



The Bahamas FLAG

THE NEWSLETTER OF THE BAHAMAS MARITIME AUTHORITY

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Clipper's Torben Jensen named Commodore of the Year 2006

When Torben Jensen was a teenager, all he wanted to do was play football. By the age of 17 he was FC Copenhagen's, as it is now, goalkeeper. Now, some 40 years on, Mr Jensen has just been named as the Connecticut Maritime Association's Commodore of the Year (2006) in recognition of his outstanding achievement in the shipping industry.

So why the dramatic change of career? In the late fifties football was not the glamorous, money-laden business it is today and so Torben decided he would have to pursue a career outside of the game he loved if he was to make a decent living. Now, as Chairman of Clipper Group, Mr Jensen leads a five-strong executive board which includes his son Frank, who runs the Bulk Division from Harbour House, the company's new headquarters in Copenhagen, opened in September last year. And it was a conversation with his mother that set Mr Jensen towards a career in shipping. At her suggestion he applied for a job as a trainee in a small shipping company and 'it was the best thing that happened to me,' he said.

Shipping got into his blood and in 1972 Mr Jensen and a partner launched their own company, Armada. In 1991, they went their separate ways, with Mr Jensen retaining Clipper, the trading arm of the firm. Today, with a 500-strong world wide workforce, Clipper Group is one of the world's most

respected and successful shipping firms. Flying under the Bahamian flag, it owns 100 vessels, operates 250 and has another 40 under construction. Apart from its Copenhagen headquarters and its base in Nassau, Clipper has a presence in the United States, the UK, Ireland, Holland, Colombia, Brazil, China, Japan, Singapore, Australia and Dubai.

The business has three core areas: dry cargo, container and multipurpose ships, and tankers, and has recently expanded into cruise ships, VLCCs and Ro/Ros. It has grown impressively since 1991 with a particular boom in the last three years. '2004 and 2005 have been quite fantastic for most shipping companies,' said Mr Jensen. 'Consumer confidence is growing and we have been lucky in building up a modern fleet of vessels and acquiring a couple of shipping companies over the past few years. You have to be a certain size to be successful in shipping these days and although we have now reached that size, we would still like to grow a little more. Our aim is to have 300 ships by the end of 2007.'

Mr Jensen modestly ascribes his company's success to a mixture of good fortune and an instinct for the market. Underpinning this, he says, has been the first class service he has received from his banks, vital for a privately-owned company. But no doubt a large measure of enthusiasm has also been a factor. 'Shipping is a fantastic business. There are so



Torben Jensen, Commodore of the Year

many opportunities and you have to take them when they come. It is a fascinating industry. We always say "there are no two days in our lives which are the same".'

Mr Jensen is very proud that his fleet is registered with The Bahamas. Some 80 of his 100 ships fly the Bahamas flag and he expects that to rise to 120 within the next twelve months. 'We think The Bahamas is a very good and well respected flag. It has an excellent reputation in the shipping world. A good flag is one which doesn't incur a lot of problems and we have been very pleased to use the Bahamian flag.'

'What is also important is that the Bahamas Maritime Authority has a lot of very professional people. They have good superintendents checking the vessels. They are very efficient in closing when we buy or sell a ship. We have found them to be very good shipping people.'

The Bahamas Registry 30 years on



It is 30 years since the first ship was registered in The Bahamas. BMA's first director, John Dempster, recalls the earliest days of the Registry's history.

"In the early 1990s the Bahamas registered fleet was growing fast and total tonnage had passed the 20 million mark. At that time the Register was managed as a branch of the Ministry of Transport, some staff based in London and some in Nassau. It was clear that new arrangements were needed to manage an international fleet of this size, and the then Prime Minister Hubert Ingraham asked Peter Goulandris, a well known shipowner with links to The Bahamas, to undertake a review.

A small committee was set up under Peter's chairmanship. It proposed the establishment of a Bahamas Maritime Authority. The thinking behind this was that the management of a large ship register required something different from a traditional civil service organisation. A better structure would be a Government Agency, separate from the Ministry of Transport, supervised by a Board of Directors and managed by a Chief Executive who would be accountable for its performance. This represented a middle way between complete privatisation of the Register on the one hand, as is the case with some open registers, and detailed supervision

by civil servants on the other. The committee's proposals were speedily adopted by the Government and the Bahamas Maritime Authority Act 1995 was duly passed. I was privileged to be invited to become the first Director of the new Authority.

I well remember arriving in London in January 1996. At that time the Register was managed by a small team working in the attic of the Bahamas High Commission building. There were about eight staff struggling to keep abreast of the work, of which only two were technical officers - quite insufficient to cope with the increasingly complex task of applying the various IMO conventions to a large and international fleet! There was no finance department. So from scratch we set up an accounts department which was able to monitor income and control expenditure in accordance with an approved budget. The New York office was opened in 1998, and in the same year we successfully computerised the Register.

I left the Authority in 1999 but I am pleased to see that the basic structure which we put in place has stood the test of time. The BMA has come a long way since its early tentative beginnings and I have little doubt that the next 30 years will prove equally successful."

BMA's current Director looks to the future



It was with a great sense of privilege that I accepted the Director's post last year and therefore the challenge of taking the BMA into the next decade and beyond. The Authority has indeed come a long way since the 1990's and it is my job now to build on the hard work of my predecessors so that The Bahamas continues to be the Flag of choice for the very best of the world's shipping fleet.

In this issue of the Flag alone, we congratulate four outstanding supporters of The Bahamas – Victor Restis, whose company has won the "Dry Cargo Company of the Year" award, Captain Iversen and Captain Kapoor who were both recently involved in dangerous rescue missions in atrocious weather conditions, and Commodore of the Year, Torben Jensen. Calibre such as this reflects the quality and excellence that the BMA expects from its ships, their owners and crew. We shall continue to actively discourage older vessels from

joining the Register because we intend to play our part in creating a modern safety-conscious international industry.

One of the many reasons why The Bahamas attracts such top quality shipowners is because we make it our business to listen to and act on our owners concerns and reflect their interests through the work of the Bahamas Shipowners Association. But at the same time, the Authority is independent with a powerful voice in world shipping, underpinned by its active membership of the IMO Council. We will continue to influence the development of world shipping policies and national legislation as we strive to promote and encourage quality and safety as well as a clean maritime environment.

Another of the register's strengths is its global presence and representation. The Asian market is set to grow rapidly in the next few years and the BMA will be active in attracting new and quality tonnage throughout the Asian shipping world.

It is not by accident that the Bahamas Register is the third largest in the world, and continues to be the Flag of choice for quality owners. It continues to grow from strength to strength and I am proud and delighted to be involved in its global success."

Restis named Dry Cargo Company of the Year

First Financial Corp, the holding company for the dry cargo arm of the Restis Group, has won the 2005 Dry Cargo Company of the Year Award. Sponsored by ABN AMRO, the award, one of many in the Lloyd's List Greek Shipping Awards, was presented to Victor Restis in November last year in recognition of the massive expansion of the company's activities in the dry cargo sector.

A year ago, First Financial's fleet consisted of 13 modern capsized bulk carriers including nine reefers, the Group's traditional speciality, as well as seven handymax bulkers and double hull newbuildings. Now the company has boosted its fleet to 52 ships with four double hull handymaxes under construction in China and deliveries expected at the end of 2006. The judges were particularly impressed by First Financial's \$740 million deal in December 2005 with the Malaysian International

Shipping Corp (MISC) involving the take over of 32 vessels. The MISC fleet was delivered by the end of May last year, a major challenge in any circumstances, but especially difficult because 17 of the vessels were fixed on period charters.

Among the many impressive characteristics of the company's success in the dry cargo sector has been its willingness to operate joint ventures including two with



Award Presentation to Victor Restis (Right)

Macsteel and its subsidiaries for capsized and panamax tonnage, as well as handymax and handysize vessels.

In the words of Victor Restis on receiving the award, "The sky is not the limit. The sky is only the limit if you think of it as the limit." An inspirational message for us all!



Scott Hansen (centre right) accepts the Shipmaster of the Year award on behalf of Captain Jan Vilhelm Iversen, from Rear Admiral Chris Stanford, senior vice-president of the Nautical Institute

On the night of 2 November 2005, Capt Iversen was in Command of *CMA CGM Manet*. They were crossing the Bay of Biscay enroute to New York when he picked up a distress message from *MRCC Corsen* (France). A yachtsman had taken to his liferaft after losing his mast in a gale.

With his position only 10 nautical miles from the stricken yachtsman and in deteriorating weather conditions – gale force winds and torrential rain – Capt Iversen began

Shipmaster of the Year captains Bahamas flagged vessel

Captain Jan Iversen was awarded the 2005 Lloyd's List "Shipmaster of the Year" at a packed gathering at London's Banquet House in March this year. The Captain was nominated by CMA CGM (UK) Shipping Ltd for his unselfish efforts in rescuing a stranded sailor and for his dedication to his crew in their training and welfare over the past year.

his rescue mission. He and his crew performed a perfect text book search and rescue operation. The yachtsman was safely recovered and it is to the credit of Capt Iversen and his crew that he was sighted on the first attempt.

After making sure that the yachtsman was safe and well, Capt Iversen organised a rescue helicopter to take him ashore. Fortunately, shock, exhaustion and slight hypothermia were the only ill-effects suffered by the casualty but it is clear that had the rescue

not been so quick and effective, the story could well have had a tragic ending.

The report filed by Capt Iversen clearly describes the adverse and dangerous conditions encountered by *CMA CGM Manet* in the rescue operation. Thanks to his training whilst working with the Search and Rescue Operations Department of the Royal Danish Navy, the entire crew were able to continually adapt their plan, according to the prevailing conditions, and save a life without jeopardising their own.

Bahamas flagged *Searose G* involved in dramatic rescue

The master, officers and crew of the Bahamas flagged *Searose G*, (managed by B+H Equimar Singapore PTE LTD) were recently involved in a dramatic and tragic rescue operation while on passage through the Mediterranean Sea, bound for the Suez Canal. The Maltese registered container ship *Teklivka* was sinking 50 miles south, in gale force winds.

Searose G responded immediately, but *Teklivka* had sunk by the time she reached the scene. Displaying great bravery, teamwork,

under extremely difficult conditions and working with other ships in the area, *Searose G* rescued nine of the 15 crew. Three crew were picked up by another vessel but tragically three crew members were lost, despite the very highest levels of humanitarian endeavour.

Both the Bahamas Maritime Authority and the Maltese Maritime Authority acknowledged the bravery and outstanding

seamanship displayed by Captain Kapoor, his officers and crew, who will be nominated by the BMA to the IMO for an award.



The master, officers and crew of the *Searose G*

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Royal Caribbean unveils most expensive ship order

Freedom of the Seas, Royal Caribbean Cruise Lines 160,000gt megaship, sailed serenely into Southampton, England on 3 May this year. Flying the Bahamas flag, the massive cruise ship will be a vital element in RCCL's goal of becoming "the leading brand in the world," according to its President, Adam Goldstein.

Next year RCCL is basing *Navigator of the Seas* in Southampton to spearhead a marketing drive for the UK's growing cruise business. Spain, Scandinavia and North Europe are also on the target list in a bid to expand Royal Caribbean's passenger base. A further three ships are on order with the first one, *Liberty of the Seas* expected to enter service in 2007.



Freedom of the Seas, Royal Caribbean Cruise Lines

Royal Caribbean has also announced a \$1 billion order – the most expensive order ever – for a 220,000 gtr cruiseship with a passenger capacity of 5400. The new 1180ft long ship is a prototype developed under *Project Genesis* and is being built in Finland by Aker Yards. Delivery is due in 2009. According to RCCL's Chairman and Chief Executive, Richard Fain, "*Project Genesis* is truly a remarkable ship. Its bold design, daring innovation and technological advancements will delight our existing customers and help us draw in new ones." We can't wait!

The Super Convention

On 23 February 2006, delegates representing governments, employers and workers from 98 countries voted in favour of the Maritime Labour Convention 2006. Not a single delegate opposed the Convention although two countries abstained, not in opposition to the Convention, but because of circumstances specific to their countries.

Spanning some five years from its genesis to its completion, The Maritime Labour Convention 2006 is arguably the most ambitious project ever undertaken by the International Labour Convention (ILO). For The Bahamas, Capt Doug Bell is one of about a dozen delegates who has been there throughout the entire process. The Bahamas therefore has had a unique position in shaping and framing the Convention.

Often referred to as the "Seafarer's Bill of Rights", the Convention brings together "a global comprehensive and complete standard into one instrument to address the social conditions onboard ships". It addresses all issues central to securing conditions of "decent work" for seafarers such as the minimum age for work onboard ships, hours of work, occupational safety and health protection, standards for accommodation and catering, access to medical care, repatriation, labour inspections and social security.

This Convention however is more than just the "Seafarer's Bill of Rights". When ratified it will become, as the IMO Secretary General, Mr Mitropoulos, noted in his remarks to the Convention delegates, the "fourth pillar of the international regulatory regime for quality shipping, being bracketed in this respect with three of the most important IMO Conventions, namely the International Convention for the Safety of

Life at Sea, the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, and the International Convention for the Prevention of Pollution from Ships." In addition, the Convention attempts to "create, as much as possible, a level playing field in a globalised industry by ensuring that competition is not based on unjust, exploitative and unfair labour practices". It is also intended to improve the applicability of the system so that ship owners and governments interested in providing decent conditions of work do not have to bear an unequal burden in ensuring protection.

This Convention is unique to the ILO in many regards:

- It is the largest ever produced by the ILO incorporating and updating 38 Conventions and 30 Recommendations. It lays down a set of principles and rights for seafarers, with ratifying States being given more discretion as to their implementation.
- The Convention is the first to introduce the concept of "no more favourable treatment" to the ILO. While this is a tried and tested concept at IMO, no ILO Convention before this has ever incorporated its principles. Once the Convention comes into force it will be binding for everyone and thus provide a level playing field for all concerned. This ensures that a ship flying the flag of a

State which has ratified the Convention will not be treated more favourably than a ship flying the flag of a State that has not ratified the Convention.

- It has a very strong enforcement program, including a certification system for compliance, that is managed by Port State Control, which will not only be able to inspect, and arrest if necessary, vessels from a safety or environment point of view, but also from a social point of view.
- The Convention introduces to the ILO the concept of an accelerated amendment process to allow it to remain current and relevant to the changing environment.
- The format has three different but related parts:
 - Articles
 - Regulations
 - a Code (Part A mandatory Standards, Part B non-mandatory Guidelines)

It is important to note that adoption of the Convention will lead to additional costs to both governments and ship owners. Additional work may be needed to ensure that vessels both meet and maintain the standards set out. But because of its unique features these standards will be applicable to all vessels and will provide another tool for rooting out and eliminating substandard ships to the benefit of all shipping.

Nassau hosts Caribbean MOU PSC Committee

The Bahamas successfully hosted the 11th annual meeting of the Caribbean Port State Control (PSC) Committee in Nassau this year. Held on 29-31 May, the meeting brought together all Member States and observers of the Caribbean MOU on Port State Control to discuss and review the strategic plan for regional Port State inspections. Representatives from the IMO (Caribbean Regional Maritime Adviser), Paris MOU, US Coast Guard, Transport Canada, Equasis and Lloyd's Register (Fairplay) also attended. The Bahamas – an active member of the Caribbean MOU – recognises the importance of its Port State role in the global aim of ensuring the safety and security of ships and crew, as well as the protection of the marine environment.



Delegates at the Caribbean PSC Committee

The Bahamas faces its environmental challenges

As a Small Island Developing State (SIDS) The Bahamas archipelago has, over the years, had to confront a myriad of environmental challenges. With more than 10,000 square km of stunning coastline set in some 100,000 square km of Atlantic Ocean, the Bahamian government has taken many important steps to preserve its valuable and vulnerable environmental resources as well as ratifying numerous international environmental conventions. And because it recognises that a sound environment is essential to the economic, social well-being and health of its citizens, the government has drafted legislation and introduced regulations which address a variety of environmental issues.

One of the government's most significant achievements in supporting the sustainable use and management of the country's biodiversity, was the formation of the

Bahamas Environment Science and Technology (BEST) Commission. The Commission has been instrumental in drafting a National Environmental Policy. Another key function of the Commission is to examine and coordinate matters relating to international conventions, treaties, protocols and agreements about the environment, to which The Bahamas is, or intends to become, a party or signatory.

The Bahamas has recently been invited to participate as a Lead Partner Country (LPC) in the IMO Global Ballast Water Management Project. Acting through the BEST Commission, it has accepted this role. In recognition of the importance of protecting the marine environment from the transfer of harmful aquatic organisms in ship's ballast water, the Bahamas Shipowners Association

(BSA) has made a generous contribution of US\$20,000 to the project which will be reviewed and assessed annually.

The Bahamas was one of the first Small Island Developing States to sign the United Nations Convention on Biological Diversity. This is only one of many significant international instruments the country has ratified. They include the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (signed 1992), and the Kyoto Protocol to the Framework Convention on Climate Change (signed 1999). The Kyoto Protocol is of utmost importance to these low-lying islands threatened by rising sea levels and devastating hurricanes, both of which seem to be associated with climate change.

National Oil/Chemical Spill Conference

The Bahamas acceded to the Protocol to the International Convention on Civil Liability for Oil Pollution in 1981. In November 2005, the Ministry of Transport and Aviation hosted a National Oil/Chemical Spill Conference in Nassau. The objective of the Conference was to train responders to deal with a spill disaster and there was special emphasis on training the Family Island participants. In addition, the Conference had other important aims such as updating the country's National Plan and establishing protocols for dealing with emergencies.

The importance of the Conference was evident by the presence at the Opening Ceremony of the Minister of Health and Environment and the Minister of Transport and Aviation, together with their respective Permanent Secretaries and other senior government officials. All of the opening speakers stressed the serious consequences

for The Bahamas of a major pollution incident and the vital importance of dealing with such an occurrence swiftly and efficiently.

The first two days were devoted to a series of lectures, covering a wide range of topics, given by speakers from all the relevant government departments as well as a specialist in organising and carrying out oil spill response from the Clean Caribbean and Americas Organisation. The final day was dedicated to an oil spill response exercise, including a practical demonstration of an oil containment boom deployment, conducted in Nassau harbour.

Speakers dealt with various practical aspects of the current National Plan and how they foresaw the Plan being improved and updated. There was also a talk given by the Attorney General's office on Bahamian legislation covering pollution and

compensation, and a presentation given by the Bahamas Maritime Authority on the international compensation regime.

All speakers were closely questioned on their subjects and subsequent small discussion groups focused on particular areas of interest especially for the Family Islands. The general view of the attendees was that the Conference had been useful and should be repeated at regular intervals to ensure that all those likely to be involved in the types of emergency discussed should be as knowledgeable and up to date as possible.

As the Bahamas government's environmental initiatives gather momentum, its citizens can only hope that the global community continues to forge forward in the same vein.

News in brief...

Bahamas Merchant Shipping Act under revision

The Bahamas Merchant Shipping Act is being completely revised to bring it fully in line with present day requirements and to consolidate most of the associated shipping legislation. This will be a major task requiring a great deal of effort but it is hoped that the initial redraft will be completed within the next six months. With a fair wind the revised Act should be on the statute books in about a year.

Prestige Research Programme receives significant EC funding

When the Bahamian report on the loss of the tanker *Prestige* was published in November 2004, it contained a number of recommendations, the majority of which related to the performance of a ship's hull during its lifetime. A research project to look at these recommendations has now been agreed. It will be conducted by the BMA together with a number of partners and will be largely funded by the European Commission. The project, known by the acronym ALERT, will receive some 600,000 and is likely to take two years to complete. Depending on the outcome, further in-depth work may be necessary. The research should result in ships being safer throughout their entire life.

BMA approve STCW training courses

For many years, the BMA has been issuing Endorsements against Certificates issued abroad. The Authority has now put in place its own procedures for approval of training courses. This has been done in compliance with the provisions of Regulation I/6 of the STWC Convention. With the huge increase in the global gas tanker fleet, the training of competent seafarers for these vessels is one of the main "critical success factors".

Teekay Shipping's Glasgow office has been approved for conducting Specialised Tanker Training for Liquefied Gas Carriers, with reference to Regulation V/1.2.2 of the Convention, after their training procedures were evaluated and monitored extensively by Captains Chowdhury and James of the Authority. Officers undergoing successful training at the Centre will be issued with a Bahamas Tanker Certificate and Endorsement. The BMA has also put in place procedures for the issue of Appropriate Certificates, sometimes referred to as Certificates of Competency.



BMA appoints German representative in Leer

Captain Ulrich (Ulli) Reinecke attended Nautical College in Germany and graduated as a Master of Foreign Going Vessels. He served as an Officer and Master on several merchant navy vessels before

transferring to a London based offshore supply company as Technical Manager. He was promoted to Executive Manager in 1982.

Ulli then moved to the offshore industry for a Marseille based diving and offshore construction company as Operations/ Project and General Manager in Scotland, Saudi Arabia and Norway. This led to a busy period in consultancy work for various offshore projects worldwide before he returned to his native Germany in 2002 from where he continued advising the oil and gas industry.

After some 27 years abroad Ulli realised that his vast marine experience could be used to promote the interests of the Bahamas flag in Germany.

Out and about

Captain Dwain Hutchinson represented the BMA during a diplomatic trip to India in January. Spearheaded by the Ministry of Foreign Affairs, the trip's purpose was to strengthen bilateral exchanges and diplomatic and trade relations between the two countries. A Memorandum of Understanding (MOU) was signed with the Indian Ministry of Shipping to develop a framework for the mutual exchange of shipping expertise. During the trip, Captain Hutchinson and the delegation paid a courtesy visit to the Mumbai Office of Dockendale Shipping, one of the BMA's prominent owners.

On behalf of the BMA **Captain Nigel James** attended the fourth major International Marine Contractors Association (IMCA) Seminar in Edinburgh from 9-10 February. IMCA is the international trade association representing offshore, marine and underwater engineering companies.

The two day seminar was attended by 130 delegates representing 50 companies, many of which have vessels registered with The Bahamas, working within the offshore sector.

The theme "Safety Where It Counts: At the Sharp End" covered many of the areas where marine accidents can occur. Even though the offshore sector was highlighted, most subjects were generic to the maritime industry as a whole. A crew member can just as easily fall from a height and be killed on a luxury passenger ship as he can in the apparently more hazardous environment of a drilling rig or supply vessel!

The risk assessment process, adopted by the industry as a whole, is still meeting the demanding commercial requirements for heavy engineering within a hazardous environment, but it is making sure that the people "At the Sharp End" go home safely.

More information can be found at www.imca-int.com

In January, **Captain Nigel James** visited the UK's Maritime and Coastguard Agency (MCA) Rescue Coordination Centre (RCC), based above the white cliffs of Dover, which also houses the Channel Navigation Information Service (CNIS). The Bahamas has regular correspondence with the CNIS, about Bahamas registered vessels which contravene any reporting, routing and/or collision regulations within the Dover Strait.

The RCC is responsible for all types of rescue coordination within the Dover Strait, one of the busiest shipping waterways in the world. The CNIS working within the RCC is responsible for the safety of navigation within the Dover Strait, taking mandatory reports from the vessels in transit.

The CNIS operates a very sophisticated radar system linked to three masts along the coast. It generates and sends a computer enhanced picture back to the RCC. All data is recorded and secured in an archive for six years. Contravention reports are generated automatically from their systems with very little manual enhancement. All communications are via an advanced touch screen technology system. And, radio, telephone and voice communication at the operator's desk are automatically recorded and archived.

While there is a move towards the better use of Automatic Identification Systems (AIS) for vessels, manual reporting is still mandatory at present. This is likely to change as technology advances the AIS system. There is also a move to introduce a Coordinated European Reporting system so that a vessel entering the European trading area will only need to report once and not at different locations as it proceeds around the coasts.

The Bahamas Flag State Casualty Investigation Report for the 2002 *Tricolour* and *Kariba* collision was submitted to the MCA and MAIB last year. The report recommends that routing be modified in one particularly congested area of the Dover Strait in order to incorporate roundabout systems for converging streams of heavy traffic. This recommendation has been taken onboard and a draft amendment is currently underway at the RCC, CNIS, MCA and Hydrographic Office. It is expected that this amendment will come through the IMO Safety of Navigation Sub-Committee and Maritime Safety Committee later this year, greatly enhancing the safety of navigation within the area.

Further information can be found at [www.mcga.gov.uk/c4mca/mcga-hm_coastguard/channel_navigation_information_service_\(cnis\).htm](http://www.mcga.gov.uk/c4mca/mcga-hm_coastguard/channel_navigation_information_service_(cnis).htm)