

# 148

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Institute of Seatriansport

海運學會

# SEAVIEW

## 海運季刊

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- to promote the exchange of professional knowledge within the Hong Kong shipping industries
- to recognize the contribution of professionals within the seatriansport community in Hong Kong



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# EDITORIAL TIDBITS

We begin this edition with issues that have significant navigational problems. Captain Peter Chu discusses the methods for anchoring a ship. Captain Rocky Siu would like to remind us about the new legislation regarding the Marine Safety (Alcohol and Drugs) Ordinance.

Mr. Matthew Gore, Partner at HFW, presents a viewpoint on cost and contract-related issues (Published in June 2025) in the context of fluctuating freight changes. Dr. Fion Lee and Dr. Peter Wong write an article to predict the approach the USA will take after the tariff adjustment to global trade.

The matchmaker in the tramp sector relies heavily on the reputation of the shipbroker, Mr Jagannath Muthu, Director of Singapore-based NAU Pte Ltd, and Mr Sharad Gupta, both of whom are FICS, who provide a clear picture of the function and how to become a shipbroker.

Mr. Bernie Kwok, Partner and Director of Kint Technology, provides a thoughtful article on how AI may redefine the future of the maritime industry. In response to the growing demand for the topic of the Bill of Lading, we have invited Mr Edward Cheng, Chief Representative (Hong Kong Region) of Oceanfavor Shipping (Shanghai) Ltd., to conduct a seminar on the B/L. We have summarised the points that raised concerns during the seminar.

Our News Brief section highlights recent and upcoming events organised by IOS. We encourage our readers to participate and stay connected with our community.

We hope you enjoy this edition and look forward to your feedback. We believe in the power of community and value your unique perspectives. If you have a topic you're passionate about, we invite you to contribute. Please send your articles to: [info@seatrtransport.org](mailto:info@seatrtransport.org)

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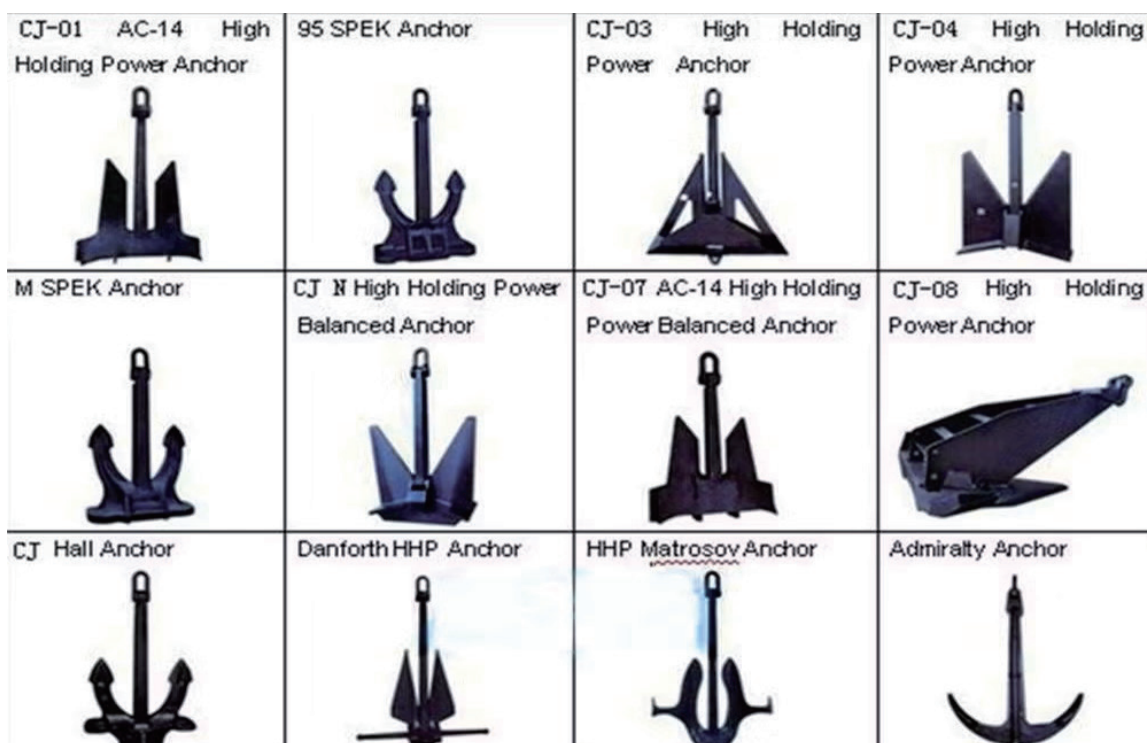
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朱志統

錨鏈打結就是，錨勾到海底的纜管（包括電纜，光纖通訊纜，水管，燃氣燃油管等）SUB-SEA CABLES, 或者勾到硬石，沈船，甚至在拋雙錨時，勾到自己船的另一錨或錨鏈。

去年十一月中一艘寧波註冊的散裝貨輪伊鵬 3 (YI PENG 3) 因為爬錨的情況與北海幾國的海底纜管（之後只簡稱纜管）損壞有關，事件高度政治化，但甚少談及走錨及纜管有關的海運知識，技術及法律後果，這文希望在這方面補充一下。



Source: Zhenjiang Sweet Marine Propeller Co., Ltd

爬錨並非甚麼新鮮事，在教科書上起碼已有幾十年了，由於有些地方放棄了航海科專業考試（船長，大，二副）中的口試，所以，這些不能用選擇題擬定試題的科目，即之前用口試進行的科目，有被打入冷宮的趨勢，有如之前 SEAVIEW 所論述關於衛星（北斗，GPS 等）定位之方便，忽視了對傳統定位方法的重視。從業員不應忽視這些基本的船藝知識 SEAMANSHIP, 這些操作，不會因電子，電腦，AI 的進步而改變，反之，由於世界政治的不確定性，船員更加應加強自我修復及處理突發事情的能力。錨對船的重要性，遠比我們一般以為”拋錨”只是定住船以免飄流失控為主繁複。

錨的結構同我們想像中及圖像中看到的差不多，錨身 shank 為一重鐵塊，一條近似方型柱下面連住像叉的錨爪 FLUKE，同錨身可作約 30° 轉動。當錨身平躺在海床時，錨爪呈 30° 勾住海床，加上錨鏈本身相當重，所以橫向力把錨越拉越緊，吃入海床，起錨時把錨收短，直到錨鏈垂直，沒有了抓力，只餘錨鏈本身重量，加鏈重，加粘著的泥，相對輕很多。有時會勾到纜管，大船用大錨，粗錨鏈，船級社有規定，一般，拋單錨，在正常的海床（泥沙為主，非石塊）可以抵受 5-6 節的流水，可以理解為船在船速 5-6 節，單錨可以抵消主機的馬力，保持不動。

如果拋了錨，船受風浪影響，尤其是船隻飄蕩 YAWING，錨就有機會抓不住海床，形成走錨，在錨地多船拋錨的情況下，很易碰撞到下風 / 流的拋錨船，1973 年聖誕前夕，筆者在 FEITA 當大副，在上海外拋錨等入港，當時發現前面一船 5-6 萬噸走錨，直接威脅 FEITA, (FEITA, 註冊 MOGADISCIO, OFFICIAL NO. 1186, GRT 8903), 滿載鐵礦，一旦破損，足以沈船。最後還是碰上了右舷水線上前鐵板損壞，幸好措施正確，減輕了撞擊，未有入水。

有時爬錨可以是有意做的，例如靠泊碼頭時用來減速，或先下一錨以方便離碼頭之用，也可用拋短錨 SHORT STAY，形成拖錨用作減少迴旋半徑，方便進入或走出密集的錨區，也可以用錨作

為緊急剎車之用。筆者就曾親身操作過在一滿載 3 萬噸油船上，在船道中，緊急拋雙錨及避免了一起撞船事件。

船隻在拋錨前，應先定下拋錨位置，檢視附有沒有纜管，如果起錨時，發現勾到了纜管，一般纜管會勾在錨爪處，根據 G.L. DANTON 的 THE THEORY AND PRACTICE OF SEAMANSHIP, 1962 1st Edition, 1974 5th Edition 中 P. 28 "CLEARING A FOUL ANCHOR", 只要用一纖維纜，把纜管吊住，鬆下錨，則纜管自然脫離，同一般想像符合，沒有什麼特別技巧，想指出的是，在 1962 年書中所述說的事，今天應該仍是這樣處理；YI PENG 3 太多神秘色彩了。

比較複雜的，是本船拋了雙錨，由於潮水的轉向，船隻本可以主動用車及舵一次順轉，一次逆轉，互相抵消，但沒有做，任其二錨錨鏈互相繞纏。要解開，直接方法是用拖船，把大船反方向解除繞纏，在沒有拖輪的情況下，可以用 YOUTUBE "CLEARING THE FOUL CABLE" BY SARATHCHANDRAN, 視頻長 22 分鐘，這個在我們那個年代口試熱門問題，現在可能已經很少船員知道怎樣做了。上述的視頻，不會是紙上談兵，當你解不開，而必須要逃命時，有什麼方法？

這些方法不是紙上談兵，筆者下面所講的，更加不是紙上談兵。1971 年，筆



者在 KOTA MAKMUR 號任二副 (SINGAPORE FLAG, OFF NO. 33140 GRT 9872, BHP 2×4200) 船長黃萬奢 (只記得譯音)，福建人，在進入一馬來西亞 PORT SWETTENHAM, 今叫 PORT KLANG 港時，大副在船頭備錨，不知怎樣在航行中，鬆錨時，錨及錨鏈全部放出，即錨鏈隨船軌跡，平鋪在航道底，全長約 10x90 英尺，即 900 英尺，約 300 米，船長記下了位置，在出港時，經過同一位置，船長用拋短錨，即錨在海床上之字拖行，勾到了之前的錨鏈，繼而收回，安裝好，完美。

當船勾到纜管，往往會對纜管做成損壞，這些多是 P&I 保賠協會承擔的範圍，這同對所有的碼頭，港口設施做成的損壞沒有分別。船長當然要報告當地政府，如在公海，報告船旗國，在 STANDARD CLUB (一保賠協會名稱)，<https://www.standard-club.com>, March 2015 的 circular Standard bulletin, 題目 " FOCUS ON FFO (Fixed & Floating Objects) matters : Sub-Sea (海底) Cables (纜) 對船隻勾到海底電纜實案有較詳細的解說，其中船東應留意其民事及刑事責任。

2024 充滿了不確定性，2025 只會更多，船員應有心理準備，筆者已列舉了個人實戰經驗，再次強調，雖有電子，電腦，AI，但船在你手上，船藝，由你定奪，可能是最後的續命草，或擺命籐。

建議同時參考有關傳統定位的文稿。



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# Summary of Marine Safety (Alcohol and Drugs) Ordinance (Cap.649)

Rocky Siu

The Marine Safety (Alcohol and Drugs) Ordinance (The Ordinance) has come into effect since 1st January 2025. Before The Ordinance was enacted, no law empowered law enforcement agents to conduct compulsory tests for alcohol or drugs after a marine accident. Seamen, including yacht operator, who operate a vessel under the influence of alcohol or drugs may only be prosecuted for the offence of ‘endangering life at sea’ under the Shipping and Port Control Ordinance and the Merchant Shipping (Local Vessels) Ordinance. The Ordinance serves as a direct instrument in regulating drink and drug boating in Hong Kong.

In general, a person involved in operating a vessel, including those who control, navigate or pilot a vessel, or performing designated duties, i.e. relating to the safety and security of the vessel and the protection of the marine environment onboard a vessel which is underway, will commit an offence if the person is under the influence of alcohol or drugs to the extent of being incapable of having proper control of the vessel, or has alcohol exceeding the prescribed limits in the person’s body, or has any specified illicit drugs in the person’s body.





## **Law enforcement**

An authorised officer, according to the s.32 of The Ordinance, may at any time stop and board a vessel for requiring a person who has been operating, or has been performing any designated duty onboard, the vessel that was underway to undergo a screening breath test or a preliminary drug test.

An authorised officer includes a public officer of the Marine Department of or above the rank of Marine Inspector Class II, a police officer of or above the rank of Sergeant. In addition, the Director (of Marine) may authorise in writing a public officer as an authorised officer for the purpose of The Ordinance according to s.44.

The authorised officer has a wide range of powers, including the power of investigation, the power to require certain information like the name and address of the master, the power of arrest and the power to give directions and enter premises.

## **Provisions regarding the influence of alcohol**

A person must not operate a vessel that is underway and must not perform any

designated duty onboard a vessel that is underway while the person is under the influence of alcohol to such an extent as to be incapable of having proper control of the vessel or performing the designated duty properly onboard the vessel.

In addition, a person must not operate a vessel that is underway and must not perform any designated duty onboard a vessel that is underway. In contrast, the proportion of alcohol in the person's breath, blood or urine exceeds the prescribed limit.

An authorised officer may require a person operating a vessel or performing a designated duty, or attempting to provide a specimen of breath for a breath test. Suppose the authorised officer has reasonable cause to suspect that a person having been operating or attempt to operate, or having been performing or attempting to perform designate duty onboard a vessel that was underway and still having alcohol in the person's body or having committed a marine traffic offence while the vessel was underway. In that case, the authorised officer may require the person to provide a specimen of breath for a screening breath test.

When a person who's the screening breath test indicates that the proportion of alcohol in the person's breath is likely to exceed the prescribed limit or fails to provide a specimen of breath without reasonable excuse, then the authorised officer may require the person to provide a specimen of breath for alcohol analysis using an approved breath analysing instrument.

Suppose there is reasonable cause to believe that a specimen of breath cannot be provided for medical reason. In that case, the approved breathing analysing instrument is not available on the vessel concerned, or at the designated centre, the police station or the hospital, or it is not practicable to use an approved breathing analysing instrument for any other reason. The person may be required to provide a specimen of blood or urine.

If, without a reasonable excuse, a person fails to provide a specimen of breath for a screening test, or fails to provide a specimen of breath, blood or urine for alcohol analysis or laboratory test, it is an offence. It includes that the specimen is not sufficient to enable to test to be carried out or is not provided in a way to enable to objective of the test to be satisfactorily achieved.

## **Provisions regarding the use of drugs**

There are specified illicit drugs and drugs other than specified illicit drugs. Specified illicit drugs are listed in the schedule of the Ordinance. It includes Heroin or any metabolite derived from heroin, Ketamine, Methamphetamine (methylamphetamine), cannabis or any active ingredient of cannabis, cocaine or any metabolite derived from cocaine and 3,4-methylenedioxymethamphetamine (MDMA).

For specified illicit drug, a person must not operate a vessel or perform any designated duty onboard a vessel that is underway while any concentration of a specified illicit drug is present in the person's blood or urine.

It is a defence for the person to prove that the specified illicit drug found in the person's blood or urine was lawfully obtained from healthcare professionals and the person consumed or used that drug in accordance with advice of healthcare professionals.

For drugs other than specified illicit drugs, a person must not operate a vessel that is underway or perform any designated duty onboard a vessel that is



underway while the person is under the influence of a non-specified drug to such an extent as to be incapable of having proper control of the vessel or performing the designated duty properly onboard the vessel.

It is a defence for a person to prove that the non-specified drug was lawfully obtained, in accordance with advice, and the person did not know and could not reasonably have known the drug would render the person incapable of having proper control of the vessel or performing the designated duty properly.

The non-specified drug is lawfully obtained if it is obtained from a healthcare professional, a pharmaceutical product as defined by s.2(1) of the Pharmacy and Poisons Ordinance or a proprietary Chinese medicine as defined by s.2(1) of the Chinese Medicine Ordinance and registered under s.121 of that ordinance.

## Conclusion

The Marine Safety (Alcohol and Drugs) Ordinance (Cap.649) establishes clear legal provisions to regulate alcohol and drug use among vessel operators in Hong Kong. It empowers enforcement officers

to conduct compulsory tests, ensuring that individuals operating or performing safety-related duties onboard are not impaired. By defining offences, setting prescribed limits, and granting officers investigative powers, the Ordinance strengthens marine safety and helps prevent accidents caused by intoxication.

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### **The past six months in the containerised sea freight market have been marked by significant uncertainty.**

The unpredictable geopolitical landscape, overcapacity concerns caused by the potential reopening of the Red Sea and newbuilding deliveries have caused fluctuating freight rates and shifted market dynamics. Despite promising signs of a less turbulent second half of 2025, the overall sentiment remains cautious, as shippers and carriers continue to monitor the evolving situation and adjust their strategies accordingly.

### **Market performance**

The uptick in container spot rates at the end of 2024 continued into early January 2025. This trend took an abrupt downturn, with key indices reporting the worst first quarter drop in nearly 20 years. Xeneta reported rates from the Far East down: 51% to the US East Coast; 44% to the US West Coast; 50% to North Europe; and 44% to the Mediterranean, and on the Transatlantic down 19%.<sup>1</sup> While commentators have compared this decline to the aftermath

of the global financial crisis in 2008 and Covid in 2020, the persistent uncertainty caused by the unpredictable geopolitical and macroeconomic conditions currently shaping the market sets 2025 in a league of its own.

Market volatility has been largely influenced by the return of President Trump's administration in January and the arrival of "Liberation Day" in April. The reciprocal tariffs of up to 145% on imports from China and a universal base tariff of 10% on imports from other countries (except Canada and Mexico) significantly impacted container growth projections. Global container trade grew +11.2% in January, but Drewry and Linerlytica have since cut container growth projections to -1.1% in 2025.<sup>2</sup> Freight rates then soared in late May, as the Shanghai Containerized Freight Index jumped by 30%, reportedly its second largest nominal increase to date.<sup>3</sup> The most significant increases were on the Transpacific.



## Market trends and geopolitical risks

The election of President Trump and anticipated tariffs initiated a trend of frontloading at the start of 2025, particularly from China. As the US-China trade war deepened in April, many shippers subsequently adopted a 'wait and see' strategy, resulting in a halt of shipments due to increased import costs and a decline in container bookings from China to the US. Blank sailings increased on the Transpacific route to align with the reduced demand, initiating a capacity shift to other trades such as Far East to Europe.

Recent developments include a 90-day reprieve on certain US reciprocal tariffs, lowering these by 115%, leaving a 30% tariff for Chinese imports. While signs of de-escalation should lead to a revision of container growth projections, the situation remains highly unpredictable and has caused another resurgence of frontloading goods into the US, which could trigger an earlier peak season. Nevertheless, the UK-US trade deal and President Trump's latest announcement of delayed tariffs for the EU shows further promising signs for a less turbulent second half of 2025.

A significant issue for the container market is the port fee proposal by the Office of the US Trade Representative ("USTR"), first announced in February and revised in April. The fees are primarily targeted at Chinese shipping interests, with fees on the entry of any Chinese-owned, operated, or built vessel into a US port. The fees will be based on a net tonnage basis per US voyage and come into effect on 14 October 2025.<sup>4</sup>

USTR port fees could significantly reshape global container shipping services. It is anticipated that most shipping lines will redeploy Chinese-built vessels away from US trades, a more likely strategy than substituting for smaller (exempt) vessels or transshipping from a foreign port within 2000 nautical miles of the US. For Chinese operators the fees will be higher and unavoidable. If, as expected, operators substitute Chinese built vessels for those built elsewhere, Chinese operators will find it difficult to impose surcharges when other carriers are able to avoid the fees altogether. Major shipping alliances will have to decide whether to redeploy vessels between trades or look at alternative ways of sharing the burden.

The re-introduction of the SHIPS for America Act (the "**Act**") announced in

April introduces further complexity to the market. The Act imposes an additional fee against carriers based on the percentage of their orderbook being built in certain Chinese yards. Despite any efforts by shipping alliances to realign their services to avoid USTR port fees, it is likely carriers will still be caught by the Act's scope. For shippers, the Act requires 1% of goods from China transported on US-built ships starting five years after the date of enactment, which will gradually rise year on year to 10% in year fourteen. Failure to comply will result in the imposition of fines.

## **Capacity concerns**

The Red Sea crisis continues to absorb a significant portion of container ship capacity with vessels re-routed around the Cape of Good Hope. The ceasefire announced in May between the US and Houthi militia in Yemen has raised concern for the potential reopening of the Red Sea which could cause a global collapse of freight rates through the release of surplus capacity into the market.

Despite new incentives by the Suez Canal Authority including a 15% toll rebate for certain container ships, it is unlikely that

shipping lines will recommence transits through the Red Sea in the immediate future. Notwithstanding the current high operational costs and need for fleet restructuring, the situation remains unpredictable, and carriers will need long term safety assurances before schedules through the Suez canal are restored.

Despite capacity concerns and low volume growth, the market is experiencing an orderbook boom. The end of 2024 saw a surge of newbuilding contracts with the orderbook now accounting for almost 30% of the global fleet.<sup>5</sup> MSC is reportedly the first carrier to reach a fleet of 900 vessels, with another 132 vessels on order.<sup>6</sup> OOCL, a subsidiary of Cosco, recently announced an order for 14 new container vessels.<sup>7</sup> While the container fleet grew by only 1.2% in the first quarter of 2025,<sup>8</sup> the fleet is projected to grow by 6.8% this year. The risks of overcapacity are exacerbated by over 80% of the orderbook being built at Chinese shipyards, reducing operating interest amidst current US trade policy. However, analysts anticipate a drop in orderbook activity throughout 2025 due to overcapacity and geopolitical uncertainties.

To add to an already deteriorating situation, the potential for the delayed scrapping of older South Korean and Japanese tonnage due to USTR port fees could further extend an overcapacity situation with potential efficiency and emissions consequences.

Traditionally, carriers have responded to overcapacity through strategies such as blank sailings. However, an unprecedented level of capacity management will be required to prevent the collapse of freight rates caused by the magnitude of capacity which would be released into the market from a return to the Red Sea combined with reduced volume growth and newbuilding deliveries. Some market commentators have gone so far as to suggest that another black swan event may be the carriers' only hope.

## **Contractual considerations**

The persistent volatility over the past six months is set to continue for the foreseeable future. The fluctuation of container spot rates can place stress on traditional annual fixed rate contracts. One potential contractual solution for shippers and carriers is the adoption of index-linked contracts. While the uptake

of index-linked contracts has historically been slow, it will be interesting to see whether continuing uncertainty in 2025 catalyses their popularity, particularly as they rebalance bargaining power and can represent a fair reflection of the market.

The escalating costs posed by shifting trade policies will prompt carriers to offset any losses through surcharges. Shippers are likely to resist the imposition of any surcharges, particularly if they have fixed rate contracts. Shippers and carriers will have to review their current agreements to determine which, if any, additional surcharges may be imposed and on what basis. For the negotiation of sea freight agreements, a compromise may be the introduction of new surcharges only resulting from emergency situations or causes outside carriers' reasonable control. This maintains the fixed rate status of the contract, while providing shippers with the peace of mind that no further surcharges may be imposed other than those already agreed.

Shippers will favour a clearly defined process for the introduction of any new surcharges. Typically, this could involve (i) prompt notification of the rationale for any proposed surcharge; (ii) negotiations to be carried out in good faith; and (iii)






once agreed, a lead time for the new surcharge to come into effect to allow shippers to make internal business adjustments (i.e. on pricing).

While parties may seek to negotiate new or existing agreements in light of market volatility, it is unlikely that shippers or carriers will favour any long-term agreements, unless index-linked, and instead opt for shorter-term agreements with the option to extend. While recent events may cause tension in shipper and carrier relationships, market volatility will render any prolonged negotiations futile. Flexibility, compromise and caution will be needed from all market participants to successfully weather this storm of uncertainty.

*"You can view the [original article](#) including footnotes and references, on HFW's website [here](#)."*

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*Whilst every care has been taken to ensure the accuracy of this information at the time of publication, the information is intended as guidance only. It should not be considered as legal advice.*




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Source: <https://innospec.com/fuel-additives/marine/>



### The Background

The maritime industry has enjoyed decades of prosperity since World War II, largely under the framework of free trade. Unlike other modes of transport, the maritime sector operates with minimal governmental restrictions when accessing ports and deploying its network. This liberal approach enables vessels to call at nearly all ports worldwide, facilitating international trade. Maritime professionals and stakeholders have been able to build and expand operations freely, in alignment with prevailing economic conditions.

While the repeal of the Corn Laws in mid-19th-century England provided an early model of free trade, a formal framework was only established after World War II to support global economic recovery and growth. This led to the creation of the General Agreement on Tariffs and Trade (GATT) in 1947, followed by the establishment of the World Trade Organisation (WTO) in 1995. Despite the push for liberalisation, many countries continued to impose tariffs and quotas to protect emerging domestic industries.

Among all transport modes, sea freight offers a unique advantage by delivering the lowest logistics costs and competitive transit times in global trade. Thanks to highly efficient containerization and continuous technological advancements, maritime transport has become a vital component of the global logistics network, experiencing rapid growth and development.

However, in 2025, the newly elected U.S. president's decision to impose tariffs on selected countries exporting goods to the United States has caused widespread frustration and uncertainty among shippers and consignees—particularly affecting liner operators engaged in international trade. The USA initiated the import tariff adjustment, as they found that the balance of trade payments was not in their favour.

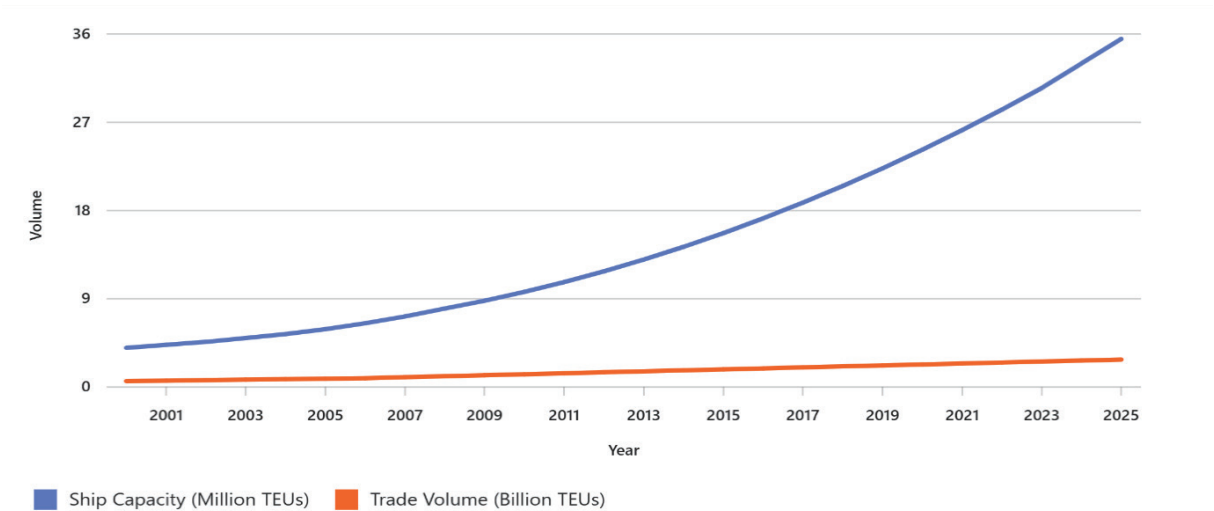
With fluctuating tariff negotiations on the horizon, practitioners in the maritime industry are concerned about how and when to deploy their assets globally to maximise commercial benefits. When the tariff adjustment is completed, will the trade flow maintain a stable level?

This paper aims to predict the outcomes after the tariff round in this trade conflict.

**The National Fleet**

In 1920, immediately after World War I, the Jones Act in the USA provided the first legitimate platform for individuals to acquire a ship and establish their shipping service. The benefits that civilians operating the merchant fleet can provide another business opportunity for individuals. However, from the government’s viewpoint, the acquisition of vessels by nationals will have a significant impact on the nation. This includes: enhancing national prestige, improving the balance of payments, leveraging related maritime services, and creating employment opportunities.

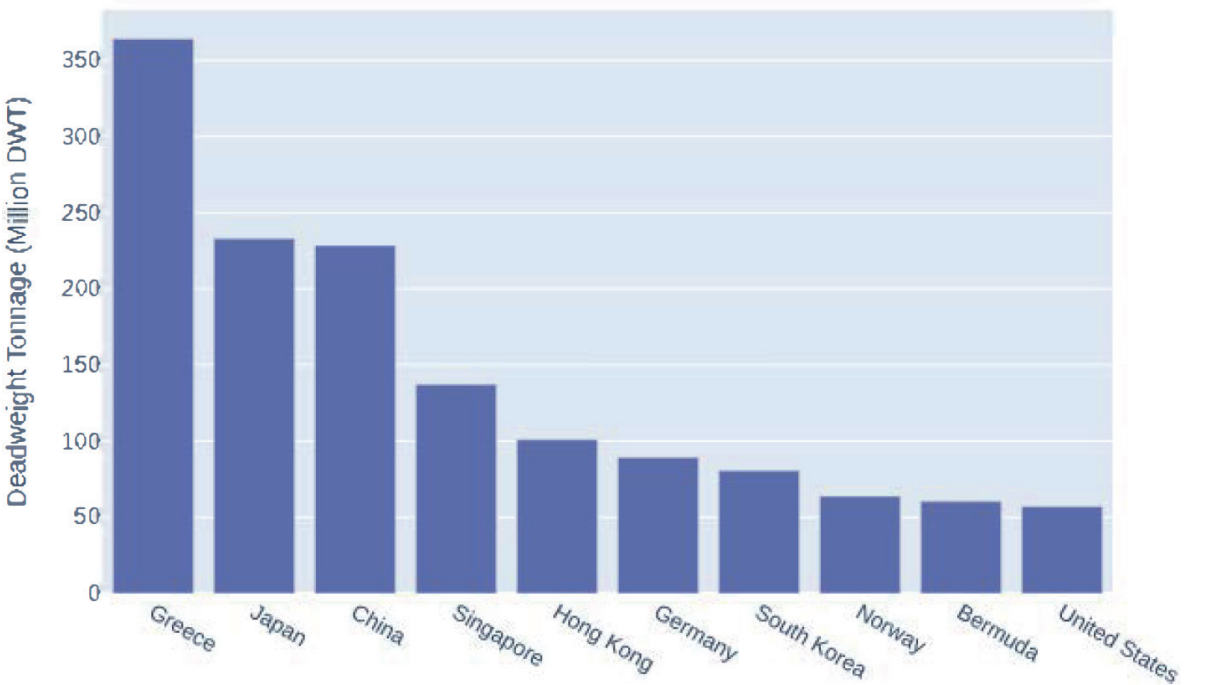
Although national fleets existed in countries like Britain and India (1919), Canada (1939), and Pakistan (1947), the emergence of national fleets in developing countries was largely driven by the 1968 UNCTAD. The report recommended that cargo reservations should follow the Liner Code of 40-40-20. Over the years, most of these national fleets have not achieved great success, both financially and operationally. But they produced a substantial tonnage for the trade in a relatively short period. With advances in shipbuilding technology, the shipbuilding sector has produced a significant amount of tonnage over the past twenty years, while trade volume has lagged behind. As shown in Graph 1.



*Graph 1: Compiled from Drewry, Statista Container Shipping, UNCTAD Maritime Transport*



Without any restrictions on port visits and under a fallacy-free trade scenario, shipping companies have focused primarily on reducing the marginal cost of each TEU and enhancing the efficiency of their service network. However, the government will view a strong global shipping network run by its nationals as a means of exerting soft power<sup>2</sup>. A nation that controls sea transport can significantly influence global trade. As shown in graph 2



Graph 2: Container Fleet DWT 2025

**The Cause of Instability in the Trade Flow**

Over the past two decades, seaborne trade has become deeply embedded in the global supply chain, solidifying its role as a cornerstone of international commerce. This transformation coincides with China’s rise as the “world’s factory,” producing the majority of daily consumer goods for global markets. As China's manufacturing capacity expanded, so too did its soft power, increasingly shaping both the volume and direction of international trade.

Meanwhile, the United States—still the world’s largest consumer market—has grown increasingly conscious of China’s dominance over key commodities. In response, the U.S. has initiated efforts to rebalance this dynamic, with the imposition of tariffs marking the first step in a broader strategic shift.

From the perspective of **Hegemonic Stability Theory (HST)**, this trade conflict reflects a power struggle between two major nations competing for global leadership. HST suggests that international stability is best maintained under the leadership of a single hegemon. However, when two powers vie for dominance, the result is often increased tension, economic rivalry, and the risk of conflict.

With only 188 ocean-going vessels<sup>3</sup> over 1,000 gross tons and a combined deadweight tonnage (DWT) of just 9 million, the United States faces a significant challenge in reasserting its maritime supremacy. To operationalise HST, **Sea Power Theory** offers a strategic framework for nations seeking to project influence and maintain global stability through maritime dominance. Key components of this theory include:

- **Geography**  
Nations with access to strategic maritime chokepoints are more likely to develop sea power.
- **Physical Resources**  
A strong industrial base and large population support shipbuilding, naval personnel, and maritime commerce.  
U.S. Strategy: Promote domestic manufacturing (e.g., "Make America Great Again") and incentivize companies to reshore operations.
- **Government Policy**  
Prioritise naval development and protect maritime trade.  
U.S. Strategy: Invest in new naval vessels, collaborate with South Korea's shipbuilding industry, and implement protective tariffs.
- **Naval Strength**  
A powerful navy is essential for securing sea lanes, defending trade routes, and projecting global power.  
U.S. Strategy: Maintain control of the Panama Canal and conduct regular military exercises.

- **Merchant Marine**

A robust commercial fleet enhances economic resilience and can be mobilized during wartime.

U.S. Strategy: Partner with Korea and Japan to expand shipbuilding capacity.

- **Ports and Bases**

Overseas bases and logistical hubs extend naval reach and sustain global presence.

U.S. Strategy: Leverage military bases in the Philippines, Korea, and Japan; maintain strategic control of the Panama Canal.

- **Sea Control vs. Sea Denial**

Sea control ensures freedom of movement and trade, while sea denial restricts adversaries' access.

U.S. Strategy: Propose restrictions on Chinese-flagged and China-built vessels entering U.S. ports.

By aligning with the principles of Sea Power Theory, the United States appears poised to pursue a comprehensive strategy aimed at regaining maritime dominance and reasserting its leadership in global trade.

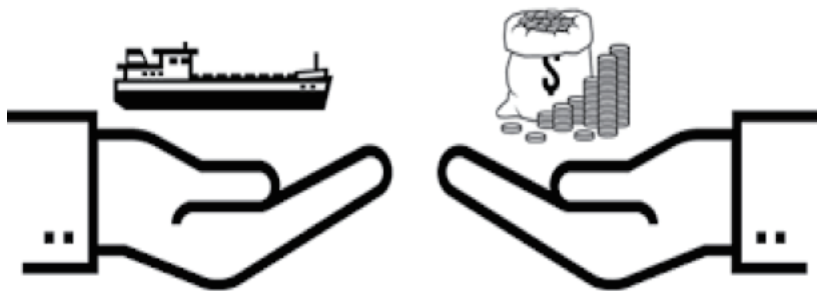
1. *United Nations Conference on Trade and Development*
2. *Joseph S Nye (2023), Soft Power and Great-Power Competition*
3. [DATA.MARAD@DOT.GOV](mailto:DATA.MARAD@DOT.GOV) 8 April 2025



## Who is a Shipbroker?

Jagannath Muthu, Adapted by Mr Sharad Gupta

The Singapore Branch of the Institute of Chartered Shipbrokers recently conducted a conference on Shipbroking: Navigating the future – Trends, Opportunities and Risks, which was widely attended by the shipping fraternity. Firstly, Kudos to the Office bearers of the Singapore branch for conducting this conference, where participants were able to benefit from the free and frank exchanges with the panellists. Also, thanks for the support to the Maritime and Port Authority of Singapore which continues to promote talent across Singapore by assisting in every way possible and which includes supporting the Singapore branch of the ICS.



*Source: Shipping and Freight Resources*

The talks were focused on Shipbroking. Anyone involved in the Shipping industry would know that Shipbrokers are intermediaries who assist in getting deals done between various parties, such as owners and Charterers, Shipyards, etc. One of the panellists mentioned that the skill sets required for a successful broker included knowledge of the market, the characteristics of their clients, understanding of the trade, including the legal framework in which the trade is conducted, problem-solving, etc. In effect, a shipbroker needs to be a jack of all trades.

Some of the participants were obviously members of the Institute of Chartered Shipbrokers (“ICS”) but were not Shipbrokers per se (including the author). This is because the ICS is THE professional body for all members of the commercial shipping industry and which includes Shipbrokers, Managers, Agents and anyone connected to the business of Shipping.

In the olden days, a Shipbroker was required to assist their principals in everything and which included not only fixing ships but also managing them. However, as time went by, things became more specialized necessitating the divestment of these functions to others having specialized knowledge in these functions. A simple analogy would be a doctor who 100 years back would be expected to deal with childbirth, surgery and general ailments. However, if you go to a General Practitioner now, they will refer a patient to a specialist for severe ailments. The same is the case in Shipping now in which specialization rules the roost.

At the end of the session, Punit Oza, the present President of the ICS Worldwide did extol the benefits of joining the ICS by completing the professional examinations. The advantage of taking the effort to complete the ICS examinations is that one can update themselves with the relevant knowledge and skills required for their roles in the shipping industry, which continue to evolve over time. Additionally, they would have the benefit of networking with other members worldwide, which in turn would provide access to job opportunities, foster building relationships, and expand one's knowledge, ultimately leading to personal and professional growth.

While this article extols the benefits of joining the ICS, other professional bodies may be better suited for an individual. For instance, if a person wants to learn more about dealing with Marine Claims, s/he could consider becoming a member of the Association of Average Adjusters UK. Learning is a continuous process, and just as we require exercise to keep our bodies fit, we need regular mental exercise to ensure that we perform at our best in our roles. So, if one wants to be in Shipping, then the ICS would be a very good fit. For those in other industries, you may wish to check what suits you best.

## Steering the Future: How AI and Technology Are Redefining Maritime Autonomy

Bernie Kwok

When I first joined the maritime tech industry five years ago, the idea of autonomous ships felt like science fiction. Today, as my team at Kint Technology collaborates with a local university on an autonomous vessel project, I'm reminded daily that this future is no longer distant. It's being built in laboratories, shipyards, and software platforms worldwide. While much has been written about the potential of autonomous ships to address labour shortages (a topic expertly explored by YK Stephen Li in his recent article in *Seaview* 144), I would like to shift the focus to the technological undercurrents that make this revolution possible. After all, solving the complex puzzle of maritime autonomy isn't just about replacing humans with machines; it's about creating systems that think, adapt, and learn in ways that mirror - and sometimes surpass - human intuition. At the heart of our work lies a simple truth: autonomy isn't just automation. Yes, sensors like radar, AIS, and LiDAR provide the "eyes" for an unmanned vessel, but the real magic happens in the software layer that interprets this data. For instance, during early trials of our system, we discovered that raw sensor

inputs alone couldn't account for the chaotic dynamics of inland waterways - where currents, weather, and unpredictable vessel behaviour collide. This led us to adopt a multi-sensor fusion approach, combining radar's robustness in poor visibility, AIS's structured data on ship movements, and cameras' high-resolution contextual awareness. But even this wasn't enough. We needed algorithms that could process these inputs in real time while adhering to COLREGS.

Here's where AI steps in. Traditional collision avoidance systems rely on static "ship domains" —buffer zones around a vessel that assume a one-size-fits-all safety margin. Our team, however, has been experimenting with dynamic domains, where the safety perimeter adjusts based on relative motion, speed, and encounter scenarios. Think of it as teaching the AI to "read" the waterway like an experienced captain. By integrating a modified Nomoto model (which simulates a ship's manoeuvrability) with virtual potential fields (VPF), we've created a system that generates collision-free paths while



respecting the physics of ship movement. In practice, this means our AI doesn't just react to obstacles; it anticipates their trajectories and recalibrates its course in seconds, much like a human skipper would.

One of the most humbling lessons from our project has been the importance of balancing precision with flexibility. During sea trials in the Pearl River Delta Region, we encountered a scenario where a sudden course change by a nearby cargo ship threw our precomputed path into chaos. Our initial algorithm, optimised for computational efficiency, struggled to replan quickly enough. This forced us to rethink our approach: instead of relying solely on deterministic models, we began incorporating probabilistic methods inspired by robotics. By assigning risk scores to potential collision threats and using lightweight neural networks for rapid decision-making, we achieved a 40% reduction in path-replanning latency. It wasn't perfect—radar interference in narrow channels still poses challenges—but it was progress.

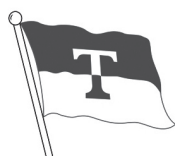
Of course, no discussion of maritime AI is complete without addressing the elephant in the room: trust. Unlike self-driving cars, where errors might result in localised incidents, a mistake at sea can

have catastrophic consequences. This is why our system prioritises explainability. Every manoeuvre made by AI is logged with a rationale. e.g. "Avoided starboard-side collision with target ship by adjusting heading 12 ° at 0.5 NM" — allowing shore-based operators to audit decisions and build confidence over time. It's a philosophy rooted in collaboration, not replacement: the goal isn't to eliminate human oversight but to augment it with tools that handle repetitive tasks, freeing crews (or remote operators) to focus on strategic decisions.

Looking ahead, I'm particularly excited about the role of adaptive learning. While our current system relies on pre-trained models for object detection (using frameworks like YOLOv3, as explored in academic studies), the next frontier is enabling vessels to learn from their environments. Imagine an AI that improves its domain awareness by analysing thousands of past encounters or adjusts its risk thresholds based on real-time weather data. This isn't theoretical; we're already experimenting with federated learning techniques that allow fleets of autonomous ships to share anonymised navigation insights without compromising data privacy.

Yet, for all the technical optimism, I remain grounded by the realities of the industry. Regulatory frameworks, such as the IMO's MASS guidelines, are still evolving, and questions about liability and cybersecurity loom large. However, as someone who has witnessed my engineers spending countless hours debugging code and fine-tuning sensor calibrations, I'm convinced that technology will outpace policy debates. The real challenge isn't whether autonomous ships can work; it's ensuring they work safely, efficiently, and ethically in a world where the sea remains as unpredictable as ever.

At Kintech Technology, we're proud to be part of this journey. Our collaboration with academia has already yielded a prototype that reduces collision risks in high-traffic zones, and we're exploring partnerships and venture fundings to scale this work. But beyond the metrics, what drives us is a belief that autonomy isn't just about cutting costs or solving labor shortages. It's about reimagining what's possible on the water. As Mr. Li aptly noted, the future of shipping hinges on our ability to embrace change. For those of us building the technology behind that change, the voyage has only just begun.



**TCC GROUP**

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## The workshop

On 3rd October last year, the Institute had the pleasure of hosting Mr. Edward Cheng, Chief Representative (Hong Kong Region) of Oceanfavor Shipping (Shanghai) Ltd., a distinguished expert in the shipping industry. Mr. Cheng delivered an insightful and engaging workshop on the Bill of Lading, which was met with resounding success. His dynamic presentation style and deep expertise fostered a lively and interactive session, sparking meaningful discussions and enthusiastic participation.

Given the positive and enthusiastic response from our participants, and considering that many were unable to attend the seminar due to the limited number of seats, the institute has rescheduled the Workshop for 27th August 2025. For those who missed the event or wish to revisit its key themes, we are pleased to share the abstract of the Workshop below.





## **The dubious issues**

### **Question 1      Is it mandatory to issue three original B/Ls as one set?**

Comments:

Refer to my article “5 commonly misunderstood concepts in shipping” in *SEAVIEW* 133 Issue Spring, 2021, for details.

When we issue three original Bills of Lading (as one set), we only need to present one of them at the discharge port to take delivery of the cargo. In the past, we issued three original Bs/L mainly because the postal service was not reliable. We wanted to mail three original Bs/L separately to ensure that at least one of them reaches the discharge port safely. With relatively reliable courier services available nowadays, it is no longer necessary to issue three original Bills of Lading as a single set. It is simply a customary practice to do so.

The usual number of full set Bs/L is three, but it could be one, two, four or even more, depending on the shipper's requirement. In general, there is a box labelled “Number of original Bs/L” on the blank B/L form for you to fill in the number of original Bills of Lading (Bs/L) issued.

### **Question 2      Is the status of 1st original, 2nd original and 3rd original B/L the same?**

Comments:

Yes, it makes no difference in the status among the 1st original B/L, 2nd original B/L and 3rd original B/L.

**Question 3      Shall we present the full set of original B/L for obtaining the delivery order?**

Comments:

No. You can always find a statement “…… any one of which being accomplished, the others shall be void” or a similar statement on the B/L.

Just think of it. Suppose we need to present the full set of original Bills of Lading (i.e., three original Bills of Lading as one set) to obtain the delivery order (D/O) under normal circumstances. Why do we need to issue three original Bills of Lading?

**Question 4      Under what circumstances should we present a full set of original Bill of Lading (B/L)?**

Comments:

Basically, we have four situations where we shall present a full set of original B/L:

1. When we need to submit it to the bank for negotiation
2. When we need to switch the original B/L
3. When express release ( 電放 ) is required. It is subject to the carrier's agreement
4. When the chain of endorsement ( 背書 ) is not complete. For example, when the consignee was named “To order” ( 待指示 ), the shipper omitted to endorse the original B/L. Again, it is subject to the carrier's agreement.

## **Question 5      Is the Sea waybill the same as the bill of lading?**

Comments:

First, the correct spelling is “Sea waybill”, not “Seaway bill”, which is a common misunderstanding.

There are three main differences between them:

1.      The box of consignee:

We must put the name of the consignee only (not “to order”) in the sea waybill, while we could put the name of the consignee or “to order” in B/L.

2.      Number of originals to be issued:

The box of “number of original” does not exist in the sea waybill, while we could issue any number of originals in B/L according to requirements.

3.      Procedure on releasing the delivery order:

For a sea waybill, the delivery order could be released against the production of proof of identity only. For B/L, the delivery order could be released against a properly endorsed original B/L only.

**Question 6      Is express release a proper way to release the delivery order?**

Comments:

When a Bill of Lading (B/L) is involved, a delivery order is supposed to be released against a properly endorsed original Bill of Lading (B/L) only. Express release (電放) arrangement and release of cargo against letter of indemnity (LOI 保函) is a commercial consideration only.

When a shipper surrenders a full set of original B/L at the loading port and requests to release a cargo to a specific consignee without the original B/L, such an arrangement is called “express release”. “Fax release”, “Telex release” and “Cable release” are outdated terms.

When we know express release will be arranged before issuing the original B/L, we should not be mechanically minded to issue three original B/L – one original is enough to serve the purpose.

**Question 7      Is it a must for the notify party to endorse the original B/L when the box of the consignee is named “To order”?**

Comments:

Refer to my article “Endorsement on B/L - All you need to know” in SEAVIEW 140 Issue Winter, 2022 for details.

It is not a must for the notify party (通知方) to endorse the original B/L under any circumstances unless the cargo right is transferred to them. The notify party only has the right to know the ETA of the vessel, and it does not have the right to the cargo. Proper endorsements (背書) have to be made so that the notify party can have the right to the cargo. In fact, we can have more than one notify party on B/L



## **Question 8      What shall we put in the box of “Port of discharge” in the B/L?**

Comments:

First of all, we need to identify the difference between “country”, “port” “terminal” and “berth”.

A country can have one port only or more than one port. For example, Singapore only has one port named as Singapore. China has many ports, such as Shanghai, Dalian and Qingdao.

Port (seaport) is the harbour area of a country for handling the country’s seaborne trade, which includes terminals, buoys and anchorage.

In general, a port should have more than one terminal. For example, in Shanghai Port, we have several different terminals, including Luojing Terminal, Longwu Terminal, and Yangshan Terminal.

A terminal could have one berth only or more than one berth. Take Luojing Terminal in Shanghai as an example; this terminal has six berths.

## **Question 9      Shall we put the name of the port only?**

Comments:

If the name of the port is unique, it is acceptable and workable. For example, “Shanghai”.

It is recommended to put the name of the country as well to avoid confusion. For example, we have the port “Albany” in both U.S.A. and Australia.

**Question 10     Is it enough to put the port and country in the box of ‘Port of discharge’ in B/L then?**

Comments:

It may not be enough even if you have put both the name of port and country in the box of “Port of discharge”. For example, we have 2 Taizhou in China. One is Taizhou (泰州) in Jiangsu Province (江苏省). Another is Taizhou (台州) in Zhejiang Province (浙江省).

**Question 11     Can we specify the name of the terminal in the box of “Port of discharge” in the B/L?**

Comments:

Yes. We may consider including the name of the terminal in the “Port of discharge” box, if necessary, subject to certain conditions. We need to examine the feasibility and cost carefully.

**Question 12     Is the gross weight of a B/L always greater than its net weight?**

Comments:

Gross weight (毛重) is the weight of a cargo itself plus weight of packing of the cargo

Net weight (淨重) is the weight of the cargo itself without counting the packing of the cargo

It all depends on whether the cargo is packed or not. For example, ammonium sulphate in bulk, pig iron in bulk, dump truck, steel pipes in loose, etc. do not have packing, and thus the gross weight is equal to its net weight.

**Question 13      Is it a must to issue a clean B/L only to the shipper?**

Comments:

Clean B/L means there is no superimposed remarks/clauses in B/L specifying any defect or possible defect to the cargo or its packing. It indicates that the cargo is received in apparent good order and condition.

Unclean B/L means there is one or more superimposed remarks/clauses in B/L specifying a defect to the cargo or its packing. For example, “Torn bags” , “Damaged crates” , “Rusted”. It is also called “Dirty B/L” or “Foul B/L”.

When a letter of credit (L/C) is involved, a clean B/L is a must. It is because the bank is using the B/L as collateral against the money advanced for the purchase of the cargoes described therein.

**Question 14      Is an unclean B/L acceptable?**

Comments:

If L/C is not involved, unclean B/L may not be an issue.

If the defect has been stipulated in the L/C, it is acceptable.

Some clauses are acceptable by L/C, such as “shipper’s load and count” and “said by shipper to contain” - see Article 26 in UCP600.

## Question 15

Is the “Date shipped on board” the same as the “Date of issue”?

Comments:

“Date shipped on board” indicates the actual date that the last cargo was loaded on board the vessel.

“Date of issue” is the actual date that the original B/L was physically signed.

However, according to Article 20 a.ii. in UCP600, “The date of issuance of the bill of lading will be deemed to be the date of shipment unless the bill of lading contains an on board notation indicating the date of shipment”. For this reason, most of the time, you will find the date shipped on board and the date of issue are the same.



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### **Draft Maritime Curriculum Handbook**

To promote the maritime industry to secondary and primary students, the Hong Kong Maritime and Port Development Board plans to publish a Maritime Curriculum Handbook. To proceed with, the Secretariat of the Board has drafted the Handbook and presented it to key institutions for consultation. The Institute of Seatransport is among the institutions that received the draft and commented. It is expected that the Handbook would be available publicly and help us promote the Industry as well.

### **Cocktail Reception**

Before the publication of this issue of the Seaview, the Institute would stage its “annual” cocktail reception at “The Mariners”, which we are probably the first institution to use this brand new venue for such activities. Our Honorary Presidents have generously donated to support our events.

### **Cross-Strait Shipping and Logistics Conference**

The Conference is no doubt the biggest event of the year, and it is now earmarked, as follows:

Date: Thursday, 13 November 2025

Venue: UOW College Hong Kong, 18 Che Kung Miu Road, Tai Wai, New Territories

Theme: “Steering the Maritime Future: Global Risks, Green Mandates, and Intelligent Innovation”

According to our experience, we receive more papers from our counterparts in Shenzhen and Taipei. Although we may not be able to reverse the trend, we hope to receive more papers from Hong Kong this time. If you are interested in submitting papers or have enquiries about the process, please feel free to contact the Secretariat or any Executive Committee members. Admission is free for members. Please follow our social media for updates on the Conference.



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<b>DECLARATION</b> I, the undersigned, hereby apply for admission to membership of the Institute of Seatriansport, and do agree, if admitted, to comply with the memorandum and articles and by any subsequent amendments and / or alterations there to which may be made, and by any Regulations made or to be made for carrying them into effect.			
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Please send the completed form (1) by postage to the <b>Secretary, the Institute of Seatriansport, G.P.O. Box 6081, Hong Kong</b> together with a cheque payable to <b>"Institute of Seatriansport"</b> ; or (2) by email to <a href="mailto:info@seatriansport.org">info@seatriansport.org</a> together with payment proof by means of online transfer or FPS to: <b>DAH SING BANK A/C: 85-328-0360-3 Institute of Seatriansport</b> Professional Member - \$550 Ordinary Member - \$450 Associate Member - \$300 (but shall be waived for a full time student) This amount is for covering the entrance fee and first annual subscription only and is not refundable if the application is withdrawn by the applicant. Fee is waived for eligible FULL-TIME STUDENT applying for Associate Membership. If possible, please enclose photocopies or attach scanned copies of your academic / professional qualification(s). Personal Information Collection Statement would be presented on request.			





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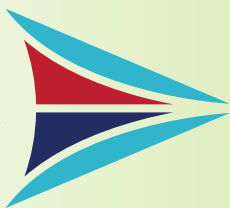
賴於幾代人的努力，現已成長為一個實力雄厚的綜合性大型企業集團。其交通運輸及相關基礎設施建設、經營與服務，金融資產投資與管理，房地產開發與經營等三大核心產業，在業內居領先地位。

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