist if possible should they experience difficulty. Within the hour visual and radar contact was lost with the *Viarsa*, however SS continued to maintain hot pursuit of the errant ship by electronic means. So as to not loose the initiative in this pursuit, SS was stationed to the north of *Viarsa*'s assumed advancing position and a vigilant watch kept. As predicted, the *Viarsa* was detected attempting to exit the dense ice floe some five hours later and SS was there to greet the safe return of the fishing vessel. By *Viarsa* doggedly trying to evade capture and by navigating through the ice its master had

there is much to learn from exposure to this challenging nautical environment.

Thursday 21 August found *Viarsa* still being pursued by SS just north of the pack ice and steaming in a west-nor'west direction. This was the first day in the entire voyage that any soul aboard could recall having a following sea. The wind was reasonably strong but the ride was very comfortable and most crew and operations team had the best night's sleep yet. There were many icebergs, ice broken from bergs called 'bergy-bits' and very solid, deep floe ice called 'growlers' in the vicinity so the bridge watchkeepers were forced to navigate with extreme vigilance.

On Friday 22 the crew of SS awoke to discover that during the previous night the *Viarsa* had painted the ship name and port of registry on the stern, callsigns on the wheelhouse superstructure and ship name and number on either bow, where no such markings had previously existed. SS was brought up close to *Viarsa* and photographs along with video of these additions taken and added to the mounting evidence of presumed guilt being collected. The identification added on the transom was "*Viarsa 1*" and underneath was printed "*Montevideo*". The callsigns painted on reflected those given by the vessel's master during the initial intercept as "CXIU" and the bow had the name painted along with the number "8025" added below. The GC called the Master on VHF Ch16 to ask why this action had been taken. The reason

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given was that the identification markings had washed off with sea, waves and wind so he had them refreshed ready to enter port in a few days.

Saturday 23 August proved relatively quiet on the surface, although without much fuss Team PATONGA had swung into top gear making preparations for a forthcoming boarding of the errant absconder. It was anticipated that the South African salvage tug 'John Ross' (JR) with nine boarding personnel and one Australian Fisheries officer embarked would rendezvous with SS at or about midnight on Monday 25. Another vessel offering assistance was the Falkland Islands Fisheries Patrol Vessel 'Dorada' which indicated it could be in the same vicinity around the same time. A third ship, the SA Antarctic vessel 'Agulhas' was about two and a half days astern of SS. Armed with the information received to date, it seemed the mission would be quite a challenge. Three nations, four ships and one helicopter, government officials, private security firm employees, military personnel and contracted maritime labour, a mixture of weapons, previous boarding experience ranging from significant to nil, under-resourced communications and with a "hotch-potch" of equipment and assets; this was going to be interesting.

Late on Saturday 23 the ships passed through an area made dangerous by barely visible bergs and bergy-bits, low in the water. The GC strongly advised the *Viarsa* master to use the remaining daylight and make ground to the north of these very dangerous waters. Concern for the safety of *Viarsa* and her crew was expressed but the master of that vessel still refused to comply, thereby standing his ship and personnel into extreme danger overnight. As it was, the previous night the *Viarsa* came to within minutes of colliding catastrophically with a very large lump of submerged ice. The rationality of the *Viarsa* master has definitely come under question over the past week or so. He continually accepts significant risk and displays scant regard for the well being of those in his ship for whom he is responsible. The SS set extra watches and prepared life-saving equipment for immediate use should it be required overnight. There was a strong feeling of apprehension for *Viarsa's* crew about our ship that

evening. On the morning of Sunday 24 August the bridge personnel noted that during the night *Viarsa* had rigged what appeared to be anti-helicopter operations lines. There were ropes tied at intervals of 2-3 metres or so from the fore, main and aft stays to the shipside guardrails. This would have the effect of obstructing winch or fastrope operations from a helicopter to facilitate a boarding.

During the morning watch of Sunday 24, the ships sailed through what was dubbed by the crew as "iceberg alley". There were significant numbers of icebergs of gargantuan proportion. Some with peaks soaring to about 200m above sea level, others slab-sided and square but covering the area akin to several times Stadium Australia, they were so numerous that density reached 72 bergs within 24 nm radius from the ship. While the navigation through this area was undertaken with extreme caution one could not help but be awestruck by the size and grandeur of these hulks. The shapes, sizes and proliferation of the ancient ice made everyone busy with photographs and video the whole day. The largest berg witnessed however stretched for 2 nm along one face and one could only imagine the immense bulk that was actually hidden beneath the waves.

There was not much activity from *Viarsa* on Monday 26 August, however there was a great deal of activity taking place within SS. At this stage it became apparent that a window of opportunity was developing for a possible boarding of *Viarsa* on the following day. In the early morning of Tuesday 26 August, the JR manoeuvred to a position 30nm north of the *Viarsa*. Although still some way off the *Dorada* was making best speed to rendezvous from the southwest. It was planned to have all units coincident on Tuesday afternoon to conduct a boarding of the *Viarsa*. At daylight that day the weather could not have been more kind. JR was directed to close for a transfer of the law enforcement and security officers who were to aid Australian officers enforce a boarding. At about 1300 however a very rapid change in the weather pattern occurred. A very strong to gale force southerly airstream brought squalls and snowstorms over all the ships. *Viarsa* was very concerned about the development and continually asked for information as to the actions of JR and SS. No reply was made to *Viarsa*.

The unexpected adverse weather could not have come at a more inopportune time. It virtually prohibited any possibility of boarding for the rest of the day. In addition, *Dorada* was having difficulty making for the position expected so the overwhelming force hoped for had dwindled somewhat. By nightfall *Dorada* finally came onto the radarscope and it was decided to attempt coercion on the *Viarsa* and have it turn to a course that might precipitate a boarding, or even have it begin steaming towards Cape Town. The weather and late arrival of *Dorada* had turned a very strong hand into quite a weak one and the efforts to impress on *Viarsa* to submit to the will of Australian officials came to nought. With the initiative lost in round one, a strategic standoff was assumed with three units marking the *Viarsa* at close

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range throughout the night, with a promise to the target vessel that the boarding would go ahead the following day.

During the night of Tuesday 26 it was apparent that the weather system influencing the immediate area was not localised. The effects of wind and rising sea state was felt throughout the night and by 0600 the following morning it was obvious that an anticipated boarding of the *Viarsa -1* during the forenoon would not occur. At 0730 the GC called the Master of the *Viarsa -1* to inform him that due to the inclement weather there would be a delay to the boarding event promised from the previous day's interaction. The *Viarsa* was advised to keep its crew below decks and not have them muster on the aft deck as previously ordered and that they should await further instruction as to actions required of them. The SS Master and GC then examined the weather prognosis charts and agreed that a window of opportunity may develop later in the day but that the local conditions would be monitored each hour to ascertain favourable conditions for the tactical event. This information was passed onto the Masters of JR and *Dorada*.

By 1200 that day it was evident the weather was abating and plans were commenced for a possible boarding of *Viarsa -1* during the afternoon. At 1400 a reassessment was made and to the professional mariners it was plainly evident that conditions would be ripe for the operation by 1530, though there was still some reticence on behalf of the security team leaders. Despite this the GC informed the ships in company that a probable window of opportunity was in the offing and ships were ordered to operational stations. JR was asked to take position 500 yards ahead of *Viarsa -1* while the *Dorada* was stationed to port of the target vessel also at 500 yards. Meanwhile the boarding team was put into action in making final preparations to equipment and getting the pursuit boats ready. This occurred as SS manoeuvred to a position 1.5 miles ahead of *Viarsa -1*.

By 1515 all ships and personnel were in position and ready. The GC gave the order for boarding to proceed and shortly thereafter called the *Viarsa -1* Master to instruct him not to take action against the boarding team and to follow their directions. The *Viarsa* was also ordered to stop, heave to for boarding and muster the crew on the aft deck of their ship in plain view. Following this SFO(3) gave further direction and instruction as boarding coordinator from onboard SS. Both tenders had been launched with eight boarding team members as the vanguard. The pursuit boats sat in the middle of the South Atlantic Ocean a mile ahead of *Viarsa -1* and the accompanying units while SS manoeuvred to establish itself on the starboard quarter of the target vessel. When SS was in position, JR was asked to slow down ahead of the *Viarsa* and force the target vessel to either slow down and stop, or manoeuvre to starboard. Either action was satisfactory for the boarding team and to create the best conditions to embark *Viarsa-1*.



It seemed the Master of *Viarsa -1* at last had sense to obey instruction and at 1545 all the *Viarsa* crew appeared to have mustered on the aft deck as directed. As the JR backed off her speed the *Viarsa* was forced to do likewise and with that, pursuit boat 1 approached and secured a boarding ladder on the shipside. The first boat discharged its boarding members followed shortly thereafter by the second tender. From there the boarding went exactly according to plan with economy of effort, precision smoothness and firm control over the *Viarsa*'s crew. The *Viarsa -1* Master was informed that he was to remain in command of his ship and crew but that the GC was now considered in overall charge. The GC would issue orders and directions on where and how to take the vessel and the Master was to obey. This was accepted and orders were given to steam the ship on a suitable course and speed to assist with transfer of stores for the boarding team. As this progressed a security detail was sent below in the company of *Viarsa*'s Chief to conduct an Initial Safety Inspection. Once this was complete a secure area for the boarding team was defined in the forward part of the ship and made out-of-bounds to *Viarsa* crew. This was explained to the crew who were then allowed below decks to attend to their own affairs.

While the logistic and security processes were occurring, the Fisheries Officers commenced their investigations. The boarding was assessed as very compliant and the officers and crew of the *Viarsa -1* offered no trouble to the boarding team so at 1700 the GC decided to detach the JR and allow it to proceed in accordance with previous orders. Fisheries Officers controlled all investigation activities with assistance from Customs and other staff. At 0800 the GC decided that the situation was well under control, thereby having confidence in allowing *Dorada* to detach and proceed in accordance with previous orders. As with the JR the previous evening, the *Dorada* was sent on her way with the grateful thanks and well wishes of the GC and SS Master for a job well done. The support offered and presence of both vessels demonstrated international resolve regarding this matter and lent significant persuasion to the boarding equation.

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Royal Australian Navy contingent leader, Commander Paul Bartlett, onboard the South African Navy Ship *Drakensburg*, was consistent. There was a great deal of administration necessary to prepare SS and *Viarsa -1* for the return voyage to Australia. Fuel and victualling stores were ordered and means of refuelling *Viarsa -1*, 25 miles off the coast from Cape Town, proved challenging but due to persistent labour by all involved every requirement was addressed.

At 0700 on Thursday 4 September, *Drakensburg* was sighted ahead and the ships quickly closed each other. At 0730 the GC and remaining South African security team personnel were transferred to *Viarsa -1* from SS and

SS launched a tender at 0830 that morning to ferry the third Fisheries Officer and Team PATONGA Medic, Brett Lenz, to the *Viarsa*. The first engineer from SS, Julian Grant, was also brought across. While the fisheries staff were glad to have fresh help, the medic made an examination on one *Viarsa* crewmember. While this took place the engineer accompanied the GC to the engine spaces and made close examination of the machinery and logbooks. An assessment of fuel and oil remaining was also undertaken and it was noted with interest that *Viarsa* seemed to have even less fuel remaining than SS. In general however, the condition of the ship, its engineering and accommodation spaces was very good, in fact the best of any longline vessel witnessed previously by any of Team PATONGA personnel.

After such a protracted hot pursuit through a varied and somewhat interesting part of the world, Team PATONGA were very glad that a positive result had been achieved in the boarding of *Viarsa-1*. It was made more successful by the fact that the event was accomplished in a totally professional manner by all members and that no injury or accident occurred. The assistance and support provided by South Africa in particular, and the United Kingdom was superb. The ships at the scene of the boarding were manoeuvred with élan and the determined resolve displayed was instrumental in convincing the *Viarsa* Master to comply with directions without question. The measured yet forceful presence demonstrated by the personnel from South Africa, and the completely professional approach to the task at hand led them to quickly gain the confidence of the GC and respect of the *Viarsa* crew. It was undoubtedly due to this proficient presentation that at no time was any attempt made to usurp or challenge the right of the boarding team as to their actions or activities; moral ascendancy was maintained.

Wednesday 3 September proved uneventful, however communications between GC on SS, South African and Australian liaison officers ashore in Cape Town and the

preparations were immediately made to receive the RAN contingent by boat transfer, and their stores by helicopter transfer, from *Drakensburg*. Communications were easily established between all units and at 0900 the transfers commenced. First the RAN team embarked in *Viarsa -1* and the GC took the RAN command team on a tour of their new home then conducted a full handover brief. RAN personnel then assumed security duties from the South African team who were subsequently transferred *Drakensburg* for the return voyage to Cape Town. Next, the stores transfer commenced and a good quantity of equipment and victuals brought onboard *Viarsa* for the RAN team, the contingent like ants ferrying gear over the decks of the Vessel. By 1200 CMDR Bartlett was satisfied his team was established and had control so the GC and Fisheries Officers returned with CMDR Bartlett to SS where the RAN team leader was introduced to key members of the SS crew and briefed on the ship's capabilities, routines and procedures. At 1330, with all handover duties and briefs completed, CMDR Bartlett accepted responsibility and signed the transfer document for the *Viarsa -1*. With this, the GC realised a huge relief of weight from his shoulders and CMDR Bartlett was quickly returned to *Viarsa -1* before he could change his mind. The remainder of that day saw Team PATONGA start packing their operational equipment and personal gear in readiness for disembarking in Cape Town. All evidentiary items were listed and secured in a locked compartment onboard for transport back to Australia.

On Friday 5 September, *Viarsa-1* stopped in a position 25 miles from the South African coast while SS continued into the awe-inspiring harbour of Cape Town. On approaching the port the massif of Table Mountain was eerily illuminated with the yellow glow of the rising sun. An amount of cloud fell from one side in the characteristic 'tablecloth' phenomenon particular to that colossal feature. The effect was breathtaking and for all onboard, who had not sighted land for seven weeks, it was quite stirring.

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Gentleman Mariner

James Alexander Gillespie, OAM

Master Mariner

October 1, 1916 - July 15, 2004

Captain James Gillespie first went to sea at the age of 14, sailing in South Australian trading ketches. He spent five years in the ketch *Leta May* trading between Port Melbourne and Hobart, before serving for a number of years as an able-bodied seaman with the Adelaide Steamship Company. In 1939 Jim Gillespie passed the British Board of Trade examination for Second Mate (Foreign Going) and served in the Australasian Steam Navigation Company passenger steamships *Orungal* and *Ormiston* as fourth officer. Later he returned to the Adelaide Steamship Company, serving on a number of ships as a deck officer. During World War II, he served on HM Hospital Ship *Manunda*, and in 1945 he passed the examination for Master (Foreign Going).

He terminated his service with the Adelaide Steamship Company as Master of the *SS Noora* in 1947, when he was appointed to the South Australian Harbours Board Pilot Service and posted to Port Lincoln as Harbour Master and Pilot. By progression, Jim Gillespie served in that capacity in Whyalla, Wallaroo, Port Pirie and then Port Adelaide as pilot. When he retired, he was director of ports and marine operations, in charge of the entire nautical branch of the Department of Marine and Harbours.

Jim Gillespie was very interested in nautical history and served for many years as curator of the Port

Adelaide Nautical Museum under the auspices of the Port Adelaide Institute. His position as curator terminated when the artefacts of the museum were taken over by the State government as the basis of the SA Maritime Museum. Jim advised and assisted in the museum's formation and for many years served on the Committee of Friends of the Maritime Museum. In 1992, he was made a life member. His research into maritime history culminated in his book – "Traders Under Sail: the Cutters, Ketches, and Schooners of South Australia". Jim was a past president of the Largs Bay Rotary Club, patron of the Port River Sailing Club and patron of the Cape Horners Association of Australia. He was awarded the St Malo Medal by the parent body, Amicale (Association of International Cape Horners), for "Historien Maritime".

In the 2002 Queen's birthday honours list, he was awarded the Medal of the Order of Australia (OAM) for services to maritime history, sailing and the community of Largs Bay. Among his colleagues and the shipping fraternity, James Gillespie became known as "Gentleman Jim", and he truly was just that. He is survived by his wife, Dorothy, whom he married in 1942, their children, Rhonda, Patricia, Colin, Helen and Sue, and seven Grandchildren.

by Neil W Cormac

Captain John Robert Brace

M.Sc, RAS, FRIN, FAIN

Born London UK, July 27 1925, died peacefully September 8 2004, at Manly District Hospital. Late of Balgowlah Heights. Dearest friend and long time companion of Elaine, friend and teacher of many. John served in the British Merchant Navy (British Pacific Fleet) during World War II, then the Australian and New Zealand Merchant Navy. His qualifications include: Extra Master Mariner, Air Navigator, M.Sc, retired Head of School of Navigation (TAFE Sydney).

A fortunate and lucky life.

May Day: From Pagan Origins to the Labour Movement

May Day as a modern working class celebration and commemoration began from the 1886 events in Chicago where workers were demonstrating for an eight hour day. But the day already had special significance for working people before then.

Pre-Industrial May Day and Working People

As a working people's celebration its origins go back much further, with connections to Ancient Roman rituals. In pagan Europe it was a festive holy day celebrating the first spring planting. The ancient Celts and Saxons celebrated May 1st as Beltane or the day of fire. Bel was the Celtic god of the sun.

In the 1700s the Churches banned the pagan rituals, just as bosses today want workers to forget any traditions of solidarity and celebration of workers rights, but many peasants continued the tradition. Church and State were the butt of many jokes at May Day celebrations, and this certainly did not endear the craft guilds and others, who organised celebrations, to the authorities.

The Goddess of the Hunt, Diana, and the God Herne led parades. Later, with a move to a more agrarian society, Diana became a fertility goddess, and Herne became Robin Goodfellow, a predecessor to Robin Hood. This also indicated a shift in the division of labour and perhaps to a shift in power relations, with Robin remaining a symbol of the hunter from the woods, while Diana changed from being a hunter to a symbol of the fertility of the fields.

May Day was popular through to the nineteenth century, with the form of the celebration changing. The two most popular feast days for Medieval craft guilds were the Feast of St John, or the Summer Solstice and May Day.

The Diana myth was transformed into the Queen of May, who was elected from the eligible young women of the village to rule the crops until harvest. Besides the selection of the May Queen there was the raising of the phallic Maypole, around which the young single men and women of the village would dance holding on to the ribbons until they became entwined, with their (hoped for) new love.

Robin Goodfellow, or the Green Man, was the Lord of Misrule for this day. May Day was a celebration of the common people, and Robin would be the King/Priest/



An Impression by Artist Herbert McClintock of Australia's first May Day March by striking shearers at Barcaldine in 1891.

Fool for a day. Priests and Lords were the butt of many jokes, and the Green Man and his supporters; mummies (mime actors) would make jokes and poke fun of the local authorities.

Industrial era May Day

Our modern celebration of May Day as a working class holiday developed from the US workers' struggle for the eight hour day in 1886. The working class movement in the USA began campaigning for an eight hour day in the 1860s, following the Civil War. The historic strike of May 1st 1886 was a culmination of a concerted struggle. Chicago was the major industrial centre of the USA. Police attacked striking workers from the McCormack Harvester Co, killing six.

On May 4th at a demonstration in Haymarket Square to protest the police brutality a bomb exploded in the middle of a crowd of police killing eight of them. The police arrested eight anarchist trade unionists claiming they threw the bombs. To this day the subject is still one of controversy. The question remains whether the bomb was thrown by the workers at the police or whether one of the police's own agent provocateurs dropped it in their haste to retreat from charging workers.

In what was to become one of the most infamous show trials in America in the 19th Century, but certainly not to be the last of such trials against radical workers, the State of Illinois tried the anarchist working men for fighting for their rights as much as being the actual bomb throwers. Whether the anarchist workers were guilty or innocent was irrelevant. They were agitators, fomenting revolution and stirring up the working class, and they had to be taught a lesson. Albert Parsons, August Spies, George Engle and Adolph Fisher were found guilty and executed by the State of Illinois.

In Paris in 1889 the International Working Men's Association (the First International) declared May 1st an international working class holiday in commemoration of the Haymarket Martyrs. The red flag became the symbol of the blood of working class martyrs in their battle for workers rights.

May Day in Australia

In Australia workers in some industries had claimed the eight hour day in the 1850s. The new international Eight Hour day was welcomed by Australian workers. On May 1st 1890, the Brisbane Worker's editorial said "May Day, this is our May Day, the by-gone jubilation of our forefathers for the re-conquering of by the bright sunshine of the bitter northern winter, the new-born celebration of the passing of the workers' winter of discontent. In Germany, in Austria, in Belgium, in France, all through Europe, in the United Kingdom and in the great English speaking republic across the Pacific, millions of workers are gathering at this hour to voice the demands of Labour for fair conditions of labouring. Never in all history was there such a meeting..."

A large May Day meeting was held in Melbourne in 1890, chaired by Dr Maloney, a highly respected person who later became a federal Labor MP. The group of radicals who called this meeting had an inaugural meeting on May Day 1886, to coincide with the US movement protests. Anarchist activities were prominent, including J Andrews, Chummy Fleming, David Andrade and Monty Miller. The spirit of the activists and early workers organisers is summed up in Bernard O'Dowd's poem, May Day:

*Come Jack, our place is with the ruck
On the open road today,
Not with the tepid "footpath sneak"
Or with the wise who stop away.
A straggling, tame procession, perhaps,
A butt for burgess scorn;
Its flags are ragged sentiments,
And its music's still unborn.
Though none respectable are here,*

*And trim officials bas,
Our duty, Jack, is not with them,
But here with hope and Man.*

The first May Day march was held in Barcaldine in 1891 by striking shearers. The Sydney Morning Herald reported that 1340 took part. Henry Lawson's well known poem Freedom on the Wallaby

*...So we must fly a rebel flag
As others did before us,
And we must sing a rebel song
And join in rebel chorus.
We'll make the tyrants feel the sting
O'those that they would throttle;
They needn't say the fault is ours
If blood should stain the wattle*

was composed in Brisbane at the time the striking shearers were facing the troopers guns at Barcaldine.

The following sites are invaluable resources concerning the history and tradition of May Day. I am grateful to the authors of these sites for providing the information from which this brief history was compiled. Eugene Plawiuk's excellent website on *The origins and Traditions of May Day* <http://www.geocities.com/CapitolHill/5202/mayday.htm>. For a comprehensive site with further links and information check out *May Day on the Web* <http://www.mayweek.ab.ca/>.

Editor's Note:

The May Day article above was obtained from a recent exhibition of Trade Union Memorabilia held at the Braemer Gallery, Springwood, NSW. The name of the author is not known to the "Maritime Officer".

Teekay to Manage new Tanker for Defence Department

The Department of Defence has acquired a commercial \$50m double-hulled product tanker that will be used as the basis for the replacement of Navy's aging auxiliary oiler, *HMAS Westralia*. In a manner similar to the United Kingdom's Royal Fleet Auxiliary, the vessel, named the *Delos*, will be manned by merchant navy rather than naval staff. The selection and acquisition of the ship from the commercial market was conducted in consultation with Teekay Shipping (Australia), which will provide ongoing technical and commercial assistance in support of Navy's in-service auxiliary ships. Teekay will provide a crew and further assist the Navy by managing the vessel until the vessel is modified for naval use.

The Hyundai Mipo Dockyard Company built the new tanker in the South Korea as part of a four-ship build program for Tsakos Energy Navigation. The 176 metre *Delos*, which is similar in size to *HMAS Westralia*, arrived in Australia in July. Separate competitive contracts will be let for her design and modification. The first contract for the design and logistics support package is expected to be tendered later in the year and a ship repairer/builder will be selected competitively in 2005 for the modifications, which are expected to cost between \$50-\$100m, and will include fitting equipment for replenishment at sea, fitting naval command, control and communications systems, providing facilities for helicopter operations and upgrading accommodation.

Offshore Report

CSL

The Federal court proceeding referred to in the April 2004 Maritime Officer was settled at Mediation. In so far as the Commission proceedings are concerned the AMOU has not sought to re-agitate the matter.

It is understood that the AIMPE are still in the process of pursuing an award to cover the *Pacific* and the *Stadacona*.

Hawaiian Ships – (*Harkula / Ikuna*)

In so far as those proceedings are concerned the AMOU has not sought to re-agitate the matter. The Commission heard the application by Celtic Marine and Dateline Shipping to dismiss the matters in the public interest. The Commission declined that application. The Maritime Unions were happy with the decision.

As is the case with the CSL matter it is understood that the AIMPE remain in the process of pursuing an award to cover these ships.

CSL / ISM

On Friday 16th July 2004, solicitors acting for CSL Australia Pty Limited (CSL) and Intercontinental Ship Management Pty Limited (ISM) served the Australian Maritime Officers' Union with an Application to vary the Maritime Industry Seagoing Award 1999 pursuant to s.113 of the Act ('the Application') and a Notification of an Alleged Industrial Dispute pursuant to s.99 of the Act ('the Notification').

The matters were listed for mention before Raffaelli C on 11th August 2004 and during the course of those proceedings CSL and ISM indicated they wished to have an industrial issue found between the parties.

The AMOU will meet with CSL and ISM in the near future to discuss the matter. As the matter progresses we will put the material on the AMOU website for members and other interested persons to peruse.

AMOU Rule changes

We recently conducted a ballot of members and were very pleased with the response. Over 568 members returned ballot papers with 550 votes recorded in support of the proposal (96.8%), 17 votes against (3%) and 1 informal (0.2%). On 13th September 2004, the Deputy Industrial Registrar issued a Certificate Print PR 951823 approving the changes to the Rules and Certifying that the Rules comply with the Act.

Marine Orders Part Three

Readers of the April 2004 Journal may recall there was a rather lengthy article about the proposed changes to Marine Orders. We are happy to advise that the new Marine Orders Part Three (Issue Six) commenced on 8th September 2004.

Members who hold a Master Class Two or Chief Mate Class Two, after sea time validation, will now be able to upgrade their certificate to Class One status by choosing between a two day AMSA approved course (with no examination) or undertaking an oral examination designed to bridge the gap between the Class One and Class Two certificates. The syllabus for this upgrade is currently being drawn up.

Members are urged to visit the AMOU website to view the contents of the new Marine Order. AMSA have also asked that any member with any queries concerning the new M.O. Part Three and how it affects them should contact Geoff Holden or Ian Kerr on 02-62795091 – they will be only too happy to assist.

AMSA Orals

Due to the effective suspension of the Sydney Technical College, School of Navigation orals program, the AMOU has initiated its own orals class in the Sydney Office. Members who are due to undertake this exam should contact the Sydney office to discuss what assistance they may require. Facilities include an up to date orals question book, internet and telephone access, tea/coffee facilities and most importantly a healthy amount of peer support.

Our first candidate recently attempted the Master Class One exam and passed with flying colours. AMSA has also been asked to provide an extensive list of questions gathered from examiners around Australia.

The Electrolux decision

On 2nd September 2004, the High Court of Australia handed down its decision in *Electrolux Home Products Pty Ltd v Australian Workers Union* [2004] HCA 40. This is a significant decision.

The matter is probably better known as the "Bargaining Agents Fee" case. The Electrolux decision is already having a substantial effect on enterprise bargaining. We shall include a more detailed analysis of the decision in future industrial reports and journals.

P & O Maritime New Vessel For Customs Surveillance Patrols

The company has announced that they have been successful in winning a contract to supply a fisheries patrol vessel to Australian Customs for the next two years. The vessel, the *Oceanic Viking* (to be registered in Australia) is now on its way from Norway to Fremantle via Suez.

The vessel, a cable-laying vessel, was built in Norway in 1996 and converted in 2000; is 106 metres long with a beam of 22.0m and draft of 6.8m. There is accommodation on board for 60 people. Photographs of the new vessel will be posted on the AMOU website over the next few days for the information and interest of members. The crew is expected to join in mid October.

FPSO's

Four Vanguard/Woollybutt FPSO

Changes at Vanguard have seen the company renamed Australian FPSO Management. The FPSO remains as the Four Vanguard. AMOU member Sue Vaughan is now in the office as Marine Manager for the facility. The former Marine Manager Captain Simon Walker has moved on to work on the commissioning of the *Modec Venture 11*.

Modec Venture 11 / Mutineer Exeter FPSO

The following is a story of how complicated companies can make it to produce oil in this country. Firstly Santos an Australian listed oil company finds a large hydrocarbons deposit 150km's north west of Dampier. They then say well we don't like the expensive way that the other oil companies offshore WA produce oil and gas so we will contract out the function to someone who knows what they are doing.

Japanese company MODEC answer the call which sounds simple enough but they add a little spice as well. The proposed vessel is a converted double-hull Suez-max tanker *Modec Venture 11* that will be owned by a Company incorporated in the Netherlands. This company then issued a contract to maintain and operate the vessel to Modec Management Services Pty Ltd incorporated in Singapore. Of course we aren't prepared to deal with an entity that doesn't have any roots in Australia so the Singapore based company then issues a contract to Modec Management Services Pty Ltd incorporated in Australia who will be the employer of Australian seafarers and production personnel.

At the time of writing EBA negotiations are well underway with the intention to have the agreement signed sealed and delivered prior to mobilisation. The vessel is due on location and producing first oil in February 2005.

BHPBP Griffin Venture FPSO

The EBA for the *Griffin Venture* was registered on the 19th July 2004. The EBA includes increase in the base rates to compensate for health insurance and movements

in the cost of living. The AMOU secured a good outcome here in protecting the future of the Marine Supervisor (Master) position here that the company attempted to have removed from the collective agreement and negotiations. Future marine supervisors will have the choice of operating under the EBA or negotiating a contract more on par with the conditions applying to the OIM.

Construction Work

Darwin to Bayu Undan Pipeline

Work on the pipeline has commenced. Dredging works undertaken by Boskalis and using AMOU members employed via Seawest Marine on the *Kim Heng 99* prepared the inshore approach for the pipelay. The *Oil Valour* has been undertaking some other preparatory works in the harbour prior to pipelay as well but has now left the coast.

The *Ocean Hercules* manned by Total Marine Services has undertaken the shore pull and mattress laying and is now engaged on the post lay trenching. The condition of the *Ocean Hercules* and the *Oil Valour* has lead many people involved in the project to question the legitimacy of Class Society surveyors in some countries. It's not often that AMSA is forced to detain a vessel imported for an Offshore Oil and Gas job for being unseaworthy.

Tidewater's *Billy Joe Ramey* (AHTS) towed the *Semac Barge* into Darwin in late July and was joined by the *Lady Audrey* and *Pacific Frontier*. Other Swires vessels have now joined and the *Lady Audrey* has departed. The last vessel on the job, the *Osa Vigilant* joined in October to do supply with the *Sam S Allgood*. The *Edda Frigg*, *Burch Williams* and *Russell Tide* are doing pipe supply.

Ballast Ham is manning the *Jan Steen* for the rock dumping and this has resulted in the registration of an EBA for Ballast Ham which reflects the Offshore Oil and Gas EBA's. This project has marked a watershed for the AMOU in manning negotiations.

Key achievements include:

1. Settling with the pipe supply vessel operators (Tidewater and Adsteam Offshore) to have the three vessels manned with four Deck Officers. Our thanks to a senior Tidewater Master for his assistance here.
2. Settling with the only operator of a Norwegian flag vessel on the project to have the Australian Masters sent to college to have the appropriate qualifications to allow them to be flag state masters for the vessel. This is a loud message to all manning agents.
3. Settling with Van Ord via *Ballast Ham* to have the manning on the Netherlands flagged *Jan Steen* both increased from the abysmal situation that occurred when Total Marine manned the vessel on TSEP and for the operational Master to be an Australian.

4. Achieving four week swings for the balance of the project.

We hope to receive articles from members about their adventures on this complicated and what will probably be very long project. This 500km pipeline will connect the Bayu Undan platforms with an onshore gas processing plant in Darwin. The LNG project is expected to commence production in the first quarter of 2006 and involves the transportation of residual dry gas via a sub-sea pipeline to Wickham Point, Darwin in the Northern Territory for processing into LNG for export to Japan.

Dive Support Vessels

We can expect to see the *Rockwater II* in Australia working for Subsea7 and Clough to do the installation work for the *Modoc Venture II* in late third quarter 2004. At the same time we expect to see the *GeoSea* return to Australia to undertake a short operation for Woodside at *Cossack Pioneer*.

**By Wayne Moore/John Wydell,
Sydney Office and
Brad George, Fremantle Office**

continued from page 7

Free Money for Some (Maybe)

<http://www.thepensionerservice.gov.uk/atoz/atozdetailed/fs3.asp>

What will I get, and what's it going to cost me?

The current basic full UK OAP for a single person is around 80UK pounds per week (about \$205 AUS) so 25% of that for the 25% minimum is equivalent to about \$2600 AUS a year. Keep in mind exchange rate fluctuations, and the fact that the amount is indexed annually until you start to draw it. (A little more on that later.)

It is impossible to tell how much you would need to pay if "Catch Up" contributions are required to meet the minimum 11 years, that depends on personal situations. In my own case, I was 3 years short and at age 56 it cost me around \$3000 dollars a couple of years ago. (Before you ask, you can't claim it as an Australian tax deduction, nor can you salary sacrifice it!!) If you are deemed to have the minimum 11 qualifying years, then it should not cost anything except some postage.

MO

Swings and Roundabouts

One of the pleasing things I discovered, was that when I start to draw on the pension, my wife will get 60% of what I get! This, incidentally, is despite the fact that she has never even set foot in the UK. A pleasant prospect that takes a bit of the sting out of shelling out \$3000. The pension payments are made in UK pounds into a bank account in UK if you have one, or into a bank account in Australia in \$AUS at the going rate of exchange, but they must go into a bank account of some type.

Sadly, the amount you get is frozen at the time you first start to receive it. So for argument's sake, if you are getting 30 pounds at age 75 etc. From this point of view there is no annual indexation for Australian residents as there would be if you lived in the UK. This is a huge bone of contention for eligible people living in Australia, South Africa, Canada. If you live in the USA, Greece, Cyprus and several others, then it's indexed annually. There is much lobbying of the UK government to change this.

Should you be drawing the pension and return to the UK or, I believe, any of the EEC countries, then the pension gets paid at the indexed rate, but reverts to the original frozen figure when you return to Australia. The Australian authorities regard the pension payment as income which is income tax assessable.

Probably one of the most important things to be aware of is that if you would be in a position through Australian asset testing to just qualify for a part Australian pension with health care advantages and other benefits which you would only get if you were an Australian OAP recipient, then a part UK pension might take you over the assets edge, and may be disadvantageous. If, on the other hand, you are shown to have little hope of ever getting an Australian OAP, then you could be in front. A very recent requirement by the UK Pension Service is that OAP recipients living overseas need to complete a witnessed "Proof of Life" certificate within two months of it being sent to them or the payments stop. Given the vagaries of some countries postal services, this is in fact what has happened to some expats, who are understandably displeased.

Individuals from other countries which have a state pension plan might like to consider making their own investigations and perhaps letting others know of their findings.

In conclusion, I suggest you proceed slowly if you decide to go ahead with this, finding out about what you may be entitled to is safe, but as I've said before you should seek professional financial advice concerning your overall financial plan.

**Derek Leeder
AMOU Member no 11137
Perth WA July 04**

Hastings no alternative to channel deepening project

“Letter to the Editor -
Lloyd’s list DCN May 27, 2004”

Sir

I am writing in response to an opinion piece, “Channel Deepening: more problems than it solves?” (Lloyd’s List DCN, May 20), in which Mr Frank Hart proposes development at the port of Hastings as an alternative to deepening of the port of Melbourne channels. Five years ago, the alternatives for port development were studied and documented in the Victorian Ports Strategic Study, which found in relation to the Victorian container trade that:

- There is further capacity to be gained at the Swanson Docks and Dynon Hub;
- Additional terminal space can be gained at Westgate and Webb Dock sites; and
- Existing terminal productivity has considerable room for growth.

Optimising existing assets is a logical strategy, given the excellent access the port of Melbourne enjoys in relation to its trade hinterland. This strategy will provide returns on the sunk investment in this port for decades. The port of Hastings, while having deep water access, has inadequate road and rail access and terminal area. Development of a Greenfield container terminal would require not only significant investment in terminal and berth infrastructure, but even more significant investment in landside infrastructure to support the port trade.

The location, 80km southeast of the Melbourne CBD, would add an additional premium for transport for two thirds of the metropolitan population and industry as well as the majority of productive export sites and users of the interstate road and rail network.

Western concentration

Most transport, distribution and logistics facilities and operations are in the western suburbs and this would represent as additional cost and inefficiency. This is a cost that the Australian community is unlikely to be able to sustain and remain competitive. Development of a container terminal at the port of Hastings is not viewed by the Victorian Freight and Logistics Council so much as an “alternative” to the port of Melbourne, but as an “addition” which will be needed in the longer term.

The imperative for Hastings is for the land to be preserved for the infrastructure that will be vital for future port

operation. Rail and road connections and suitable port dedicated land will prevent conflicts arising when Hastings is needed to cope with trade. The environmental studies, land acquisition, rail corridor identification and feasibility studies proposed five years ago for the future of the port of Hastings have made little progress. The council strongly supports the Government acting to preserve the growth options for this port. The recent formation of the Port of Hastings Corporation is a good sign of that intention.

In the meantime, using the latent capacity of the port of Melbourne is contingent on improved water-side access. Upgrade of channel infrastructure is essential in order to realise efficiencies. It is one of a suite of projects to achieve lower-cost freight movements coupled with improved amenity and environmental management.

Ray Fehlberg,
Channel Deepening Working Group
Victorian Freight and Logistics Council

continued from page 14

Operation Patonga I

As the ship approached the berth a small group of journalists was seen filming and noting the arrival of the vessel that had garnered international fame. After securing alongside the Team PATONGA members who were flying home to Australia abandoned their home of the previous 47 days. On completion of a media conference the remaining Team PATONGA members packed their belongings, secured items left onboard and departed the ship for the last time, thankful for dry land beneath their feet, the luxury of retiring to a well appointed hotel room ashore and a mission to slake their thirst at the first watering hole encountered.

The officers and men of *Southern Supporter* were generous in their assistance to the very end. They had become good friends and shipmates over the previous weeks and it was a little sad to say goodbye. This cadre served the operation very well and it is firmly believed the daring, professionalism and commitment displayed by this crew was instrumental in the success of the entire operation. They performed well above all expectations and were deservedly commended for their efforts. They are a fine example of their profession and it was an absolute pleasure to sail with them.

MO

Port Services Repo

NSW Maritime Authority

Following on from a major six month review initiated by the New South Wales Government the Waterways Authority has been reformed into the NSW Maritime Authority with the purpose of providing safe and sustainable ports and waterways in NSW.

NSW Maritime commenced operations on 1st September 2004 and the Chief Executive Officer is the former Royal Australian Rear Admiral Chris Oxenbould. His previous appointment was as the CEO for the past three years of the Newcastle Port Corporation.

New South Wales is a maritime coastal state with 12,500 square kilometres of navigable waters and 2,140 kilometres of coastline. More than \$60 billion worth of trade pass through the State's ports each year. There are over 465,000 licensed recreational and commercial vessel operators and about 200,000 registered recreational and commercial vessels of which some 2,500 are in survey.

With 310 employees, including AMOU members, and a projected 2004/5 budget of \$84.4 million, NSW Maritime has wide ranging responsibilities for the regulation of NSWs trading ports as well as commercial and recreational vessels. NSW Maritime is a statutory body. NSW Maritime, and previously the Waterways Authority, was originally part of the Maritime Services Board (MSB).

Over the years the NSW maritime regulator and property manager has undergone considerable transformation. The last major change was in 1995 when new legislation disbanded the MSB and created five new organisations; Waterways Authority, Sydney Port Corporation, Newcastle Port Corporation, Port Kembla Port Corporation and also a legal entity holding assets and liabilities not passed on to others.

In late 2003 the Marine Safety and Environment Protection Unit was transferred to Waterways and brought with it a number of responsibilities including marine investigations and the audit of the Port Corporations compliance with their safety operating licenses.

More recently, Waterways now NSW Maritime Authority has assumed functions with responsibilities for the safe operation of public passenger vessels (including Sydney Ferries and Charter Vessels) and also obligations for safety management systems on certain commercial vessels and a safety audit function in relation to public

ferry wharves. NSW Maritime has assumed the coordination role for maritime security in New South Wales. NSW Maritime also works with the Port Corporations as a coordinator and regulator for the important functions of safety, security and combating marine pollution.

Some of the key recommendations in the report to the NSW Government which created NSW Maritime included:

- the functions of NSW Maritime be expanded in legislation
- a new structure
- cross authorisation between NSW Maritime and NSW Fisheries
- boat licensing – NSW Maritime should continue discussion with the Roads and Traffic Authority (RTA) to identify further options for the RTA to provide boat licenses and that a competency based license test be examined
- need for a review of the operation of the Regional Ports of Yamba and Eden
- Administration of Pilotage – consistent with its new responsibilities NSW Maritime should be responsible for the administration of the Marine Pilotage Licensing Act 1971
- explore outsourcing opportunities for major procedural tasks such as payroll, licensing, staff recruitment, accounts payable and receivable.

VTS – Port Control Training Update

A Basic VTSO training course which meets the requirements of the IALA VTSO Operators training standard will be held in Brisbane, starting 8th November 2004.

The course lasts four weeks, covering a range of modules for a VTSO to operate in a VTS. Upon successful completion of this course the attendee will obtain a Statement of Attainment.

The attendee will then need to obtain a GMDSS qualification in order to be presented with a Certificate III by Wide Bay TAFE – the Registered Training Organisation (RTO) offering the course on behalf of Maritime Safety Queensland (MSQ) (the owner of the course).

The course trainer is Captain Bruce Goodchild of Pivot Maritime International, who developed the course for

MSQ and has most capably run numerous VTSSO training courses for MSQ.

MSQ is running the course to train Queensland VTSSO's and wishes to offer the spare places on the course (up to five) to train staff of port authorities in other States.

MSQ will also be holding two further courses next year and offering places on the courses to interstate port authorities.

The two further courses will be an Advanced VTSSO Course (Certificate IV level) in the first half of the year. This course meets the requirements of the IALA VTSSO Supervisors training standard. Another Basic VTSSO Course will be offered following the Advanced VTSSO Course.

MSQ has developed these two courses to train staff to an internationally recognised standard using Pivot as course developers and Wide Bay TAFE as the RTO that registered the course for national delivery and to issue the Certificates to successful participants.

Wide Bay TAFE will continue to act as the RTO for the three courses and will arrange the administration of the courses, booking the facility, taking course bookings and issuing certificates.

MSQ has sent a letter to port authorities around the country detailing the arrangements for the three courses, included in the letter was a brochure from Wide Bay TAFE detailing the particulars for the Basic VTSSO Course commencing in November.

**By Michael Fleming -
Director, Port Services Division**

Dampier Dredging Projects

Hamersley Iron awarded their new channel dredging project for the Parker Point expansion to Boskalis/Ballast Ham JV. Ballast Ham is using the cutter suction dredge *Ham 218*, a tug and survey vessel for the project.

Port Hedland Dredging

The Port Hedland Port Authority contracted the Pearl River via Dredecos during July to undertake a maintenance dredging project. Global Marine and Engineering used the *Rotorua* to undertake the sweep bar work.

Fremantle Port Authority Maritime Services EBA

The 2001 EBA expires later this year. Negotiations have been underway since May and are progressing in the usual manner. Our thanks to Davey Mills, Geoff Clarke, Mark Small and Frank Franz who are ably representing members at the bargaining table.

Rottnest Ferries

The first ever EBA for the Rottnest Ferries has been registered. The agreement covers three of the four major operators on the Swan River and Rottnest runs with the fourth operator, Oceanic Cruises expected to be the subject of some tough negotiations and bargaining in the coming months.

**By Brad George-
Industrial officer, Fremantle Office**

AMC sells training ship *Wyuna*

by Sandy Galbraith, Melbourne

The Australian Maritime College's long-serving training vessel, *Wyuna*, has been sold for an undisclosed price to a Western Australian firm.

It is understood the vessel will be used as an accommodation unit for workers, alongside at the mining firm's port.

Built over 50 years ago in Glasgow, the *Wyuna* has been the AMC's flagship and principal training vessel since the college first opened its doors in 1980. The AMC acquired *Wyuna* from the Port Phillip Sea Pilots, and her profile represents a smaller version of the former Royal Yacht *Britannia*.

AMC Search handled the sale, which had become necessary due to her relatively high operational and maintenance costs when compared to training with computer simulators.

Published by Lloyd's List

Welcome to the second edition of AB-AMRO Morgans Portfolio Watch – an investment series aimed at increasing your financial knowledge. In this edition we discuss Listed Property Securities – an asset class under-represented in most investor portfolios.

Listed Property Trusts – No Longer a Sleeping Asset

Historically, listed property trusts (LPTs) have been viewed primarily as income investments. However changes in the broader market and sector specific trends have shifted both the risk profiles and composition of today’s LPTs to make them more attractive to a wide range of investors. Major trends to emerge within the sector include consolidation, growth, capital raisings, increased gearing and global property investment which have in turn led to the creation of a far more dynamic asset class. In this article we outline why LPTs are relevant to both income and growth investors.

One of the key issues to emerge in the sector is the change to LPT’s risk profiles due to the new found exposure to both currency and interest rates movements. This has been mostly due to the increase in gearing levels and overseas property investment, particularly in the US market. LPTs have become increasingly geared reflecting their ability to buy

property at yields well above interest rate cost and having the immediate benefit of increased distributions to unitholders. Over the past decade, the average gearing level for LPTs has slowly increased to current levels of around 30%. This gradual increase has been due to falling interest rates, the high gearing of property trusts owning US property assets and exposure to more property management and development activities.

Gearing provides enhanced opportunities for growth (if asset values rise), while simultaneously increasing the level of volatility for investors (if asset values decrease then it could mean losses, in the value of LPT prices). While gearing could lead to more volatile

returns for investors, the other consequence is that income is no longer rent less property management expenses as interest expense must also be deducted, therefore changes in interest rates could impact upon distributions. Although some trusts have locked in an interest rate for a component of their borrowing costs over a specific period, ultimately the LPT sector as a whole is still exposed to the fluctuations of the interest rate cycle.

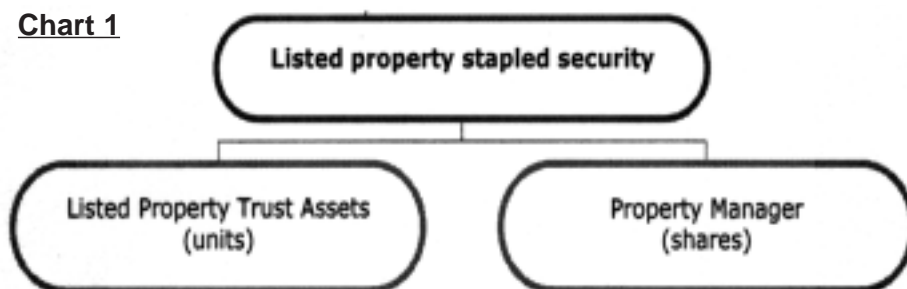
Driven by the need for continued growth and a shortage of investment grade properties domestically, LPTs are now also acquiring property assets overseas, particularly in the US and New Zealand markets. Trusts managed by ING, Westfield, Macquarie and Lend Lease have all ventured into the US property market over recent years while Ronin Property Group (RPH) and others have moved into the New Zealand market. Exposure to other property markets aside from Australia is also coming about due to trusts owning overseas property being listed on ASX (eg Galileo Shopping America Trust). As a result, these changes have introduced currency exposure to LPTs, particularly US dollar exposure. Some LPTs have mitigated the risks of currency fluctuations by hedging some or all of their income (eg Westfield America Trust).

Another developing trend within the LPT universe is the increasing move towards stapled security structures. This has been evidenced by the recent announcement of the proposed merger between the three Westfield entities to create a stapled Westfield Group which will represent over 34% of the S&P/ASX 200 Property Index.

In general, a stapled security is an investment in two or more related securities combined into one investment vehicle that is traded as a single “stapled” security. Typically, a listed property stapled security comprises one unit in a property trust and one share in a property management corporation as illustrated in Chart 1 below.

Under this structure, management is internalised therefore owners have stakes in both the property portfolio and the management company. This differs to the traditional model whereby property trusts are managed by external entities, generally investment management houses – the unitholders own the unit trust and third party owns the property manager. This traditional model was previously the most common ownership structure within the major LPTs, however now only eight out of the 27 domestically focussed property vehicles are externally managed.

Chart 1



Recently the trend towards internal management has emerged with such listed groups as Centro Properties (CEP), Mirvac (MGR), Stockland (SGP) and Investa Property Group (IPG). In addition, if the current proposed mergers are approved it will also include Westfield Group, Lend Lease and General Property Trust – all of which are included in the S&P/ASX 50 index.

Stapled securities derive their income from a mixture of rental income and other property related activities such as property funds management, property and facilities management, development management and corporate property services. Due to the range of income sources, stapled securities have less certain income streams, however, also have the prospect of higher growth rates.

Stapled security structures also offer management efficiencies, especially as no management fee is paid to an external party. Instead, an internal management fee is charged to the trust by the property manager, which is usually about 0.25% to 0.3% per annum. These characteristics provide the financial capacity for the stapled security to raise capital at lower costs compared to the traditional trusts and give immediate distribution benefits.

Investors providing capital to a stapled security expect continually higher growth in distributions, therefore encouraging additional business risks being taken. This is especially evident on the property development side of the business, which is much more aggressive compared to traditional property investment. Business risk is the key component of an equity type investment, not property. Property is a more defensive type of asset, offering investors diversification and risk reduction benefits due to its low correlation with other asset classes. Combined with higher gearing levels, a stapled security structure may be causing the LPT sector to lose its character as a defensive, property type asset and be regarded more as equity.

Due to the changing face of the LPT sector, investors with a growth strategy could now consider investing in stapled securities. Whereas previously the asset class may have been considered too “sleepy” for growth investors, changes in the LPT sector and recent events such as the announcement of the Westfield merger in April 2004 has created growth opportunities within the sector.

Overall, LPTs still provide attractive long-term returns to investors, however with risks more like equities than direct investment in property. Investors should understand that the changing trends outlined above may have altered the risk profiles of trusts and should speak to their adviser to ensure that their current portfolio matches their investment needs and risk profile.

Unlisted and syndicate market

In addition to listed property securities, there is also a significant market for unlisted property securities in Australia. In recent years, retail investors have invested more than \$8 billion into direct property syndicates. In contrast to listed property securities which are stapled to growth opportunities in asset management, unlisted property syndicates offer “pure property” exposure for investors seeking higher levels of tax advantaged property income. Average yields are in general in the vicinity of 8.5%+.

Unlisted property securities are generally suited to longer term property investors (ie greater than five years) and in many cases offer little or no formal liquidity. Therefore as a general rule we recommend clients invest in funds with liquidity mechanisms.

We have been involved in numerous issues of unlisted property securities and have a recommended list of these securities for interested clients. To find out our current preferences in the sector please contact your adviser.

For further information please contact Michael Spratt Authorised Representative 259345 Or Martin Conner Authorised Representative 259321.



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Book Review

Book Review by Murray Doyle

The Last Seaman by Wayne Ward

This is a book of fiction by Wayne Ward, telling the story of a young lad who goes to sea as a deck boy in the 1950's and follows him through the 1990's and Maritime Industry Development Committee (MIDC).

Although a book of fiction the names of many real people appear throughout on ships, ashore and at the Australian Maritime College (AMC), and the vessels he serves on are all actual coastal vessels. The



first half of the book is a good yarn but after that it seems to loose its way and jumps about with no real flow.

The last section of the book is about the retraining involved with MIDC and the various reactions to these industry changes, as the book's characters undertake the AMC course.

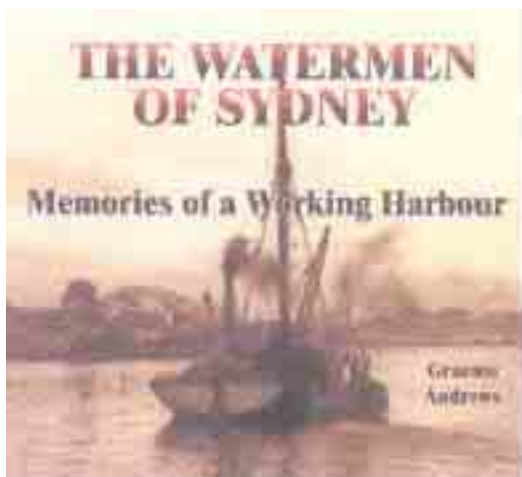
Wayne Ward went to sea as a deck boy and spent 44 years at sea as a member of the SUA. His three sons followed him to sea with all going on to obtain their Master's Certificate.

Published by Trafford Publishing

www.trafford.com

Book Review by Catherine Titmarsh Stannard Marine

The Watermen of Sydney Memories of a Working Harbour by Graeme Andrews



Much has been said in the press and parliament during the last decade about the evolvement of Sydney's Port Jackson from a 'working port' to an area in which water views and real estate values are of greater importance than any commercial aspects.

As maritime infrastructure has declined and been withdrawn various organisations have been formed to save this or that or to orchestrate the retention of various areas as a 'working port'. For more than 50 years Graeme Andrews has worked and played around the harbour from childhood to his final position as Master of the port's emergency tug. Close at hand was always his camera.

Captain Andrews has released a new work which takes a close and personal look at one level of the Working Harbour. He describes the working world of more than 20 of the small businesses that inhabited the waterfront in the period between 1900 and 2000.

Watermen of Sydney – Memories of a Working Harbour, developed from the taped interviews of more than 30 men and women who worked around the port from 1930's onward and is illustrated by the photographs from their family albums and from Graeme Andrews own extensive collection.

Graeme Andrews' own photographic images have been donated to the electronic files of the National Library in Canberra and can be accessed as the Graeme K Andrews Collection.

Published by Turton & Armstrong Proprietary Limited Publishers, Wahroonga NSW, 2004

Milestone For AMOU Staffmember



AMOU Administration Officer, Inger Pereira, recently celebrated her tenth anniversary with the AMOU. After fourteen years with the ITF in London Inger arrived in Australia in 1987 and commenced work at the AMOU in 1994.

Inger, who was born in Finland and moved to Sweden as a child, has had a lifelong association with the maritime profession, her father, grandfather and great grandfather all having served at sea as Master. During her time at the ITF Inger represented seafarers through her work with Seafarer Section Director, Ake Selander. Her work with the ITF involved a great deal of contact with member organisations in other European countries and her language skills were a great asset – Inger can communicate in six languages. Her interest in languages has not diminished and she is currently studying a seventh – Chinese – and finds this a great challenge. Inger would be happy to assist members (if she can) with the translation of Swedish, Finnish, German, French and Spanish documents.

Inger is married with two children who are both currently undertaking university courses.

Fellow staff members Lotta Ross (12 years AMOU service) and Christine Russell (6 years), make up the Union's administration team and contribute greatly to the stability of the AMOU.

Book Review

Forgotten Fleet 2 by Bill Lunney and Ruth Lunney

*Hard cover vi +368 pages,
400 illustrations*

In 1942 Japanese forces were on our doorstep and little ships were desperately needed to supply the Australian and American troops in New Guinea. From around the Australian coast they came – trawlers and schooners, tug boats and ferry boats, even an ancient paddle-wheeler.

Several thousand Australians volunteered to serve with the US Army Small Ships Section in New Guinea. Many of them were too old, too young, or physically ineligible to join the regular forces: old



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sailors, boys, discharged veterans, the disabled. Even so, their role was crucial, their efforts often heroic. They faced reef and storm and enemy attack. Their story, so long unrecorded, was first told in *Forgotten Fleet*, published in 1995.

Forgotten Fleet 2 now offers a revised, updated, and expanded history of these remarkable men and ships. Details of more than 1,000 ships are now recorded, as well as those of more than 1,500 men. There are more eyewitness accounts, more tall tales and true, and hundreds of illustrations.

Forgotten Fleet 2, like the earlier version, is constructed of records, memories and memorabilia, most of them previously unpublished – letters and documents, diaries and ships' logs, scrapbooks and photographs.

The book recovers more of the missing pieces of the New Guinea campaign, offering a unique picture of what it was like to have been there.

Basslink Power Cable Project



The Basslink project is a massive project that will allow Tasmania to export electricity to the national power grid. The project is managed by the Italian company Pirelli and in this article the Australian Chief Mate, whilst the vessel *Giulio Verne* is in Australia, Steve Pomroy, explains the task and equipment so far. The *Giulio Verne* is a 20 year old Pirelli owned vessel. It was built on a barge hull, 133 metres by 31 metres, with a bulbous bow. The bulbous bow was a later addition designed to increase the vessels speed. Its sea speed is 7.5 to 8 knots gained from four azimuth thrusters.

The vessel undertakes three voyages to and from Italy to Australia during this project. Voyage number one from Naples, Italy, to Melbourne took just on two months, via the Suez Canal, with a refueling stop at Sri Lanka. The Captain and the cable lay personnel are Pirelli permanent employees. The Survey and ROV personnel are from subcontract Italian companies. The Italian marine crews work on a contract by contract system, from a manning company in Monaco called V Ships. The Officers do a two month term, with rest doing four month terms, which can stretch out due to job over runs.

Part one of the Project

The *Giulio Verne* arrived in Melbourne on Monday 24th May 2004, and the lucky six Australian “team” members

joined on the 26th, to sail the following day. Rolf Farstad and myself joined at very short notice after the manning contract was awarded without warning to ASP. ASP then did the right thing and contacted Brad George in the Western Australian office to source deck officers with a dynamic positioning background and a great sense of humour.

The atmosphere when we arrived was as we would expect, with 90 odd Italian personnel on board, with some extra people to help eat their pasta. The two cooks and galley “boy” certainly had their work cut out when the vessel started 24 hour operations, with a midnight meal provided. The Australian crew discovered on arrival that we had to share cabins for the duration of the project, and this was accepted in good faith.

The next day dawned, and the plan was to turn the carousel, which had the main power cable in it, with a weight of approximately 5000 tonne of cable the thickness of a mans thigh, and 100 kilometres in length. There is an earth/return cable and a fibre optic cable, also in fixed cradles on deck.

This cable had not been rotated since being loaded in Italy, and as the client wanted to see the operation of the vessel, before arriving on site. Much to the dismay of the people involved, the rotation didn’t occur, for quite a few days, and large capacity jacks were used to lift the



action it was found that a lot of the sand had disappeared, and rocks had appeared. This lack of sand has caused an amount of concern to the companies involved in the cable operation and will be the next hurdle to be tackled.

We arrived back to Melbourne on 23rd July 2004 for leave and decommissioning of jetting equipment and the vessel prepared for the epic voyage to Naples, Italy, via Singapore, and the five year docking. The vessel will then return again for the second part of the campaign, in mid January 2005. The third and final section of this 298 kilometre cable is due

turn table and turn the rollers, leading to a successful rotation.

The departure from Melbourne to the land fall site at McGaurans Beach, near Sea Spray, on the 90 mile Beach, Gippsland was a most welcome relief to all.

On arrival, the vessel was positioned stern to the beach, 400 metres off the breakers, where the operation to send the three cables ashore, individually through conduits under the beach, was carried out. Then the three cables were bound and laid together, for 98 kilometres, to a point SW of Hogan Island. On the 17th June the end of the cable was rested on the sea bed, with a 700 metre wire rope “tail” and a concrete block attached.

As we laid the cable four guard vessels, one crewed by “our” people and three from the fishing community took up position along the route, to warn any fishermen, of this cable on the sea bed.

We then returned to Melbourne to load a water jetting machine. This machine called Capjet which operates along the seabed on four wheels propelled by thrusters is owned and operated by the Norwegian company Nexans.

We returned to the location to do the jetting burial. On the 23rd June we positioned the vessel at the beach again and the Capjet went as far as possible to the beach and then sat over the cable and blasted away at the sand (where this was present) and the cable sunk into the seabed. This operation was for specific cable sections where the bottom was deemed to be sand and therefore jettable. There had been a survey of the route three years ago, and when the plan to bury the cable was put into



to be laid in July 2005. There is a rock cutting/trenching phase for 39.5 kilometres of known rock sections, which is to commence in the third quarter of 2004 later this year by the *Argo II*.

DEAD LINE

CONTRIBUTIONS FOR THE NEXT
“MARITIME OFFICER” WILL BE
ACCEPTED UP TO THE FOLLOWING
DATE:

31 JANUARY 2005



Captain Thomas Ernest Harris
1939-2004

The sudden and unexpected death occurred on the 10th of September last, of Captain Tom Harris, late of BHP Shipping. Tom was holidaying in Lucca, Italy with his wife Phyllis when this tragedy struck.

Tom was a well known and respected identity in the local Maritime Industry; serving 26 years as Master in BHP; latterly as Master of the *Iron Pacific*, which held many records for coal cargoes lifted out of the Port of Newcastle and which he once described on ABC radio as “Australia’s largest moving object.”

Thomas Ernest Harris was born on the 18th February 1939, the youngest of four children. He was raised in Nelson Bay where his father was the Post Master in the old Post Office at the top of the Town Park. Tom received his secondary education at Maitland High, before he commenced his long and distinguished Maritime career with BHP Shipping.

He travelled to Newcastle from Nelson Bay one day, apparently to enrol at teacher’s college, but arrived home to announce to his bemused parents that he had instead obtained a Marine Apprenticeship with BHP. He joined his first ship the *Iron Master* in 1957. As was the custom in those days, Tom served on a variety of Company vessels over the four year period and studied by correspondence with the Technical College at Tighe’s Hill. Wages for apprentices in those days were £12 per month for the first year, £15 for the second, £19 for the third and the magnificent sum of £23, or \$46 for the fourth and final year. I quote from the Indentures of the day “Apprentices will not frequent Hotels, Taverns or Alehouses, unless upon the Master’s business; nor play at unlawful games”.

There wasn’t much chance of that on those wages but they did try.

Tom obtained his Second Mates ticket in Sydney before joining the British registered vessel *Huntsville* as Third Mate on the Australia - Japan coal run. This ship became a bit of a family affair, when the First Mate ended up marrying Tom’s sister, Pat. Tom obtained his First Mates ticket in London and from here he joined a Company called Maggie Booths, running from New York to the Amazon River and up the Amazon River to the port of Manaus. It was whilst he was on this run that he met and married his wife Phyllis in the United States.

He liked to tell of his experience phoning home to let his mother know about the marriage from a public pay phone in the US and having to have a pocket full of coins to make the call and having to run from booth to booth as each phone became full of coins.

Tom brought his new bride home to Australia and rejoined BHP as Third Mate on the 27th of September 1965, almost 40 years ago. He was quickly promoted to Second Mate after just four and a half months and to Chief Officer on the 23rd of December 1967, just two days before Xmas Day when he joined the *Iron Warrior* in Newcastle. She sailed on New Years Eve for Western Australia to begin a shuttle service between Bunbury and Port Hedland with wooden sleepers for the new iron ore railway being built at that time to Port Hedland.

Tom served as Chief Officer for five years before being promoted to relieving Master in October 1972 and to permanent Master in December the following year.

During his 26 years as Master Tom must have commanded just about every ship in the BHP fleet, including a time in the LNG tankers running from the Northwest of WA to Japan in the 1990s.

It was not all ships and different cargoes however; there was the family side of life also. Tom and Phyllis decided to live in Newcastle although he had considered Perth in WA at one time. Their first son John was born in Newcastle on 12th of June 1966 and it was after the birth of second son Patrick on 22 February 1968 that Tom decided the family needed a bigger house. They purchased a house in Merewether Heights where the family has lived ever since. As the family grew to three with the birth of daughter Elizabeth on 25th of October 1971, the house had to be enlarged and it was mates with jackhammers to the rescue to hack out space beneath the house for extensions to take place.

Tom was always a person who believed in speaking out on matters in which he believed; this he used to do quite forcefully and strongly no matter what the subject or the surroundings. This forthright manner sometimes used to get him into trouble with higher authorities; but Tom always stuck to his views.

He was naturally always active as a member of the Merchant Service Guild, now the Australian Maritime Officers Union; he was a foundation member of the local

branch of Master Mariners, going on to serve terms as Sea Going and Prime Warden and then three terms as Branch Master. In was in his capacity as Branch Master that he was involved with the Organizing Committee for the Foreshore Merchant Naval Memorial Service, held in June each year.

He was one of the organizing Committee for the 50 year BHP Cadet Re-union, held in Newcastle in 1988 and was the driving force behind the present BHP Shipping Employees re-union held in Newcastle every two years.

When he wasn't involved in all these matters, Tom played the occasional game of golf with South Leagues Social Club; but his one sporting passion was his beloved 'footy' as he called it. Each NRL season he would be busy watching as many games as possible on the box and busy with the tipping competitions. Each Monday he would offer a learned opinion as to why each team was either beaten or had won on the week-end. Another past-time which he enjoyed was sailing his yacht on Lake Macquarie; firstly in *Tranquility*; then after he retired in a larger more comfortable yacht, *Windpiper*. He and his over qualified crew enjoyed sailing on Lake Macquarie each Monday with an occasional excursion further afield to Broken Bay and the Hawkesbury River. He and Phyllis also enjoyed weekend sailing with the family and grandchildren as well as overnight excursions.

Tom's memorial service was held at St. Augustine's Church in Merewether on Tuesday September 21st, and was largely attended by a wide section of the local Maritime Industry. Personnel from the Ports of Sydney and Port Kembla also attended.

Tom is survived by his wife Phyllis, his three children, his seven grandchildren, his sister Marion and his many mates and friends from all walks of life.

He will be sadly missed by them all.



Captain Peter Drury Sheppard
17 September 1940 - 10 February 2004

Captain Peter Drury Sheppard

17 September 1940 –
10 February 2004

Born 17th September 1940 at American Hospital in Cairo, Egypt. December 1940, evacuated due to the war, to South Africa in Cunard Line ship *Samaria*. Lived at various homes in South Africa, including a holiday farm in the Transvaal.

Father, Major Harold Sheppard, visited from time to time when delivering War Dispatches to South Africa. Returned to England late

1944 on Royal Mail line ship *Andes*. Due to improved War situation ship steamed unescorted through the Atlantic. Disembarked at Liverpool. Lived at various addresses in England, the best of which was a little village called Ightham, about seven miles from Sevenoakes.

In September 1948 commenced as a boarder at Abingdom School, Berkshire. A very old Grammar School with a history dating back four hundred years. In September 1954 commenced at "Thames Nautical Training College" *HMS Worcester*. The ship was moored at Greenhithe in Kent. For years the ship was host to the sailing clipper *Cutty Sark* before she was given a permanent berth at the National Maritime Museum, Greenwich.

Graduated *HMS Worcester* with two First Class Extra Certificates in March 1957. Was a Cadet Captain and Rugby Captain. The same month joined Port Line Ltd as an apprentice and sailed on his first ship the *Port Chalmers* from Swansea, Wales.

Obtained his "Second Mates Certificate" in September 1960 and sailed as third officer on *Port Lyttelton*. January 1962 met Margaret Webster in Melbourne while serving on Port St Lawrence and they were married at Chelsea Old Church, London 27th March 1965.

In the summer of 1965 carried out five months Royal Navy Reserve training at Portsmouth. Obtained Master's Certificate in April 1966. In June 1967 flew out to Sydney as an assisted passage migrant. Margaret travelled out as a passenger on *Port Vindex*.

July 1967 jointed the Eastern and Australian Steamship Company (a division of P&O) as third officer. Promoted to Chief Officer in 1968. Served in various company ships including the maiden voyage of container ship *Arafura*. On February 27th 1969 his only child Samantha Jane was born. Promoted to Captain in 1983 and took command of *Arafura*.

In July 2001 took command of new *Arafura* at Kure, Japan. Retired due to ill health in February 2002. On 2nd August 2002 his only grandchild Amy Sheppard Bonthorne was born. On February 10th 2004 he lost his courageous battle with cancer, aged 63.

"Oceanic Viking"

