

TO ALL MEMBERS

28 January 2015

Dear Sirs

Entry into force of the Nairobi International Convention on the Removal of Wrecks – January 2015 update

In our circular on 12 November 2014, the club informed members that the Nairobi International Convention on the Removal of Wrecks (the Nairobi Convention) will enter into force on 14 April 2015. In our circular on 23 December 2014, the club further informed members which Nairobi Convention States' maritime authorities had, as of that date, agreed in principle to assist shipowners by issuing certificates to ships flagged in countries that are not parties to the Nairobi Convention, subject to their own conditions. This further circular should be read in conjunction with our November and December circulars (linked [here](#)).

Pursuant to Article 12 of the Nairobi Convention, 'the registered owner of a ship of 300 gross tonnage and above and flying the flag of a State Party shall be required to maintain insurance or other financial security, such as a guarantee of a bank or similar institution, to cover liability under this Convention in an amount equal to the limits of liability under the applicable national or international limitation regime, but in all cases not exceeding an amount calculated in accordance with article 6(1)(b) of the Convention on Limitation of Liability for Maritime Claims, 1976, as amended'. It is also a requirement to obtain a certificate from a State Party confirming insurance is in place. All International Group (IG) clubs have agreed to issue Blue Cards so that members may apply for Nairobi Convention certificates.

Certificates must be obtained from the State in which a ship is flagged, providing the State is a party to the Nairobi Convention. Ships flagged in countries that are not parties to the Nairobi Convention will need to obtain certificates from the relevant authority in a State Party and should notify the club of the State they wish to use to enable Blue Cards to be issued.

Since our December circular, the States of Antigua & Barbuda, the Cook Islands and Liberia have all ratified the Nairobi Convention. Therefore, the owners of ships flying the flags of these States will now need to approach the applicable maritime authority for their Nairobi Convention certificates. Like Liberia, Antigua & Barbuda have extended the scope of the Nairobi Convention to their territorial seas.

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The date has now passed by which States may ratify the Nairobi Convention so that it applies on the entry into force date of 14 April 2015, and to be entitled to issue Nairobi Convention certificates prior to it entering into force. A State that now ratifies the Nairobi Convention will not be entitled to apply it for three months after the date on which it deposits its accession or ratification with the IMO and that State will not be entitled to issue Nairobi Convention certificates for the same period.

The club understands that, following consultation with the IG, the following Nairobi Convention States' maritime authorities have agreed in principle to assist shipowners by issuing certificates to ships flagged in countries that are not parties to the Nairobi Convention, subject to any conditions the relevant authority may apply.

United Kingdom: The UK Maritime and Coastguard Agency (MCA) will prioritise CLC, Bunker and Athens Convention certificate renewal applications followed by new Nairobi Convention certificate applications submitted by UK registered vessels; then existing MCA customers and vessels calling at UK ports; and then vessels flagged in third countries, subject to the MCA's capacity to process applications. The MCA has advised that due to expected large volumes of applications there may be delays in processing Nairobi Convention certificates and they will not be accepting applications for the new Nairobi Convention certificates until 1 February 2015. Postal applications should be addressed to:

**Mr T Cornish
Maritime and Coastguard Agency
Spring Place
105 Commercial Rd
Southampton
United Kingdom
SO15 1EG**

Email applications should be addressed to:

clc@mcga.gov.uk

Further guidance can be found at:

www.gov.uk/certificate-of-proof-of-civil-or-passenger-liability-insurance

Germany: The Bundesamt Für Seeschifffahrt Und Hydrographie (BSH) has advised the IG that it will give priority to certificates required by German flagged ships, ships calling at German ports and ships operated by German companies. In addition, it will prioritise CLC, Bunker and Athens Convention renewal certificates. Nairobi Convention certificate applications can be submitted at any time between the date of this circular and the Nairobi Convention's entry into force on 14 April 2015. The BSH expects a large number of applications and there may be some delay in issuing certificates.

Postal applications should be addressed to:

Ms G Tungler
Bundesamt Für Seeschifffahrt Und Hydrographie (BSH)
S43 Bernhard – Nocht – Str. 78
20359 Hamburg
Germany

Denmark: The Danish Maritime Authority (DMA) will give priority to certificates required by Danish flagged ships, ships from the Faeroe Islands, ships calling at Danish ports and ships operated by Danish companies. Other applications will be prioritised according to DMA's criteria for processing certificates and operational demands. DMA is likely to process certificates for CLC, Bunker and Athens Convention certificates before processing Nairobi Convention certificate applications. A dedicated email address for electronic applications has not yet been posted on the DMA website (www.dma.dk), but it is likely to follow the format in place for CLC, Bunkers and Athens Convention certificate applications. In the meantime, postal applications should be addressed to:

Danish Maritime Authority
Carl Jacobsens Vej 31
2500 Valby
Denmark

Marshall Islands: International Registries, Inc. will give priority to certificate applications from Marshall Islands flagged ships.

Postal applications should be addressed to:

Maritime Administrator for the Republic of the Marshall Islands
International Registries, Inc.
Attn: Vessel Administration
11495 Commerce Park Drive
Reston, Virginia 20191-1506
USA

Further guidance can be found at:

www.register-iri.com/forms/upload/MN-2-011-45.pdf#search=nairobi

Liberia: The Liberian Maritime Authority has confirmed that its Liberian Registry will issue Nairobi Convention certificates to its flagged vessels, which will take priority. The Liberian Registry will also assist shipowners flagged in non-convention countries.

Whilst applications by email addressed to vesselcertificates@liscr.com are preferred, postal applications may be addressed to:

Liberian International Ship & Corporate Registry
ATTN: Wreck Removal Applications
8619 Westwood Center Drive
Suite 300
Vienna, Virginia 22182
USA

Further guidance can be found at:

www.liscr.com/liscr/Portals/0/Liberia%20Marine%20Operations%20Note%2001-2015%20-%20WRC.pdf

Cook Islands: The Cook Islands has confirmed that it will also assist shipowners flagged in non-convention countries, by issuing Nairobi Convention certificates for a fee. For questions regarding the Cook Islands' implementation of the Nairobi Convention and issuance of certificates, please contact:

Maritime Cook Islands,
P.O. Box 882,
Rarotonga,
Cook Islands

Or wrecks@maritimecookislands.com

Further guidance can be found at:

www.maritimecookislands.com/applying-for-nwrc-certificates.html

The current contracting States to the Nairobi Convention are as follows:

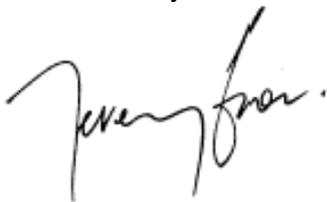
Contracting States	Entry into force date
Antigua & Barbuda*	14 April 2015
Bulgaria*	14 April 2015
Cook Islands	14 April 2015
Congo	14 April 2015
Denmark*	14 April 2015
Germany	14 April 2015
India	14 April 2015

Iran	14 April 2015
Liberia*	14 April 2015
Malaysia	14 April 2015
Marshall Islands*	14 April 2015
Morocco	14 April 2015
Nigeria	14 April 2015
Palau	14 April 2015
UK*	14 April 2015

* denotes that a State Party has, pursuant to Article 3.2 of the Nairobi Convention, extended its application to wrecks located within the State's territory, including its territorial sea.

The club will continue to keep members informed of developments as to the Nairobi Convention through the issuance of regular publications, all of which can be found on the club's website [here](#).

Yours faithfully



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