

## **Guidance for Bebeka-members: COVID-19 and the protection of the health of seafarers Bunker Quantity Surveying and Quantity Disputes**

### **Introduction**

In the region of Wuhan, China, an outbreak started in December 2019 of a novel coronavirus, known as SARS-CoV-2. The virus can cause the disease COVID-19. Most patients with this virus have pneumonia and respiratory symptoms. Worldwide measures are taken to prevent and counteract further spreading of the virus.

### **Protecting the seafarers and other personnel involved in bunkering**

As the virus spreads worldwide, more and more shipping and barging companies, including surveying companies, have drafted protocols for the protections of employees and preventing further spreading of the virus. Such protocols may include the refusal of visiting ships and/or barges by 'outside personnel' (i.e. ship and barge representatives and/or bunker quantity surveyors) to prevent any contact or interaction with (outside) persons.

In the course of time this may lead to the situation that no outside personnel is allowed on a ship and/or barge and/or terminal, including surveyors (if available at all due to their own virus protocols). The before mentioned situation leads to the impossibility of entering a barge or visit a terminal/installation in order to determine the bunker fuel quantities in the tank(s) and/or witness the sampling of the transferred bunker fuel oil.

### **Bunker Delivery Note (B.D.N.)**

However: the delivered quantity determination must be done, in accordance with the Suppliers Terms and Condition of Sale and the Bunker Delivery Note, at the supplying barge or suppliers terminal/installation. This means that Bunker Delivery Note will remain the legal binding document for the quantity delivered, regardless of a virus outbreak!

### **Bunker Quantity Surveying on barges and terminals**

In case the shipping companies own protocol prohibits the crew to visit a barge or suppliers installation, and a bunker quantity surveyor cannot be ordered due to their own acting companies protocol and/or the refusal of the supplier/barging company, what further actions should be considered and taken by the ship's crew to ensure a proper, smooth and uninterrupted bunker fuel delivery of the delivered fuel oil(s)?

First and foremost: ***select and make use of a reputable and well established supplying company.*** Although the actual price of the fuel oil(s) maybe more attractive with some other suppliers it must be pointed out that from Bebekas experience the risk of a dispute regarding quantities is close to nil and the quality is better with suppliers with whom we have long lasting relations.

Due to the fact that the supplier and/or barging company restricts 'outside personnel' on board which in turn means: no quantity determination on the barge or installation is at all possible. In this situation the B.D.N. from the supplier side is the only legal and binding document. Protesting the short-delivery by means of issuing a 'Letter of Protest' (LOP) will not fully cover or protect the shipping company legally!

The next Guideline Handling Disputes onboard - without Bunker Surveyor may assist ship's crew and offices in a bunker fuel oil delivery operation.

## **GUIDELINE: HANDLING OF QUANTITY DISPUTES ONBOARD A SEAGOING VESSEL - WITHOUT PRESENCE OF BUNKER QUANTITY SURVEYOR**

### **IMPORTANT NOTE**

SUPPLIERS TERMS AND CONDITIONS ALWAYS DICTATE THAT **ONLY** TANK READINGS FROM A BARGE, TRUCK OR TERMINAL HAVE LEGAL IMPLICATIONS!

VESSEL TANK READINGS ARE THEREFORE INDICATIVE ONLY!

THE FOLLOWING REPRESENTS A BUNKERING DELIVERY SITUATION IN WHICH A BUNKER QUANTITY SURVEYOR IS UNAVAILABLE AND/OR THE SHIPS REPRESENTATIVE MAY NOT ENTER OR ATTEND THE BARGE OR SUPPLIERS TERMINAL TO DETERMINE THE QUANTITY OF BUNKER FUEL OIL.

- Before the start of the bunkering the responsible engineer should determine and record all ships tank figures and corresponding quantities before bunkering.
- Before the start of the bunkering the responsible engineer should confirm with the barge master or terminal/installation regarding the amount and type of fuel oil to be delivered by means of requesting the Bunker Delivery Note/B.D.N.

- After the bunkering is completed the responsible engineer should again determine and record all ship tank figures and corresponding quantities after bunkering and calculate the total amount of fuel oil received onboard from the barge.
- **NOTE:** Only barge, truck or terminal (supplier) quantity figures are **binding**.
- Should the ship figures/total quantity received and the delivered quantity as stated by the supplier barge or suppliers installation/terminal (B.D.N.) differ (greatly) the recordings and observations need to be double checked by the ship and barge/delivery installation.
- In an above mentioned quantity dispute **ALWAYS** contact Cooperative Bebeko and your office/person in charge **immediately** and refrain from signing the Bunker Delivery Note (B.D.N.) or any other (legal) document until further instructions.
- Cooperative Bebeko can be contacted 24/7/365 on the following number:  
**+31 (0) 6 53512429.**
- Await any further advise/instruction from Cooperative Bebeko and/or your office at all times. **Do NOT sign the Bunker Delivery Note (B.D.N.) before confirmation from Cooperative Bebeko and/or your office!**
- **NOTE:** 'Letter of Protest' issued by the vessel represents a very limited legal value. Due to the limited value of the Letter of Protest it is strongly advised not to issue a 'Letter of Protest' and to contact Cooperative Bebeko instead at the 24/7/365 telephone number and await further instructions from Bebeko and/or your office before proceeding.