RSF Conference Proceeding Series: Engineering and Technology, Vol. 3 No. 1 (2023)
https://doi.org/10.31098/cset.v3i1.739

Check for updates

Research Paper

Analysis of Deadfreight Claim in the Process of Loading Coal on MV. Ocean Time

Latifa Ika Sari[1], Muhammad Syarif Al Imam[1]
[1]Politeknik Ilmu Pelayaran Semarang, Indonesia

Received: Aug 20, 2023	Revised: Sept 8, 2023	Accepted: Sept 19, 2023	Online: Oct 5, 2023

Abstract

PT. Bahari Laju Anugerah Banjarmasin branch is a shipping company that handles and performs ship agency services in Banjarmmasin, South Kalimantan. The ships Handled are mostly ships that will transport coal to be exported to various countries in the world. In coal export activities, the transportation process from the jetty to the berth area is carried out using barges. During the loading and unloading/transshipment process, there are often obstacles that can cause dead freight which causes losses to the owner of the goods. This research was carried out in August 2021-February 2022. The purpose of this study is to determine the factors causing dead freight claims in the coal loading process on the MV. Ocean Time and the efforts made to reduce it.

The research method in this study uses qualitative descriptive methods. Researchers use observation, interviews, and documentation (triangulation) in data collection. Researchers collect data as well as test the validity of the data by checking through several data sources such as conducting interviews with three different sources, namely Shipper on Board, Foreman on Board, and Foreman Jetty.

The results of this research show that the cause of dead freight claims in the coal loading process on the MV Ocean Time is problems during the loading process, spillage of coal cargo during the loading process, and theft of coal cargo from the barge. To reduce it, several efforts were made by PT. Tanjung Alam Jaya as the owner of the cargo includes effective and efficient coordination and communication. In addition, by escorting the cargo carried by the barge so that the amount of cargo remains intact.

Keywords *coal loading, deadfreight claim, MV. Ocean Time*

INTRODUCTION

Indonesia is a country that has abundant energy resources including coal. Coal is a very promising export commodity and provides a large profit at this time. This is because coal is used to meet the needs of the power generation sector and other industries. Coal is a natural resource that is quite abundant and will still exist for the next eighty-three years (Pratama et al., 2021). That is why recently there have been many developments in coal mining companies.

Coal is included in the dry bulk cargo. Therefore, when loading, the calculation of the load needs to be considered and carried out in detail to get a load that matches the tonnage stated in the loading agreement commonly referred to as the stowage plan. To transport large quantities of goods, sea transportation modes are more efficient with low prices, more secure goods, and more effective delivery (Jinca, 2019).

Corresponding author's email: latifa.ika@gmail.com; imamsyarif99@gmail.com

In operating transportation services, it will always be related to the facilities and infrastructure used. With human resources that function to manage service management. Taboneo anchorage, Banjarmasin is a waterway located in South Kalimantan that is used to carry out coal loading (transshipment) activities to ships that will later be exported to other countries. In simple terms, transshipment is the activity of moving cargo from one ship to another. These activities are carried out in a water or marine environment (Salsabila, 2018).

The shallowness of the river channel results in large ships that have a high draft being unable to carry out loading activities at the jetty. The advantage when carrying out transshipment activities at anchorage is that it has a higher level of safety.

Deadfreight can be caused by various problems, including damage to the barge such as holes in the side of the barge that cause spillage of cargo on the way to the loading point, theft of cargo from the barge while transported, cargo spilled during the loading process from the barge into the hold of the ship due to lack of handling.

In addition, another obstacle that may arise is the difficulty in reading the draft of the ship because the wave conditions at Taboneo Anchorage are unstable in certain months making it difficult to read the draft of the ship, which can lead to miscalculation of the draft of the ship. Therefore, exporters must make handling preparations during loading to avoid deadfreight. If there is a shortage of cargo, the ship's captain will submit a claim in the form of a letter of protest. This claim contains a statement that dead freight has occurred in the loading process. The exporting company must fulfill the amount of underloading as a form of responsibility. The exporting company can negotiate with the buyer to replace it. When the cargo on board is not by the loading agreement, the ship is not allowed to sail, so the company as an exporter must be responsible for resolving the problem before a fine is imposed on the ship by the provisions of the local authority.

Similar problems have been researched by several experts before, and several references were found that researchers took to be a reference in writing the research. Some research related to transshipment researchers made as a reference in the preparation of this research.

The shipper as the exporter could not fulfill the amount of cargo, so the ship's captain issued a letter of protest containing a statement regarding the shortage of cargo. This transshipment process is carried out at Taboneo Anchorage, Banjarmasin, South Kalimantan.

Based on the above problems, researchers are interested in conducting research with the title "**Analysis of dead freight claim in the process of loading coal on MV. Ocean Time**"
Based on the background previously described, the main problems that will be discussed by researchers in this study are:

1. What are the factors that cause Deadfreight Claims in the coal loading process on MV? Ocean Time?
2. What efforts are made by PT Tanjung Alam Jaya as the owner of the goods to reduce the occurrence of Deadfreight claims in the process of loading coal on the MV? Ocean Time?

LITERATURE REVIEW

Theory Description

a. Analysis

Analysis is the activity of detailing an object through certain tools, into several components related to each other by assessing and knowing the differences between several different objects (Fau et al., 2017).

b. Dead freight

Dead freight is the payment of demurrage by the charterer if it is unable to fulfill the amount of cargo promised in the contract. In this case, the shipper must be responsible for paying the penalty for the lack of cargo, if in the process of transshipment, the shipper as the charterer cannot fulfill the amount of cargo as stated in the agreed stowage plan. Deadfreight is another name for damages that the ship owner is entitled to claim against the charterer if the charterer fails to load the full amount of cargo as stipulated in the charter party (Rowbotham, 2022).

c. Claim

In carrying out the transportation of goods by sea, generally using international legal ties in the form of a Charter Party so that there is no misinterpretation in several countries around the world. In this bond, there are several parties involved, including the owner of the goods, the ship owner, and the seller (Hajer & Bröer, 2020). The bond contains all agreements and rules that are signed and approved by each of the parties involved. In its implementation, it is not uncommon for defaults to occur or it can be called non-fulfillment of obligations in an agreement. According to legal relations, a violation committed by another party causes the other party to claim compensation for the losses incurred (Massie et al., 2021). Efforts to request compensation from one party to another are called claims.

d. Cargo

The definition of ship cargo according to Fakhrurrozi (2017) in his book Handling, Regulating and Securing Cargo, sea cargo is all types of goods (Goods and merchandise) that are handed over to the carrier to be transported and handed over to the owner of the goods at the destination.

e. Loading

Loading implementation is the process of moving goods from the ship, to the dock or vice versa, determining the amount of goods based on measurements and calculations in the cargo loading process (Fakhrurrozi, 2017).

f. Coal

Coal is a sedimentary rock formed from organic deposits, which are the remains of plants that have changed for a long time under the influence of pressure and high temperature. Coal consists of several minerals such as hydrogen, oxygen, carbon, sulfur, nitrogen, and other mineral compounds that make it flammable. Coal from the book Indonesian Coal (Irwandy A., 2014).

g. Ship

According to Law Number 17 of 2008 concerning Shipping, Article 1 Number 36 explains that a ship is a water vehicle of a certain shape and type that moves, is pulled or pulled by wind power, mechanical power, or other power, including dynamic support vehicles, underwater vehicles and floating equipment and stationary floating buildings.

Research Framework

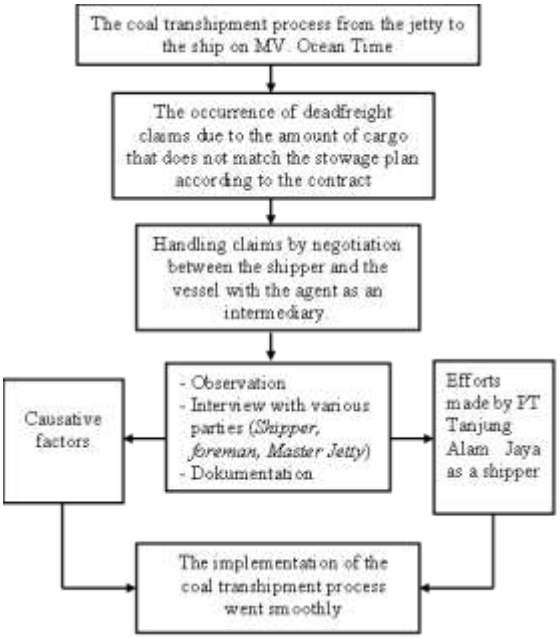

Figure 1. Research framework

METHODOLOGY

The research method used in this research is the descriptive qualitative method.

Time and Place of Research

The research was conducted at PT Bahari Laju Anugerah and was conducted from August 07, 2021, to February 27, 2022.

Research Data Sources

The data sources in the research are informants, primary data, and secondary data. Primary data is obtained through direct experience and interviews with stakeholders during the loading process of the MV. Ocean Time. While secondary data is obtained through company documentation, cargo and ship documents, websites, and reference books.

Data Collection Technique

The methods used to collect data in this research are observation, documentation, literature study, and interviews.

Research Instruments

In qualitative research, the research instruments are data collectors (researchers), interviews, and observation guidelines.

Qualitative Data Analysis Technique

Data analysis techniques by collecting data, reducing data, presenting data, and drawing conclusions.

Data Validity

The researcher tested the validity of the data by triangulation. Researchers collected data that also tested the validity of the data.

FINDINGS AND DISCUSSION

Data Description

PT Bahari Laju Anugerah Banjarmasin branch is a joint company of Ben Line Agencies Indonesia which operates ship agency services spread across Asia Pacific including Banjarmasin, South Kalimantan with company data in Table 1 as follows:

Table 1. Company data PT. Bahari Laju Anugerah

Company name	PT. Bahari Laju Anugerah cabang Banjarmasin
Address	Jl. Soetoyo, Komplek Saleh No.14, Teluk Dalam, Banjarmasin Tengah, Kalimantan Selatan, Indonesia. Kode Pos 70117
Telephone Number	+62 51 142 4541
Fax	+62 51 142 4541
E-mail	1. coal@benline.co.id (*coal*) 2. tankers@benline.co.id (*tankers*) 3.heavylift-bbulk@benline.co.id (*heavylift*) 4. drybulk@benline.co.id (*bulk*) 5. husbandry@benline.co.id (*husbandry*) 6. offshore@benline.co.id (*offshore*)
Website	www.benlineagencies.com

As a shipping service provider, PT Bahari Laju Anugerah has several stages of the process that must be carried out by the procedures set by the company. The activity process is carried out before the ship arrives at the port until the ship leaves the port. The focus of this research is on the occurrence of dead freight in the process of coal loading activities during loading on the MV. Ocean Time. Therefore, the researcher will provide a little explanation of the process of coal loading activities on MV. Ocean Time at PT Bahari Laju Anugerah, Banjarmasin branch.

Finding

This research data collection was carried out using observation, interviews, and documentation obtained by researchers while conducting research. The purpose of this study is to determine the factors that cause dead freight claims in the coal loading process on MV. Ocean Time. Researchers conducted observations and were directly involved as agents on board at the PT Bahari Laju Anugerah office for 7 months from August 2021 to February 2022. Interviews were conducted by researchers using 3 informants. In the ship service process. Researchers found one incident of underloading when the ship that the researchers handled, namely the MV. Ocean Time during the transshipment process at Taboneo Anchorage, Banjarmasin, South Kalimantan.

Transshipment activities on the MV. Ocean Time lasted for approximately ten days, starting from the ship arriving on September 11, 2021, and the ship departing on September 21, 2021. The researcher's job as a boarding agent during transshipment activities is to monitor and ensure that loading activities run smoothly and coordinate if problems occur.

The form of the problem discussed in this study is the occurrence of dead freight in the process of implementing transshipment activities on MV. Ocean Time. The ship arrived on September 11, 2021, at 18:00 local time, and immediately dropped anchor at the anchorage point. Then an inspection was carried out by Syahbandar, Immigration Office, Customs, and KKP (Port Health Office) officers to provide permission to carry out loading activities. The permit was issued after the inspection was carried out on September 12, 2021. However, the loading process has not yet

been carried out because the cargo is still on its way from the jetty to the loading point at the anchorage. The first barge docked to the ship and commenced loading on September 14, 2021, and loading was completed on September 20, 2021. During the loading process, researchers found that there were several problems. During loading activities, the coal to be loaded has not been on standby near the anchor docking area. This made the loading process not going well.

In the implementation of the usual gearless ship loading process assisted by a floating crane to speed up the loading process. Floating cranes perform loading with a conveyor belt that runs in through the crane arm at the end of which there is a spreader to enter the cargo into the hatch. However, less than-optimal loading using a floating crane can pose a risk of spilling cargo onto the ship's deck. If the distance between the crane arm and the ship's hatch is high enough, it will make the cargo easily blown away by the wind with the weather conditions at Taboneo anchorage which tend to be unstable. This finding is reinforced by the photos of the loading process that researchers have attached as well as the interview results from the Foreman on Board who said:

"Spillage of cargo can be caused by strong winds in the process of coal entry through the end of the spreader to the hatch. In addition, less than optimal grab conditions can cause some spillage on the side of the barge."

From this information, it can be concluded that the coal loaded is mostly in the form of dust or some kind of sand. As for the consequences, if strong winds occur continuously, it will cause a lot of cargo to be wasted. This expression is evidenced by several spilled loads. The following researchers have included in the form of photos of cargo in the following Figure 2.

Figure 2. Cargo coal
Source: personal documentation

On the problems that cause slowness during the loading process, the shipper on board as a representative of the company conveyed to the researcher including:
"Yes, although the loading process has been assisted by two floating cranes that lean on the left and right sides of the ship, the cargo to be loaded is not ready to load and is still on its way from the jetty, this can happen because at this time the production output is still insufficient. In addition, we are also optimizing to become coal traders by trading coal."

From the information of the interview results, researchers can find that there are delays in several barges carrying cargo to be loaded onto ships. This finding is proven by the daily report listed in the Statement of Fact, which researchers have attached to the research appendix page as documentary evidence.

The impact of unstable weather hampers the loading process. The loading process will be stopped

if there is heavy rain that triggers high waves for safety reasons, and to avoid water entering the ship's hold. This finding is supported by an interview with the Foreman on board who said that strong winds can cause coal to spill through the end of the spreader into the ship's hold. As evidence that bad weather has occurred, it can be seen in the Daily Report listed in the appendix. Figure 3. below can be seen as an example of the loading process using a floating crane.

Figure 3. Loading Process used *floating crane*
Source: Personal Documentation

During the process of traveling from the jetty to the anchorage area, theft of barge cargo is not uncommon. In the last three years, South Kalimantan Police recorded 50 cases of theft. Monitoring or escorting the barge is only done by communicating with the crew. Because the barges run slowly between 3-4 knots, this makes it easier for thieves to board the barges. The barge trip from the jetty to the anchorage takes approximately thirty-six hours. The form of cargo theft during the trip to the loading location can be seen in Figure 4. below.

Figure 4. Theft cargo
Source: Personal Documentation

During the loading process there is a waiting cargo barge alongside or waiting for the barge to dock to a large ship. This is what makes the loading and unloading process on the MV. Ocean Time to be long, in addition to the occurrence of rain. There are a total of 9 barges that berth on the MV. Ocean Time, after the 9th barge had unloaded half of the total cargo carried, an Intermediate draft survey was carried out by the Chief Officer and Surveyor by calculating the draft to check the amount of cargo shortage. After the unloading of the 9th barge was completed, a Final Draft Survey was conducted by the Chief Officer and Surveyor to calculate the total cargo that had entered the ship's hold. In checking the draft of the ship to calculate the cargo, the Surveyor and Chief Officer must be more careful. There is a possibility of miscalculation of cargo due to high waves due to weather changes and differences in the density of seawater and fresh water. After the calculation process, it was stated that the amount of cargo loaded was 70,100 MT while according to the stowage plan according to the contract agreement the amount of mutant that must be loaded is 70,252 MT.

Master as the highest person in charge on the ship has the authority to give a letter of protest due

to cargo/load mismatches. The letter of protest that has been signed by the Master is then submitted to the researcher who is responsible as the agent on board who then conveys it to the shipper on board as the person in charge of the cargo.

CONCLUSION AND FURTHER RESEARCH

Conclusion

Based on the explanation contained in the discussion of the research results of the problem formulation in connection with the research on the occurrence of dead freight claims in the coal loading process on the MV. Ocean Time, the following conclusions are obtained:

1. Factors of dead freight claims in the coal loading process on the MV. Ocean Time due to several factors including the obstructed loading process difficulty reading the draft of the ship, theft of cargo, and spillage of cargo.
2. Efforts made by PT Tanjung Alam Jaya as the owner of the goods to reduce the occurrence of Deadfreight Claims in the process of loading coal on the MV. Ocean Time is by preparing the cargo and increasing the effectiveness of communication between the ship and the floating crane crew.

Advice

In the research on the occurrence of dead freight claims in the coal loading process on the MV. Ocean Time, several suggestions could be useful for shipping companies, in particular, teachers, and readers, who have an interest in the maritime sector. The following suggestions are written down:

1. To provide an optimal implementation of loading activities, good preparation is needed, in this case, the shipper as the owner of the cargo. Before loading activities are carried out, the shipper should prepare the cargo and prepare the documents needed to facilitate loading. For the cargo owner company or shipper, wherever possible, the shipper prepares a budget to carry out cargo supervision during the trip.
2. Regarding the obstacles during the loading process, all parties should carry out preparation, supervision of loading activities, and coordination between the ship, the floating crane in this case the stevedoring company, and the shipper as the cargo owner. To overcome the problems that occur in the loading process. As well as improving good working relationships with all parties such as stevedoring companies, shippers, agents, and ships.

REFERENCES

Albi Anggito, Johan Setiawan (2018) *Metodologi penelitian kualitatif*. (2018). (n.p.): CV Jejak (Jejak Publisher).

Arif, I. (2014) *Batubara indonesia*. Jakarta: PT Gramedia Pustaka Utama.

Djaali (2021). *Metodologi Penelitian Kuantitatif*. (n.p.): Bumi Aksara.

Fakhrurrozi (2017) *Penanganan, pengaturan, Dan Pengamanan muatan Kapal Untuk Perwira pelayaran niaga*. Yogyakarta: Deepublish.

Fau, A., Mesran, & Ginting, G. L. (2017). Analisa Perbandingan Boyer Moore Dan Knuth Morris Pratt Dalam Pencarian Judul Buku Menerapkan Metode Perbandingan Eksponensial (Studi Kasus : Perpustakaan STMIK Budi Darma). *Jurnal Times (Technology Informatics & Computer System)*, *6*(1), 12–22.

Fenti Hikmawati, 1968- (pengarang). (2017). *Metodologi penelitian / Dr. Fenti Hikmawati, M.Si*. Depok :; © 2017, pada Penulis: Rajawali Pers,.

Hajer, M., & Bröer, C. (2020). We Are Here! Claim-making and Claim-placing of Undocumented Migrants in Amsterdam. *European Journal of Cultural and Political Sociology*, *7*(4),431-451. (https://doi.org/10.1080/23254823.2020.1774911)

Hamid Darmadi. (2014). *Metode penelitian pendidikan dan sosial : (teori konsep dasar dan implementasi) / Hamid Darmadi*. Bandung :: Alfabeta,.

Hardani, Auliya, N. H., Fardani, R. A., Ustiawati, J., Utami, E. F., Sukmana, D. J., & Istiqomah, R. R. (2020).*Metode Penelitian Kualitatif & Kuantitatif*. Yogyakarta: CV. Pustaka Ilmu GroupYogyakarta

https://kalsel.antaranews.com/berita/67772/pencurian-batubara-karungan-kembali-marak-di-sungai-barito

Irania, (2019). *Pengaruh Pelayanan Terhadap Loyalitas Pelanggan*. 13–45.

Lexy J. Moleong (penulis). (2018). *Metodologi penelitian kualitatif / penulis, Prof. DR. Lexy J. Moleong, M.A.*. Bandung :: PT Remaja Rosdakarya,.

Massie, E. N. E., Pandaag, H., Suriyono, & Soewikromo, S. (2021). *1 2 3 4*. *IX*(3), 247–257.

Poth, C.N. (2018) in *Qualitative inquiry and research design: Choosing among five approaches*. Los Angeles: Sage.

Pratama, A., Fajar, B., & Kiono, T. (2021). *Potensi Energi Batubara serta Pemanfaatan dan Teknologinya di Indonesia Tahun 2020 – 2050 : Gasifikasi Batubara*. *2*(2), 114–122. https://doi.org/10.14710/jebt.2021.11429

R. A. Fadhallah (2021). *WAWANCARA*. (n.p.): UNJ PRESS.

Rabi, I. R. A., & Al, A. H. (2021). *Di Atas Kapal Guna Mencegah Terjadinya Over Draft Di Mv . Selat Mas*.

Roosinda, Fitria Widiyani, dkk. 2021. *Metode Penelitian Kualitatif*. Yogyakarta: Zahir Publishing.

Rowbotham, J.M. (2022) *Break bulk and cargo management*. Abingdon, Oxon: Informa Law from Routledge.

Salmaa (2023) *Teknik Pengumpulan Data: Pengertian, Jenis, dan Contoh* : Deepublish

Salsabila, A. P. (2018). Pengoptimalan Satgas 115 dengan Model Koordinasi Satgas Pusat dan Daerah Sebagai Bentuk Pencegahan Illegal Transhipment di Indonesia. *Lex Scientia Law Review*, *2*(1), 5–20.

Sugiyono. (2022). *Metode Penelitian Kuantitatif, Kualitatif, dan R&D*. Bandung:Alfabeta.

Suharyono, Purwantono, & Ningrum Astriawati. (2022). Identifikasi Penyebab Deadfreight Muatan Batubara Di Mv. Rb Mya. *Majalah Ilmiah Gema Maritim*, *24*(2), 133–142. https://doi.org/10.37612/gema-maritim.v24i2.317

Suratni Ginting (2022). *Penanganan dan Pengaturan Muatan di Atas Kapal Bagian 1 (Pertama)*. (n.p.): Media Sains Indonesia.

Undang-Undang Nomor 8 Tahun 1999 Tentang Perlindungan Konsumen.

Undang-Undang Nomor 17 Tahun 2008 Tentang Pelayaran.