



AUSTRALASIAN INSTITUTE  
OF MARINE SURVEYORS

# Shipshape

Newsletter March 2022

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# From the Bridge

Chairman's Message

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Just as the world is changing, so too the AIMS and its members must adapt to a new world as we move through the 21st century.”

What a start to 2022! After much of the world thinking they would be 'getting back to normal' in 2022, many countries have reimposed lockdowns, some have completely dispensed with all restrictions, and others are still struggling to provide their populations with vaccinations. Australia has now opened to international travel, despite Western Australia only just deciding to open its borders to other Australians, let alone international travelers!

We now see a military offensive with Russian troops invading Ukraine! I am sure that this is a most divisive subject within our membership, the Australian population at large and many of the peoples of the world.

Some will draw parallels with previous invasions and conflicts that are ever present in the minds of many people across the globe. Some will ponder why this conflict has attracted such world attention when many previous conflicts have similarly affected the peoples who are caught up in them.

Some, like me, will wonder why people with power feel the need to leave a legacy, even when that causes harm to others, and even to their own people.



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Just because you operate a small business, why should you miss opportunities available only to the larger marine survey companies?”

Add to this the catastrophic “rain bomb” that has just devastated South East Queensland and Northern New South Wales with record flooding as a stark reminder that our world is changing. Like it or not, believe it or not, it is becoming quite apparent that the planet we call home is changing in ways that will change our lives forever! Just as the world is changing, so too the AIMS and its members must adapt to a new world as we move through the 21st century.

So, with this as our backdrop, the AIMS has now transitioned to fully operational under our new company structure. The AIMS board has now had several meetings and is starting to gel. I am very happy with board member participation thus far and look forward to achieving much during our first year.

Our very capable General Manager, Stacey Taylor, has taken to her new role like a politician to a photo opportunity, keeping the new board busy with the numerous challenges we face in our first term. These are exciting times for the AIMS.

What does the AIMS board hope to achieve in their first term? I believe I speak for the whole board in highlighting the areas that we collectively hold passion for:

### **PROVIDING MEMBERS WITH GOOD REASON TO BE MEMBERS**

What can AIMS do for members that improves the overall performance and quality of services provided by our members?

### **ARE OUR MEMBERS MEETING PROFESSIONALLY ACCEPTED AND AIMS STANDARDS?**

What are these standards and how can the AIMS ensure that our members offer services that meet these standards?

### **ARE OUR MEMBERS ABLE TO MEET THE EXPECTATIONS OF OUR CLIENTS?**

Any of our members working with larger businesses and corporations will understand the increasingly rigorous requirements for working in this sector. How can the AIMS help our smaller members achieve the requirements to work in these areas? Just because you operate a small business, why should you miss opportunities available only to the larger marine survey companies? Your business offers good service and expertise, but you still struggle to be considered for tenders.

### **HOW CAN THE AIMS ENSURE OUR MEMBERS ARE BEING ETHICAL?**

What do we do about complaints against members? A robust Standards and Ethics Committee will address these issues – the board aims to improve how we deal with these issues.

## CONFLICT OF INTEREST HAS ALWAYS PLAYED OUT IN THE MARINE SURVEYING PROFESSION

The AIMS should be sending strong messages to our members and clients about the potential negative impacts of conflict of interest.

Our Standards and Ethics Committee will again step in here whenever these issues are brought to light. We all think we do a great job and look after our clients' interests; however, we are all in business and the fine line between right and wrong is never far away.

I personally believe that as we move towards increased privatisation of regulatory services, the issues around conflict of interest will

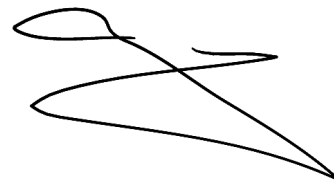
be become more prevalent. In the words of Australian songwriter, Tex Perkins (front man for The Cruel Sea), "you better get a lawyer son, your better get a real good one".

The above list of board objectives is far from exhaustive. The board will also be considering the AIMS business plan to ensure it reflects the needs of the institute and its members.

As part of the previous executive team, I have witnessed immense growth of the AIMS as an industry representative body with vision to the future and the ability to deliver on how to achieve that vision.

It is often asked what makes a good leader. I believe a good leader is one that others choose to follow. This sort of leadership comes from respect. As the AIMS board chair, I hope to be this type of leader and look forward to what lies ahead.

In a world that currently demonstrates both the worst and the best of humanity, I wish all AIMS members, their families and loved ones well as we navigate life in these changing, volatile and uncertain times.



John Holden  
Chairman



# Your ship, is our ship.



## You keep our world moving, we keep you in business.

Shipping is the lifeblood of our country and it's our job to keep you working safely and hassle free. Trusted. Experienced.  
Certified Commercial Marine Surveyors™.



Find a surveyor at [www.aimsurveyors.com.au](http://www.aimsurveyors.com.au)  
Email us at [info@aimsurveyors.com.au](mailto:info@aimsurveyors.com.au)  
or call us on 02 6232 6555



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# GM Insider

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The Grain Survey Standards document has undergone review and the next draft will be distributed to grain surveyors and industry stakeholders.”

Here we are again, the beginning of March and the year is unfolding faster than we hoped or anticipated, but the good news is, a lot has been happening behind the scenes within AIMS, some of which you will start to see the outcomes of over the coming months.

## CONFERENCE 2022

I know we said it last year, but I am going to dare to say it again, we are confident this year will provide us opportunities for reconnection. We are moving forward with planning, optimistic in our success at holding a conference and awards for excellence dinner in the latter part of 2022. Thank you to all members who took part in our recent survey, it assisted greatly in decision making on the best way forward. Preliminary planning has commenced, and we will soon make announcements so you can save the date in your calendar. This will be a great opportunity to network with colleagues, both familiar and new and meet the newest AIMS board members and industry representatives while enjoying a great line up of guest speakers.

## SANCTUARY COVE BOAT SHOW

From the 19th – 22nd of May we will also once again host a stand at the Sanctuary Cove International Boat Show on the Gold Coast. Last year's event was an outstanding success with over 50,000 visitors over the 4 days, many of which kept us and attending members busy with questions and discussions. It was a great opportunity to build awareness of the institute with the public and promote the value in selecting an AIMS surveyor for their next survey. We were very pleased by the number of people we had, both at the show and the weeks following, contacting us looking for a surveyor, not only in the Gold Coast region but all over Australia.

We would once again love to have members join us for a few hours or a day on the stand. This assistance in answering technical survey specific questions is invaluable and you might even pick up a survey or two for yourself. Keep an eye out for more communication on this in the coming weeks.

## ACCREDITED GRAIN SURVEYORS

The AGSA scheme is progressing, there are a lot of steps from inception to release to ensure the rollout is smooth and achieves all the expected outcomes, and we are on track

to open applications on the 1st of May 2022 as expected. I had mentioned previously that we had hoped to open applications earlier for members, but the actual date of this is still dependent.

The Grain Survey Standards document has undergone review and the next draft will be distributed to grain surveyors and industry stakeholders within the next few weeks for further review and feedback.

Online forums will also be held during March and April to give marine surveyors and industry the opportunity to ask questions and clarify requirements under the changes. Representatives from both AIMS and DAWE will be present at these sessions. It is expected the industry forum will take place in March and the marine surveyors forum in early April. Once the dates have been finalised, we will be communicating this information to members.

### WANT TO GET MORE INVOLVED WITH YOUR INSTITUTE?

Part of the community of an industry association such as AIMS is the opportunity to share knowledge and learn from colleagues and peers. If you have an area of expertise or interest you would like to share with other members, either via an online webinar or discussion group or through a written article for the newsletter, I would love to have a chat.

There will also be opportunity for members who want to make a difference within your industry sector to become involved in AIMS working sub-committees. Some of these will be developed to achieved short term projects, while others will form a representative group of industry sectors and assist AIMS in keeping abreast of the needs and focus for members in that sector. If you are interested in becoming involved, keep a watch for my upcoming communications or get in touch to discuss further.

Have ideas about what AIMS can be doing to better support our members more effectively in your sector? Maybe new projects or initiatives to be considered for future planning. I would love to hear from you.

### EXPANSION OF THE AIMS TEAM

We have recently advertised for an office administrator to join the AIMS team. We are looking for an organised, customer focussed administrator to assist our members and play an important role in the day-to-day operations of the institute. The job is part time in a work from home capacity and while marine survey or maritime experience would be an advantage, it is not essential. If you or someone you know are interested email your resume to gm@aimsurveyors.com.au. If you want to know more visit our website Positions Vacant page for the Position Description. Applications close March 9th.

While we haven't had the opportunity to connect in person over the last few years, my virtual door is always open if you would like to have a chat or send me an email anytime. I am keen to learn more about the needs of our members and how we can support you in your professional pursuits.

If you don't have my number, save it in your phone, you never know when you just may need to give me a call – 0492 881 737.

Stacey Taylor  
General Manager

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There will also be opportunity for members who want to make a difference within your industry sector to become involved in AIMS working sub-committees.”

## AMSA Consults to move quickly on safety reforms for industry

During December 2021, AMSA consulted with key stakeholders from industry including the AIMS to provide immediate clarification on the proposed reforms to NSCV C7A. It is hoped that interim measures will avoid confusion and provide industry with clarification on the compliance requirements before the holiday season kicks in.

Industry has requested flexibility and streamlining of C7A and AMSA has responded quickly to ensure that operators are clear on the requirements prior to a full review of the regulations next year.

To date, operators have been unsure of how to apply the rules on life rafts when they are out for repairs, replacement, or maintenance or when operating conditions have changed.

The proposed reforms include the flexibility for operators to adapt the number of life rafts on board to the number of persons on board. While this may seem like a reduction of safety to some the proposed reforms are a sensible approach and allow operators to reduce the number of passengers or crew when life rafts are out.

Most industry operators are keen to comply with safety requirements but find there is no flexibility to operate effectively when life rafts are out for servicing. Current rules mean that these vessels cannot operate without the required number of life rafts for the operational requirements regardless of the number of people on board.

The proposed changes will allow operators to reduce the number of life rafts however they must ensure that the number of life rafts are sufficient for the number of persons (including crew) on board for each operation or journey. This approach allows operators to rotate the servicing of life rafts and reduce the number of persons on board to suit rather than to cease operations.

Likely reforms include ensuring that life raft certification is kept on board at all times, date and evidence of removal of life rafts is recorded in the log book as well as the SMS and / or risk register and that details of pre-operational checks are recorded before setting sail.

Industry welcomed AMSA's swift response to concerns and look forward to the release of the interim arrangements.

AMSA is due to release the full details of the interim arrangements and a full review is expected in the first quarter of 2022. Marine Order 25 will also be included in the review and interim arrangements.



# AMSA Accredited Marine Surveyors AIMS are looking for your feedback

On Friday the 25th of February we forwarded a survey to our AMS Accredited Surveyors looking for your feedback. I know we've sent a few surveys lately, but they really are the best way for us to understand what you need from us so we can best support you. As always, we've kept it brief, 5 short questions which we anticipate will only take a few minutes to complete.

Depending on the responses, we may follow up with an online forum for more discussion about some of the issues raised or form a DCV working group to take further actions. If you wanted to talk in more detail about this, I am always available via phone or email.

The survey will be open until 5pm, Friday the 11th of March.

## AMSA Accreditation Renewals

Is your AMSA Accreditation renewal upcoming and you need to provide proof of AIMS membership and CPD for the past 12 months?

Contact us, we can help. AIMS can provide members with a letter to satisfy AMSA's requirements on both your current membership and CPD completion.

Email [info@aimsurveyors.com.au](mailto:info@aimsurveyors.com.au)  
or call us 02 6232 6555.

# Stability Audits – common findings

The following article was published in AMSA’s Survey Matters publication in December 2021

AMSA audits accredited marine surveyors to ensure the correct procedures and protocols set out in the National Law - Marine Surveyors Accreditation Guidance Manual (SAGM) and the Marine Safety (Domestic Commercial Vessel) National Law Regulation 2013 (the regulations) are being implemented.

AMSA has performed over 300 audits related to Stability approvals from accredited marine surveyors (AMS), with the assistance of Transport of New South Wales. Most of the submissions from accredited surveyors were found to be compliant and several positive observations noted. However, some of the audits identified several serious findings and the vessels failed to meet criteria. Below are some of the most common non-conformances identified:

## 1. Maximum allowable angle of Static Heel

In most cases, the AMS determined the heel consequence of the vessel as low and applied the allowable single and combined angles of static heel as 14 and 18 degrees respectively. However, during the audits, it was noted that several vessels did not meet the conditions of application of low heel consequence level. Several of these vessels failed to meet the comprehensive stability criteria for angle of heel when heel consequence of the vessel was determined as Moderate or High. AMSA encourages AMS approving Stability Booklets to ensure that the conditions of application for appropriate heel consequence level are met for each vessel. These conditions ensure that the vessel has adequate capacity to control the risks as the static heel angle increases. NSCV Part C Section 6 Subsection 6A Ch.3.8 Table-4, cited below, addresses these requirements:

**Table 4 — Maximum allowable angles of static heel**

Heel consequence level	Allowable maximum angle of static heel for heeling moment(s)		Conditions of application
	Single $\theta_s$ degrees	Combined $\theta_c$ (A) degrees	
1. High	5	5	No specified conditions of application – applicable to any vessel that is unsuited to the application of large values of heel.
2. Moderate	10	15	$\theta_s$ or $\theta_c$ (if combined lever criteria are applied) may exceed 5 degrees where— <ol style="list-style-type: none"> <li>1. if the vessel is fitted with a slewing crane that is subject to the lifting criteria, the crane is capable of safe operation at angles of heel up to at least <math>\theta_s</math>; and</li> <li>2. if the vessel is carrying unsecured deck cargo, the deck cargo shall either—               <ol style="list-style-type: none"> <li>i) comprise vehicles having rubber tyres; or</li> <li>ii) have a maximum potential moment from cargo shifting that does not exceed 20 per cent of the greatest value of <math>M_P</math>, <math>M_W</math> or <math>M_T</math>.</li> </ol> </li> </ol>

## 2. Allowable loss of freeboard calculation using alternate simplified criteria

In several cases, the type of vessel (cockpit vessels and well deck vessels) was identified incorrectly by the surveyor, which leads to application of incorrect simplified stability criteria for calculation of the allowable loss of freeboard. In several cases, it was noted that the accredited surveyors used the allowable loss of freeboard criteria for cockpit vessels, instead of using well deck vessel criteria. AMSA identified, during the audits, that these vessels failed to meet the well deck criteria. Definition of the type of vessel can be found in NSCV Part C Section 6 Subsection 6A Ch.1.7 and Fig-2. The relevant simplified stability criteria for measurement of inclined freeboard can be found in NSCV Part C Section 6 Subsection 6A Ch.7.4.5.

### 3. Wind pressures in bare poles condition for sailing yachts

For sailing yachts, surveyors have applied wind speed restrictions for operations during bare poles to satisfy the criteria for wind heeling angles, in some cases. Surveyors should consider not applying a restriction in wind speed, while calculating the wind heeling moments in bare poles condition.

AMSA considers application of a restriction on wind speed as failing the criteria for wind heeling angles for the area of operation. The minimum wind pressure to be used in the wind heeling moment calculation is specified in NSCV Part C Section 6 Subsection 6A Annex B 3.1 Table 41, as cited below:

**Table 41 — Wind pressure**

Operational Area	Gusting wind pressure (Pa)	Gusting wind speed (knots)	Equivalent average wind speed (knots)
A & B	600	61	44
C	450	53	38
D	360	47	34
E	300	43	31

## Initial Survey of Sister Vessels

The following article was published in AMSA's Survey Matters publication in December 2021

For AMSA to issue a certificate of survey, an application must be supported by the required survey reports and recommendations.

For the initial survey of a sister vessel, clause 3.9.5 of Part 2 of SAGM provides that, in lieu of full plan approval, the basis vessels approved plans are able to be submitted, and they need to be accompanied by a statement from an accredited marine surveyor with category 'a' (plan approval) accreditation (as per clause 3.9.1) as well as a lightship comparison report of the basis and sister vessel.

Depending on the type of sister vessel, the accompanying statement would need to confirm the basis and sister vessels' service categories, crew, special personnel and passenger numbers, and maximum speeds. Construction and commissioning phases of initial survey are to be conducted as per any other new vessel construction, in accordance with Part 2 of SAGM.

If you do not currently hold copies of the basis vessels plans and/or stability documentation, you may be able to request copies of the basis vessels records, however intellectual property considerations may apply. Please see the AMSA website for instructions on how to request vessel record.



**Australian Government**  
**Australian Maritime Safety Authority**

#### GENERAL CONTACT

Phone: 1800 627 484  
Monday to Friday 8 am to 5 pm  
[amsaconnect@amsa.gov.au](mailto:amsaconnect@amsa.gov.au)  
<https://www.amsa.gov.au>

# Musings from New Zealand

by Greg Marsden

It is my pleasure and to have been appointed a new 'New Zealand' based board member of AIMS, and as such have been tasked to share a few thoughts and perhaps set the scene for AIMS's expansion into NZ.

As many of our members are aware one of the key strategic goals of AIMS has been to break out of Australia and become an Australasian organisation, with a view to future further expansion into other countries and territories.

Recently at our board meeting, Stacey, our General Manager provided a breakdown of our membership, and I was interested to note that AIMS do already have a toe in the door in New Zealand with one current member and one student. This of course provides me with an opportunity in that if I manage to recruit another AIMS member, I will have doubled the membership, which would clearly be a line which I could spin gratuitously in any future conversation!

Seriously though, my aim going forward will of course to grow and represent the interests of AIMS here in New Zealand, but also represent the interests of NZ surveyors with AIMS.

In terms of my own survey activities, I am a commercially recognised surveyor with Maritime New Zealand and an AIMS-CCMS, however, my passion lies in the leisure market, and I get a real buzz from supporting both buyers (and sellers) through the sale and purchase process.

This from my perspective has come into sharp focus over recent years as the requirement for formal (qualified, certified, and accredited) due diligence has increased, largely due to pressures from enhanced insurance scrutiny, the NZ Consumer protection framework, marina compliance issues and the increasing 'condition clauses' brokerages are putting in their Sale and Purchase documentation.

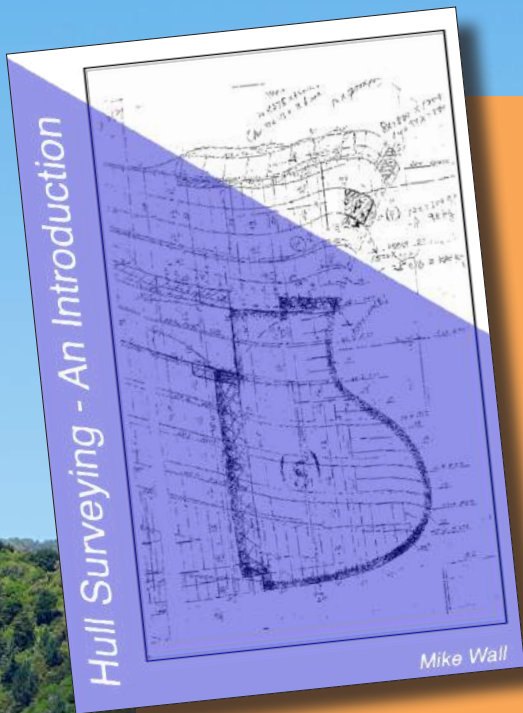
Many of these issues will no doubt resonate across the ditch and can be explored in more detail in future musings.

This year I very much look forward to meeting many of you either virtually or in person and am very much looking forward to the AIMS conference later this year where I hope to connect, reconnect, and explore new opportunities for our organisation and members both in Australia, New Zealand and perhaps beyond.

Please don't hesitate to reach out.

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My passion lies in the leisure market, and I get a real buzz from supporting both buyers (and sellers) through the sale and purchase process.”



## Hull Surveying - An Introduction – by Mike Wall

The book was originally a single book relating to both hull and machinery surveying but became so large that it had to be split into two parts. This is the second of the two. It has been written with three possible types of surveyor in mind.

The first group will have had very little or no marine experience and who are seeking to enter, what is to them, an entirely new profession. As such, much of the material presented will be new to them being designed to give them a grounding in the profession of marine surveying.

The second group will be people who have some related marine experience such as ship's deck or engineering officers who are seeking to leave seafaring but wish to remain involved with the marine industry in a wider field.

The final group will be experienced marine surveyors who want to extend their knowledge into the wider fields of the profession and continue their personal professional development by being exposed to areas of expertise with which they may not be familiar.

The book mainly relates to steel merchant vessels. Several types of material have also been covered which may be found on such vessels, together with GRP which is used in various other types of vessel. The book contains ten case histories based on actual incidents which show what hull damage investigations might look like. It also covers various reporting techniques relating to such incidents.

Self-published December 2021, Cost US\$120. 408 pages.



10th – 12th May – INDO PACIFIC International Maritime Exposition

19th – 22nd May – Sanctuary Cove International Boat Show

27th April – MIAL Maritime Decarbonisation Forum

28th July – 1st August – Sydney International Boat Show

# The Nature and Effects of Conflict of Interests

by Eric McIlwain

Marine surveyors are professional service providers who have several attributes to offer their clients. One is their technical skills, gathered over many years of hands-on experience in the marine industry, the other and probably the most important is their professional integrity.

A client relies implicitly on the surveyor's integrity when they read a report stating the findings of the surveyor following an inspection. Integrity gives the client confidence that the contents of any report are the independent findings of the surveyor and these findings are free from any outside influence. Such outside influence may be pecuniary, promissory or political in nature.

A conflict of interest is the term most would associate with any form of outside influence.

What is a conflict of interest? All professional service providers; lawyers, accountants, medical specialists and marine surveyors owe a duty of loyalty to their clients. Who is the client? In exploring the duty of loyalty of marine surveyors, the client is the person or body who has a contract with the surveyor to provide independent services for a monetary consideration. What does the surveyor owe the client? The surveyor owes their client, for the duration of the contract and in most cases beyond, a duty to serve the interests of their client to the exclusion of all others including themselves. How does a conflict of interest manifest itself? Any form of pecuniary, promissory or political reward that may be used to induce the surveyor to retain or change information which their client has contracted them to seek out and such retention or change would cause a detriment to the client and an advantage, no matter what the form, to the surveyor.

When identifying what is a conflict of interest, in the case of a marine surveyor, these questions need to be asked:

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Marine surveyors, like all professionals, require the maintenance of their professional integrity to continue in business.”

“

The relationship that marine surveyors have with their clients is more than a mere transactional one.”

1) Would a reasonable and fair-minded person perceive that the surveyor's interests might be favoured in the exercise of their duties and responsibilities to the client?

2) Do I have a contractual or familial relationship with a party other than the contracted client who may benefit from the findings or observations identified in the survey report given to that contracted client?

3) Would your insurance cover you in the event of a claim against you that involves negligence arising from a conflict of interest?

If the answer to any of these questions is yes, then a conflict of interest exists. A conflict of interest does not necessarily need to be direct.

A perception of a personal benefit can be enough for a conflict of interest to be deemed to be present. If the trust placed in the integrity of a marine surveyor is placed into question, either from a direct or indirect perception, then the client can and will form a view that a conflict of interest is present and question the veracity of any reports presented and place the integrity of the surveyor in serious doubt.

The consequences of a finding of a conflict of interest can be severe and far reaching.

The reputation of a marine surveyor, which is generally the most important commodity that a surveyor has to sell to a client, can be broken and lost in one simple action. Rarely are we remembered for our successes, but no-one forgets our failures. Even a perception of conflict of interest is a difficult stain to wash away. The stain will always be there no matter how hard we scrub. A loss of professional accreditation with either AMSA or a professional industry body such as AIMS can result in a severe loss of trade and business.

Industries and regulatory bodies also have their integrity at stake if any of their members

are found to have committed acts involving conflicts of interest and that body allows them to remain a member or to maintain their accreditation and not address the issue involving a conflict of interest.

Marine surveyors, like all professionals, require the maintenance of their professional integrity to continue in business. The relationship that marine surveyors have with their clients is more than a mere transactional one.

The relationship is one of trust. Our clients trust us to deliver to them an independent opinion, free of outside influence, which enables them to make large financial decisions. If that trust is eroded or broken by the actions of the surveyor where those actions have been influenced by a conflict of interest, either direct or indirect, then both parties will be exposed to severe negative consequences, both financial and reputational.

Such consequences can have been avoided at the beginning of the relationship by declaring the conflict to the client with an explanation as to why such a conflict exists. Identifying a conflict of interest before engaging with a client means your integrity and reputation remains intact allowing you to continue in a field which we all enjoy working in.

# 5 Golden Rules for Marine Surveyors

by Capt. Christopher Brown, MM, IIMS

I am often asked “what do you actually do”... and without sounding too pompous, I have managed to answer this concisely. “Anything that is to do with the movement of goods, that in some stage has involved ships, or indeed ships themselves,”... this, I think is a far better response that “have you got 8 hours to spare?”

There are different types of marine surveyors, often this may be as a result of background – not all marine surveyors have had a marine (or senior marine) background... there is nothing wrong with these guys and gals, and some have specialized in specific aspects of the trade, and become extremely competent, and in cases of some surveyors I know, more accomplished than those with a marine background in their own specialization.

As an ex Seafarer with considerable background as a Master in both break bulk and dry bulk, and a surveyor coming up to 25 years as a surveyor alone, I can say I have seen a lot of changes in our industry... and unlike many industries, have not seen any evidence of dumbing down, indeed, I have seen the complete reverse of this, indeed, the industry – certainly within Australia, has improved, and a large proportion of surveyors, from the old guard to the ‘newbies’... and all those in between, are in most cases a credit to the industry. And whilst the industry is self regulated, the activity of the Australian

Institute of Marine Surveyors (AIMS) have been extremely proactive in not only maintaining, but also improving standards and skillsets.

So these are some guidelines, speedhumps, and mantraps, especially for those that are newer in the industry than I am – (around 98%).

## THE 5 GOLDEN RULES

### 1. Fully Understand Who you are Working For.


This maybe a simple statement – but let’s dig a little deeper. You may be engaged by party A, who in fact are representing Party B (or C) – so are you working for Party A, B or C ? No doubt, if there is an issue, of which Party A are responsible, then effectively you are possibly prejudicing Party B or C. It’s a tough situation.

**ANSWER:** Good communication with your own principal, ie. Party A – of course if this happens at 2 a.m. the day after a public holiday... well it gets tougher.

### 2. Understand fully the extent of your appointment – and do not undertake anything that you have not been appointed to do.

This again, on the face of it, appears to be simple. It is not. In most cases, the surveyor will





have a fully clear brief of the service that is to be provided. I say 'in most cases' – there are also cases where the principal is not actually sure of what they want, often this may come from cargo interests that do not have a great knowledge of what happens at the coal face.

**ANSWER:** In this case, with time, and patience, it is good to explain in detail to the customer, with as much detail as possible, what may else maybe needed, and set this out clearly. I often use the term 'optional service' which does not lock the customer in. Again, refer to item 1 – above, know for whom you are working.

### 3. Be Aware of Possible Litigation

Whilst 99%+ of disputes between parties, whether they be Owners, time charterers, voyage charterers, shippers, receivers, traders etc. are resolved without litigation, there are those few that do end up in either court or arbitration.

It is very true, that the saying 'when you walk into court, the truth leaves the building'... and this is just as applicable in shipping. I do not know of many marine surveyors that have been in this position, but i have, and believe me it is brutal.

**ANSWER:** Should you be in a 'developing situation', your note taking is essential. Your communications are also essential, as these become 'evidence' for or against. In such case, well in all cases actually, ensure that any communications are not only completely traceable – ie. email as opposed to 'APPS' and also factual, without personal opinion.

### 4. Never use 'Reply All'

This sounds simple, but i have seen 50+ people in an ever growing chain of communications. If there is a dispute between any of the many parties involved, the surveyor, who let's face it, maybe providing evidence, can easily prejudice their principals.

Indeed there are some smart young things out there that troll through emails that have been sent on a reply all...and work out relationships between parties, to actually try to gain commercial advantage, to the disadvantage of the principal.

**ANSWER:** Think before you click.

### 5. Understand Perceived Conflict of Interest

While it is not uncommon for Marine Surveyors in any capacity, to represent more than one party, and on the provision that there is no conflict of interest, the surveyor must also be aware of the 'perceived' conflict of interest.

This is a difficult and vague matter. Effectively if a third party believes that by your representing two other parties, but they also have an interest, they may well feel disadvantaged by this, then irrespective of the situation, that third party may challenge your representing the first two parties,

This is different to 'Actual Conflict of Interest' – which is easier to determine. Whilst I have stated before, a marine surveyor may represent more than one party, should a conflict, or perceived conflict of interest arise, then there is an obligation to advise both parties of the situation, this can often be resolved by the surveyor reporting the facts without prejudicing either party, and if necessary withdrawing from one side or the other.

**ANSWER:** Be Honest and don't try to eat both ends of the Lamb's Leg.

So Guys and Gals in marine survey industry - there are some guidelines, if you ever get stuck in a situation, feel free to message me or email direct on [operations@aus-cm.com](mailto:operations@aus-cm.com)

We are the coal face, the problem solvers.

# Pre-Purchase Surveying – How It All Started

by Aaron O'Donoghue

“

Determined as ever, I went door knocking across local boat dealerships until someone gave me the opportunity to take me on as an apprentice.”

I first stepped into the industry at the ripe old age of 15, beginning my career as an apprentice Marine Mechanic. I knew early on that my passion was with boats but I couldn't leave school until I had a job lined up. Determined as ever, I went door knocking across local boat dealerships until someone gave me the opportunity to take me on as an apprentice.

Fast track 10 years (which flew by!), I was working on Sydney Harbour repairing a range of Petrol and Diesel engines. An acquaintance of mine approached me for some advice regarding buying a boat, believing that due to my experience as a Marine Mechanic, I could provide honest and reliable advice.

It clicked in my head that this could be a perfect opportunity to offer a new service.

Before I could get started however, I needed to become a qualified surveyor for compliance and liability purposes. Having been involved in a number of fibreglass repair projects - transom, stringers and floor repairs on my own boats, fit-ups and modifications on brand new boats, I knew what to look out for, but I needed that recognised officially.

Conveniently this happened to be around the same time that AIMS had released their Diploma of Marine Surveying - a perfect fit for what I was trying to do. Sure enough, I enrolled and spent my weekends doing the course modules. A year later I became a dual certified Marine Surveyor and Marine Mechanic.

I found having both certifications, individuals were showing strong interest and utilising my services.

I spent the next 4 years perfecting my services. I experimented with a number of different survey formats, and tweaked them based on customer feedback. For example, I progressed from writing paper reports and typing them at

home, to writing them digitally whilst onboard. To this end, I eventually developed a custom app to support the report writing process that I could customise to my liking.

This also helped simplify the filing and record storing process. It took about 12 months to develop, and is today an ongoing process as I aim to stay relevant with changes in the industry and my service offering.

Fortunately, I ran into the only the problem I wanted: being unable to keep up with the demand. There were more people asking me to complete inspections than I had time in the day. I knew I would be compromising the quality of my services if I rushed jobs to squeeze in more clients.

The majority of my work is Pre-Purchase, and I believe it's important to spend an appropriate amount of time onboard inspecting. A report cannot be rushed, and it would be a stretch to start doing more than 1 large boat per day.

The nature of our reports are very sensitive, and if the boat is breezed over and issues missed, the consequences can be significant.

When completing a survey, there can be many distractions. You may have an excited buyer and his entire family onboard, or a defensive owner following you around all day. I've found it important to have a key list of items to inspect in front of you to keep the survey on track and focused, so you get a similar result each time.

I turned back to AIMS after finding my first hire, Donald Nicholson, who also became a member of the Institute. Like me, Don was already an experienced and qualified engineer, and needed to train as a surveyor.

By this time AIMS had a number of surveying courses, and the transition into a qualified surveyor was smooth. From there, we opened in Queensland and Brendan Sutton joined the team, again an experienced Marine Mechanic who completed a Diploma with AIMS.

The Institute has been a great pathway to education, an outlet to continue professional development and meet other great surveyors along the way.

**Aaron O'Donoghue**  
**Marine Engineer & Surveyor**  
**BoatBuy**



The BoatBuy team:  
Don, Aaron, & Brendan

# Avoid that sinking feeling.



# Pick the right marine surveyor.

## The wrong surveyor could cost you more than a new boat.

Getting out on the water is a favourite Aussie past-time and we want to help you make sure that the boat you purchase is suitable for you and what you want it to do.

Purchasing a boat is a big investment and things can and do go wrong so you want the best advice possible.

Engaging a Certified Commercial Marine Surveyor™ to help you buy a boat makes a lot of sense. A quality condition survey is the best investment that you will make as part of the buying process.

Getting it right the first time may just save your life.

## So how do you choose a surveyor that is right for you?

There are no Government controls that regulate the minimum qualifications or experience required by a marine surveyor in the recreational boating industry.

The Australasian Institute of Marine Surveyors encourages boat owners to only engage a Certified Commercial Marine Surveyor™.

We care passionately about getting you out on the water because we love it too – but more than that we care about your safety and that means we care about your boat.

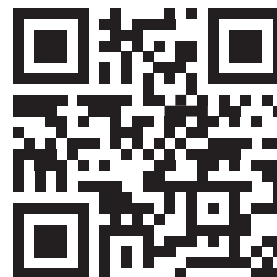
Check your marine surveyor's qualifications yourself or talk to us before you purchase a boat or engage a marine surveyor.

## It's our profession, not our part time job.

To become a Certified member of the AIMS, surveyors must provide evidence of their qualifications and experience that support the areas of specialisation they advertise.

AIMS Surveyors also commit and adhere to the AIMS Code of Professional Practice giving you, the boat owner, greater peace of mind.

Avoid that sinking feeling, pick the right marine surveyor.



Find a surveyor at [www.aimsurveyors.com.au](http://www.aimsurveyors.com.au)  
Email us on [info@aimsurveyors.com.au](mailto:info@aimsurveyors.com.au)  
or call us on 02 6232 6555



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