



TANKER CLAIMS & CAUSATION

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WILL TALK ABOUT...

- ✓ Cause Consideration – How complex is it?
- ✓ Tanker Explosion – Is penny pinching worth it?
- ✓ LSFO: What do they bring home? – Claims Complexities
- ✓ Lessons we can learn on trust and reliability

COMPLEXITIES INVOLVING CAUSATION

ADAM & THE APPLE

Fact : 5 years old Adam had a permanent neurological injury when he fell off his neighbour's apple tree upon being left alone at home.

Cause Considerations:

1. Be "cause" parents left Adam (a toddler) alone at home? – Parents Negligence
2. Be "cause" neighbour's backyard door was left open? – Neighbour's Negligence
3. Be "cause" neighbour has concrete laid under the tree? - Circumstantial
4. Be "cause" Adam didn't have the know how to assess the "load bearing capacity" of the branch? – Self-inflicted
5. Be "cause" his head made contact with a surface hard enough to damage his skull as a result causing a permanent neurological injury which could not be cured with the known medical expertise available.

All other consideration 1 to 4 are secondary causes and not proximate to the injury although contributory to the accident occurrence.



M.T. P. D. BLAST

Fact: Among 105 local repair workers and crew members on board Aframax P. D., three people had been reported dead, one injured and two missing.

Cause Considerations (or not?)

- A. The ship had been emptied of oil, which may have created more space for flammable gas to expand. However, the vessel had been certified as “degassed” before work began, according to the general manager of the Fujairah port.
- B. The vessel was hit by three blasts erupting at the aft of the ship, causing damage to its engine room, living quarters and bridge. The spark for the fire was caused by welding work but the cause of several explosions remains unclear.
- C. It is believed that a potential cause for the explosions was residual flammable gas, often present on oil tankers, but which should have been cleared out prior to initiating explosion causing work such as welding.
- D. The vessel certified as having been gas free was in ballast at the time of casualty.



VLSFO CLAIMS

Fact: Disputes between vessel owners & charterers about VLSFO supply and quality is on an exponential rise due to engine malfunction/breakdown/stoppages/diversions for overhaul.

Cause Considerations:

1. Owner alleges poor quality of fuel supply
 - Manifold samples tested at “preferred” labs.
 - Potentially “pre-arranged” samples are given to vessel.
2. Charterer alleges comingling of fuel from previous supplies (compatibility aspects)
3. Charterer alleges engine manufacturers recommendation for fuel management not followed adequately by ship’s engineers.
4. Tank cleanliness and sludge management inadequate.



Results in:

H&M underwriter and FD&D underwriter wanting to increase premiums next year.



“THANK YOU”

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INDEPENDENCE AND EXPERIENCE IN SURVEYING

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