

TO ALL OWNERS AND MEMBERS

23 December 2014

Dear Sirs

Entry into force of the Nairobi International Convention on the Removal of Wrecks

In our circular on 12 November 2014, the club informed owners/members that the Nairobi International Convention on the Removal of Wrecks (the Nairobi Convention) will enter into force on 14 April 2015.

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 owners/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 will need to obtain certificates from a relevant authority in a State Party.

The club understands that, following consultation with the IG, the following four 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.

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Whilst links have been provided to the websites of the four relevant authorities below, owners/members should be aware that these authorities may not yet have finalised their internal procedures.

United Kingdom: The UK Maritime and Coastguard Agency 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 Agency has advised that due to expected large volumes of applications there may be delays in processing Nairobi Convention certificates. Applications should be addressed to:

Mr T Cornish
Maritime and Coastguard Agency,
Spring Place,
105 Commercial Rd,
Southampton,
United Kingdom
SO15 1EG
www.mca.gov.uk

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

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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, 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
www.dma.dk

Marshall Islands: International Registries, Inc. will give priority to certificate applications from Marshall Islands flagged ships. The IG is aware that the Panama Ship Registry is in negotiation with the Marshall Islands with a view to issuing Nairobi Convention certificates for Panamanian flagged ships. The club advises owners with ships flagged in Panama to seek further guidance from their contacts in the Panama Ship Registry before seeking to obtain certificates from other states. Certificate 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
www.register-iri.com

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

Contracting States	Entry into force date
Bulgaria* (accession) 18 February 2012	14 April 2015
Congo (accession) 19 May 2014	14 April 2015
Denmark* (ratification) 14 April 2014	14 April 2015
Germany (ratification) 20 June 2013	14 April 2015

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India (accession) 23 March 2011	14 April 2015
Iran (accession) 19 April 2011	14 April 2015
Malaysia (accession) 28 November 2013	14 April 2015
Marshall Islands* 27 October 2014	14 April 2015
Morocco (accession) 13 June 2013	14 April 2015
Nigeria (accession) 23 July 2009	14 April 2015
Palau (accession) 29 September 2011	14 April 2015
UK* (accession) 30 November 2012	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.

All clubs in the International Group will be issuing similar circulars.

Yours faithfully



Jeremy Grose
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