

Headlines:

NAVSAC – meeting;
Congress – water resources bill passed;
Court – judicial estoppel; and
Australia – Australian Border Force.

May 23, 2014



Bryant's Maritime News

Bryant's Maritime Consulting - 4845 SW 91st Way - Gainesville, FL 32608-8135 - USA

Tel: 1-352-692-5493 – Email: dennis.l.bryant@gmail.com – Internet: <http://brymar-consulting.com>

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NAVSAC – meeting



The Navigation Safety Advisory Committee (NAVSAC), sponsored by the US Coast Guard, will meet on 11-12 June in Arlington, Virginia. Topics on the agenda include: the Future of Navigation initiative; the Atlantic Coast Ports Access Route Study; modernization of the Marine Safety Information System; and AIS aids to navigation. [79 Fed. Reg. 29787](#) (May 23, 2014).

Congress – water resources bill passed



The House and the Senate have passed the Water Resources Reform and Development Act of 2014 (H.R. 3080), available in the form of the agreed [Conference Report](#). Highlights of the measure, which will soon be submitted to President Obama for consideration, are addressed in a [press release](#) of the House Committee on Transportation and Infrastructure. (5/22/14).

Court – judicial estoppel



The US Court of Appeals for the Fifth Circuit affirmed the dismissal of a suit for declaratory judgment. American Commercial Lines (ACL) sought a declaratory judgment that its vessel chartering agreements with D.R.D. Towing Company were void ab initio. The district court ruled that ACL position here was contradicted by its earlier position in a related proceeding that the charters were valid, a position that had been accepted by the district court. The matter involved a bareboat charter of ACL's tug Mel Carter by DRD Towing. On 23 July 2008, the Mel Carter was pushing a loaded ACL fuel barge when it was involved in a collision with the MV Tintomara. In the limitation action following the collision and oil spill, ACL contended (and the court agreed) that a valid bareboat charter existed. The concept of judicial estoppel prevents the court from accepting a subsequent contrary argument by the espousing party. *Gabarick v. Laurin Maritime*, No. 13-30739 (5th Cir., May 21, 2014).

Australia – Australian Border Force



The Honorable Scott Morrison, MP, Australian Minister for Immigration and Border Protection, issued a media release stating that, effective 1 July 2015, the border functions of the Department of Immigration and Border Protection (DIBP) and the Australian Customs and Border Protection Service (ACBPS) will be combined to form the Australian Border Force (ABF) to achieve a more integrated, more strategic, and ultimately more effective border protection operation. (5/13/14). *Note: This item was brought to my attention by my good friend Bryan Bittner of Eagle Bulk Shipping.*

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If you have questions regarding the above items, please contact the editor:

Dennis L. Bryant

Bryant's Maritime Consulting
4845 SW 91st Way
Gainesville, FL 32608-8135
USA

1-352-692-5493
dennis.l.bryant@gmail.com
<http://brymar-consulting.com>

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