	<b>GOVERNMENT OF ANTIGUA AND BARBUDA</b>  <b>DEPARTMENT OF MARINE SERVICES AND MERCHANT SHIPPING (ADOMS)</b>  <b>Circular 09-001-08</b>  <b>International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001</b>	Document	Circ. 09-001-08
		Revision	01
		Page	1 of 3
		Reference	International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001

**Circular Letter to:**

**All companies having registered their ships under the flag of Antigua and Barbuda W.I.  
All ships registered under the flag of Antigua and Barbuda W.I.  
All authorized Recognized Organizations**

**1. General**

The Department of Marine Services and Merchant Shipping, Antigua and Barbuda (ADOMS) wishes to draw the attention of all parties concerned to the International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001 which enters into force on the 21<sup>st</sup> November 2008.

This circular is aimed at providing all the above mentioned parties with the necessary information on the International Convention on Civil Liability for Bunker Oil Pollution Damage 2001 and the position of the Department of Marine Services and Merchant Shipping, with respect to its implementation thereof.

Antigua and Barbuda has not yet ratified the Convention but shall do so before the 21<sup>st</sup> November 2008.

**2. Application**

The 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 all vessels over 1000 gross tonnage. The gross tonnage is calculated in accordance with Annex 1, International Convention on Tonnage Measurement of Ships 1969.


It was adopted to ensure adequate, prompt and effective compensation is available to persons who suffer damage caused by oil spills, when carried as fuel in ships bunkers.

**3. Compulsory Insurance or Financial Security**

The registered owner of a ship having gross tonnage greater than 1000 shall be required to maintain insurance or financial security such as a 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.

The insurance policy or other financial security **must** confirm the following:

- (a) name of ship, distinctive numbers or letters and port of registry;
- (b) name and principal place of business of the registered owner;
- (c) IMO ship identification number;

	<b>GOVERNMENT OF ANTIGUA AND BARBUDA</b>  <b>DEPARTMENT OF MARINE SERVICES AND MERCHANT SHIPPING (ADOMS)</b>  <b>Circular 09-001-08</b>  <b>International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001</b>	Document	Circ. 09-001-08
		Revision	01
		Page	2 of 3
		Reference	International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001

- (d) type and duration of the security;
- (e) 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;
- (f) period of validity of the insurance or other security;
- (g) Name of Insurer or Guarantor.

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

#### 4. Certification


Ship owners are reminded that ships found without a valid "Certificate of insurance or other financial security in respect to civil liability for bunker oil pollution damage" on board on or after 21<sup>st</sup> November 2008 could be subject to detention.

Following receipt of proof of Insurance or other financial security a "Certificate of insurance or other financial security in respect of civil liability for bunker oil pollution damage" shall be issued to each ship that satisfies the requirement of the Convention.

To ensure that all ships have a "Certificate of insurance or other financial security in respect of civil liability for bunker oil pollution damage" before 21<sup>st</sup> November 2008, the flag state of Antigua and Barbuda has contacted a number of other states that are party to the Convention to request that they issue certificates to Antigua and Barbuda ships.

All Antigua and Barbuda shipowners/managers 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:

- (a) Germany [http://www.bsh.de/en/Maritime\\_shipping/Commercial\\_shipping/Liability\\_for\\_oil\\_pollution\\_damage/LCL-BC.jsp](http://www.bsh.de/en/Maritime_shipping/Commercial_shipping/Liability_for_oil_pollution_damage/LCL-BC.jsp)  
  
[http://www.bsh.de/en/Maritime\\_shipping/Commercial\\_shipping/Liability\\_for\\_oil\\_pollution\\_damage/LCL-BC.jsp](http://www.bsh.de/en/Maritime_shipping/Commercial_shipping/Liability_for_oil_pollution_damage/LCL-BC.jsp)
- (b) The United Kingdom <http://www.mcga.gov.uk/c4mca/376-2.pdf>  
  
<http://www.opsi.gov.uk/si/si2006/20061244.htm>  
  
[http://www.mcga.gov.uk/c4mca/explanatory\\_notes-2.pdf](http://www.mcga.gov.uk/c4mca/explanatory_notes-2.pdf)  
[http://www.mcga.gov.uk/c4mca/explanatory\\_notes-2.pdf](http://www.mcga.gov.uk/c4mca/explanatory_notes-2.pdf)
- (c) The Republic of Cyprus <http://www.shipping.gov.cy>

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		Revision	01
		Page	3 of 3
		Reference	International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001

(d) The Republic of Liberia [http://liscr.com/liscr/Portals/0/MarineOperationsNote\\_02-2008\\_Final.pdf](http://liscr.com/liscr/Portals/0/MarineOperationsNote_02-2008_Final.pdf)

[http://liscr.com/liscr/Portals/0/MarineOperationsNote\\_02-2008\\_Final.pdf](http://liscr.com/liscr/Portals/0/MarineOperationsNote_02-2008_Final.pdf)

(e) The Bahamas <http://www.bahamasmaritime.com/>

The BSH issue Civil Liability Certificates for vessels flying the German flag which are listed in the German shipping register.

The BSH also issues Civil Liability Certificates for vessels listed in the German shipping register which temporarily fly the flag of a non-State Party.

Besides, the BSH issues certificates in respect of civil liability for bunker oil pollution damage (CLC-BC) to vessels from a non-State Party which enter or leave a port in the territory of the Federal Republic of Germany or a terminal in the territorial sea or operate in the area covered by the Oil Pollution Damage Act without having been issued with a Civil Liability Certificate issued by another State Party.

November 2008

**Department of Marine Services  
and Merchant Shipping (ADOMS St. John's)  
Antigua and Barbuda W.I.**