

Commonwealth of Dominica



Office of the Maritime Administrator

- TO:** **ALL SHIPOWNERS, OPERATORS, MASTERS AND OFFICERS OF MERCHANT SHIPS, MOBILE OFFSHORE DRILLING UNITS AND RECOGNIZED ORGANIZATIONS**
- SUBJECT:** **Certification requirements in respect to the International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001**
- REFERENCE:** (a) **Dominica International Maritime Act 2000**
(b) **International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001**
- APPLICABILITY:** **This Circular applies to Owners and Operators of all vessels of the 1000 GT or over flying under the Commonwealth of Dominica Flag and calling at a port or arriving at or leaving an offshore facility in the territorial waters of a State Party to the Bunker Convention.**
- PURPOSE:**
- This Circular serves to provide information on the International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001 and the position of the Commonwealth of Dominica with respect to its implementation thereof.

REQUIREMENTS:

General

1. The International Convention on Civil Liability for Bunker Oil Pollution, 2001 (the Bunker Convention) has entered into force on 21 November 2008.
2. The Convention requires the maintenance of compulsory insurance or financial security, the proof of such coverage shall be through certification.
3. The Commonwealth of Dominica has not yet ratified the Bunker Convention, but in order to assist all applicable Dominica registered vessels, has contacted a number of other States that are Party to the Convention to issue relevant certificates for Dominica vessels.

Applicability

4. The Bunker Convention applies to pollution damage and measures taken to prevent or minimize damage, caused by any bunker oil, including lubricating oil, on board or originating from the ship. The Convention applies to all vessels over 1000 gross tonnage. The gross tonnage is calculated in accordance with Annex 1, International Convention on Tonnage Measurement of Ships 1969.
5. The Bunker Convention applies exclusively to pollution damage caused in the territory, including the territorial sea, of a State Party, and in the exclusive economic zone of a State Party, established in accordance with international law, or, if a State Party has not established such a zone, in an area beyond and adjacent to the territorial sea of that State determined by that State in accordance with international law and extending not more than 200 nautical miles from the baselines from which the breadth of its territorial sea is measured.
6. The Bunker Convention does not apply to pollution damage as defined in the International Convention on Civil Liability for Oil Pollution Damage, 1992, whether or not compensation is payable in respect of it under that Convention.

Liability Cover

7. The registered owner of a ship shall be required to maintain insurance or financial security such as guarantee from a bank or similar institution, to cover the liability of the registered owner for pollution damage in respect of bunker oil pollution damage.
8. The insurance policy or other financial security must confirm the following:
 - Name of Ship, distinctive numbers or letters and port of Registry
 - Name and Principal Place of Business of Registered Owner
 - IMO ship identification number
 - Type and duration of security
 - Name and principal place of business of insurer or other person giving security and, where appropriate, place of business where the insurance or security is established; and
 - the period of validity of the certificate which shall not be longer than the period of validity of the insurance or other security.

All details must be provided on the certificate of insurance cover.

Certification

9. A certificate is issued to confirm each vessel is in compliance with the Convention.
10. Ship owners are reminded that ships found without valid “Certificate of insurance or other financial security in respect of civil liability for bunker oil pollution damage” on board on or after 21st November 2008 could be subjected to detention.
11. To ensure that all applicable ships have a “Certificate of insurance or other financial security in respect of civil liability for bunker oil pollution damage” the Commonwealth of Dominica has contacted a number of other states that are party to the Convention to request that they issue certificates to Commonwealth of Dominica flagged vessels.

Contact details

1. All applicable Dominica shipowners/operators are invited to apply directly to any of the following states party to the convention for the issuance of a Certificate of insurance or other financial security in respect of civil liability for bunker oil pollution damage:

Albania	Antigua and Barbuda
Australia	Austria
Azerbaijan	Bahamas
Barbados	Belgium
Belize	Bulgaria
Canada	China
Hong Kong	Macao
Cook Islands	Croatia
Cyprus	Czech Republic
Denmark	Egypt
Estonia	Ethiopia
Finland	France
Germany	Greece
Hungary	Ireland
Italy	Jamaica
Jordan	Kiribati
Latvia	Liberia
Lithuania	Luxembourg
Malaysia	Malta
Marshall Islands	Mongolia
Montenegro	Morocco
Netherlands	Nigeria
Niue	Norway
Palau	Panama
Poland	Republic of Korea
Romania	Russian Federation
Saint Kitts and Nevis	Saint Vincent and the Grenadines
Samoa	Serbia
Sierra Leone	Singapore
Slovenia	Spain
Togo	Tonga
Tunisia	Tuvalu
United Kingdom	Cayman Islands

Marine Safety Circular
Date of Issue:
Supersedes Circular:

CD-MSC 08-08 Rev02
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CD-MSC 08-08 Rev01

Gibraltar
Vanuatu

Isle of Man
Viet Nam

If you have any questions please contact:

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