



DEPARTMENT OF ECONOMIC DEVELOPMENT

REGISTRY ADVICE NOTE 014

THE CIVIL LIABILITY CONVENTION 1969/THE INTERNATIONAL CONVENTION ON CIVIL LIABILITY FOR BUNKER OIL POLLUTION DAMAGE 2001

OIL POLLUTION: COMPULSORY INSURANCE

This registry advice note is to provide help and guidance to ship owners in order to comply with The Civil Liability Convention 1969 and The 2001 International Convention on Civil Liability for Bunker Oil Pollution Damage.

Most regulations and notices are available on the Isle of Man Government web site: www.iomshipregistry.com or by contacting registry.marine@gov.im

The Civil Liability Convention 1969

Introduction

1.1 A ship, wherever registered, carrying a cargo of more than 2,000 tons of oil in bulk shall not enter or leave a port in the Isle of Man or a terminal in the territorial sea of the Isle of Man, nor, if the ship is registered in the Isle of Man, a port in any other country or a terminal in its territorial sea, unless there is in force a recognised certificate showing that an appropriate insurance policy (or other security) is in force. The certificate must be carried on the ship and be produced by the Master on request of an officer of Customs or the Department of Economic Development.

What happens?

1.2 Certificates confirming that the required insurance (or other security) exists will be issued to owners (provided satisfactory evidence is produced) in respect of ships registered in the Isle of Man, upon application to the Department as the certifying authority in the Isle of Man.

1.3. Certificates are issued for a period of 12 months, or part thereof, and are valid until the 20th February of each year. Enquiries and requests for application forms should be addressed to:-

Department of Economic Development
Isle of Man Ship Registry
St George's Court
Upper Church Street
Douglas
Isle of Man
IM1 1EX

(Telephone: 01624 688500 Fax: 01624 688501 e-mail registry.marine@gov.im)

What should you do?

1.4. Applications should be accompanied by the evidence of insurance (normally in the form of a blue card issued by a P&I Club), this can be scanned or faxed over to us initially then followed up with the original, fax +44 1624 688501 or registry.marine@gov.im . Shipowners requiring renewal certificates should note that it is often convenient to apply for these well in advance of the renewal date.

The 2001 International Convention on Civil Liability for Bunker Oil Pollution Damage.

Introduction.

2.1. As explained above it has been mandatory for oil tankers to carry evidence of insurance for pollution damage for several years under the International Convention on Civil Liability for Oil Pollution Damage 1969. With the implementation of the International Convention on Civil Liability for Bunker Oil Pollution Damage, a requirement will now exist for all ships of over 1000 GT to carry evidence of insurance to cover any pollution caused by bunker oil. This will come into effect from 21 November 2008.

What type of Vessel will this apply to?

2.2 In the convention a ship is described as 'any seagoing vessel and seaborne craft, of any type whatsoever'.

Accordingly this convention will apply to all ships on the Isle of Man Register of over 1000 GT including oil tankers, and both commercial and pleasure yachts.

How to proceed

2.3. Owners of all vessels to which this convention applies will need to obtain insurance or other financial security, such as a bank guarantee to cover the liability of the owner for any pollution damage. The amount is to be ascertained in accordance with the Convention on Limitation of Liability for Maritime Claims, 1976.

The Isle of Man Registry will issue a certificate confirming this once adequate evidence has been provided that insurance or other financial security has been obtained. These certificates are normally valid for twelve months from the date of issue.

Proof of Insurance or other financial Security

2.4. Marine insurers and P & I Clubs are fully conversant with all the requirements of this Convention and are equipped to deal with providing the necessary insurance and producing proof that this has taken place. Evidence from these institutions is required by the Isle of Man Ship Registry in order to issue the certification required to be carried on the vessel.

How to obtain the certificate

2.5 Applications should be accompanied by the evidence of insurance (normally in the form of a blue card issued by a P&I Club), this can be scanned or faxed over to us initially then followed up with the original to the contact details above. Ship owners requiring renewal certificates should note that it is often convenient to apply for these well in advance of the renewal date.

Isle of Man Ship Registry
September 2008

Please note - The Isle of Man Ship Registry cannot give Legal Advice. Where this document provides guidance on the law it should not be regarded as definitive. The way the law applies to any particular case can vary according to circumstances - for example, from vessel to vessel. You should consider seeking independent legal advice if you are unsure of your own legal position.