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P & I CLUB CORRESPONDENTS

"CIRCULAR TO ALL P&I CLUBS"

Subject: Violation of Navigational Rules Claims in Georgia
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Dear Sirs,

This circular has been prepared by our colleagues as P&I Correspondent in Georgia in order to draw your and Member's attention to the increased number of penalties as a consequence of violation of navigational rules by the vessels navigating in Georgian waters.

There are three main ports in Georgia which are Batumi, Poti and Kulevi Ports which the traffic is controlled by separation lines for outbound and inbound vessels which are under control of Georgian VTS stations. In addition, there are environmentally protected areas on the North and South side of Kulevi Port separation lines.

The Georgian authorities are strictly implementing the navigation rules and closely following the vessels' movements while navigating inside the Traffic Separation Schemes (TSS) and directly intervening and warning the vessels in case they detect any alteration on the course or the vessel touches the separation line without permission of VTS station. If a violation of navigational rule occurs, the VTS or Coast Guard warns the vessel and order her to proceed anchorage area and drop anchor for investigation by authorities. At the end of investigation, the Master of the vessels are taken ashore for statement taking and hearing and then a penalty is imposed to the vessels if the vessel is found in failure of navigational rules. The penalty amount is calculated according to the tariff based on the GT (Gross tonnage) of the vessel.

Violation of the rules of marine navigation, committed by

- a) under 100 GT vessels -
entails imposing of penalty in amount of 500 GEL;
- b) 100-300 GT vessels -
entails imposing of penalty in amount of 2,000 GEL;
- c) 300-500 GT vessels -
entails imposing of penalty in amount of 5,000 GEL;
- d) 500-3000 GT vessels -
entails imposing of penalty in amount of 10,000 GEL;

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e) 3000- 5000 GT vessels -

entails imposing of penalty in amount of 15,000 GEL;

f) 5000-8000 GT vessels -

entails imposing of penalty in amount of 20,000 GEL;

g) 8000-10,000 GT vessels -

entails imposing of penalty in amount of 30,000 GEL;

i) 10,000 and more GT vessels -

entails imposing of penalty in amount of 50,000 GEL;

Survey, exploration or processing of mineral resources of continental shelf or special economic zone in Georgia without proper permits-

entails imposing of penalty in amount of 75,000 GEL

The Georgian authorities do not accept any LOU or payment promise but they release the vessels only upon payment of the penalty amount directly to the account of authorities. Once the payment completed, the vessels are allowed to sail and there is no further pursuit or legal matter against the Owners or vessel's crew.

For guidance purpose, we recommend the following points should be taken into consideration by vessel crews while navigating in Georgian waters.

- The Colreg rules should be strictly followed
- A proper voyage plan should be prepared in line with the TSS lines
- No significant course alteration should be made while navigating in TSS and the vessels should be kept away from the borders and corners of TSS lines
- If the vessels have to make course alteration due to emergency situation or are crossing with any inbound or outbound vessel, the VTS station should be immediately informed. No short cut over the TSS should be made without permission of VTS station.
- The ship's crew should ensure that the ship's radios are open on the correct channels and can respond when called by VTS stations.
- The VTS station orders to the vessel by radios should be followed

Submitted for your kind info.

Please contact us if you have any further queries and if you / your members need our assistance, we are always at your disposal.

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Best regards,

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