

No. 8 2008/2009 - Entry into force of the Bunkers Convention - State Certification

October 2008

Dear Sirs

Entry into force of the Bunkers Convention – State Certification

Members are referred to the previous Club circulars that have been issued on the entry into force of the International Convention on Civil Liability for Bunker Oil Pollution Damage 2001 (the “Bunkers Convention”) and the State certification requirements contained therein.

The previous circular informed Members that the UK, Liberia and Cyprus, as States party to the Bunkers Convention, have agreed to issue State certificates to ships registered in non-State parties irrespective of whether they are calling at a port in their territory or arriving at or leaving an offshore facility in their territorial waters after the entry into force date on 21 November 2008. Cyprus will not however issue certificates to ships flying the flag of a State that appears in the Black List of the Paris MOU according to the Annual Report of the Paris MOU for the year preceding the date of the request.

A small number of other administrations have since agreed to issue certificates to ships registered in non-State parties as well, namely the Cook Islands, Bahamas, Sierra Leone and the Isle of Man. The relevant contact details for Bunkers Convention State certificates in each of these administrations are as follows:

The Cook Islands

Maritime Cook Islands
PO Box 882
Avarua, Rarotonga
Cook Islands
Phone: +682 23 848
Facsimile: +682 23 846
Skype: mcicooks2

[Cook Islands Bunker Insurance Website](#)

Bahamas

The Bahamas Maritime
Authority
120 Old Broad Street
London
EC2N 1AR
United Kingdom

The Bahamas Maritime Authority
Bahamas House
231 East 46th Street
New York
New York 10017
United States of America

The Bahamas Maritime Authority
Manx Corporate Centre
West Bay Street
P.O. Box N-4679
Nassau, Bahamas

Tel. +44 (0)20 7562 1300

Tel. +1 212 829 0221

Tel: +1 242 356 5772

Fax. +44 (0)20 7614 0650/

Fax. +1 212 829 0356

Fax: +1 242 356 5889

E-Mail: reg@bahamasmaritime.com

Website: www.bahamasmaritime.com

Sierra Leone

Mr. Woody Vaughn
Sierra Leone International Ship Registry
1010 Common St. Suite 2533
NEW ORLEANS ,
LOUISIANA 70112
USA
Tel: +1 504 636 1387
Fax: +1 504 636 1388
E-mail: technical@sierraleoneship.com

Sierra Leone Maritime Administration

Isle of Man

Department of Trade and Industry
Isle of Man Ship Registry
Peregrine House
Peel Road
DOUGLAS
Isle of Man
IM1 5EH

Telephone: 01624 688500
Fax: 01624 688501
E-mail: registry.marine@gov.im

A full list of the contact details for certificates in the UK, Liberia, Cyprus, Cook Islands, Bahamas, Sierra Leone and the Isle of Man is contained in the Annex to this circular.

It should be noted that the UK has to date only extended UK ratification of the Bunkers Convention to the Isle of Man and not to any of the other UK Overseas Territories/Crown Dependencies. Ships registered in one of the Red Ensign Group of registries other than the Isle of Man can in the meantime obtain their certificates from the UK.

The Cook Islands has also entered into an arrangement with the Panamanian Maritime Authority (PMA) to issue certificates for Panamanian registered vessels pending Panama's ratification of the Bunker Convention. Members with Panamanian registered vessels who wish to obtain their certificates from the Cook Islands should refer to the PMA.

The position with regard to States party to the Convention and those that are willing to issue certificates to ships registered in non-State parties is continuously changing. A number of other States are also in the process of working towards ratification of or accession to the Bunkers Convention prior to the entry into force date on 21 November 2008 and may decide to issue their own State certificates from the date of their ratification or accession.

However, Members should be aware that the Convention shall only enter into force in a State three months after the date of that State's ratification or accession. There is a risk that other State parties may deem certificates issued by a State party to be valid only after three months has elapsed since the issuing State's ratification of or accession to the Convention. Ships in possession of a certificate issued by a State party prior to the date on which the three months has elapsed should therefore be aware that they risk being detained or fined if they enter the port of another State party after the entry into force date of the Convention on 21 November 2008 and are not in possession of a valid certificate. Club cover may be prejudiced in the event of such a detention or fines.

This risk does not apply to ships in possession of a certificate issued by any of the State parties mentioned in this or previous circulars since they have all ratified or acceded to the Convention three months prior to the entry into force date.

All Clubs in the International Group of P&I Clubs have issued similar circulars.

States Party to the Convention (as at 30 September 2008)

Bahamas, Bulgaria, Cook Islands, Croatia, Cyprus, Denmark, Estonia, Germany, Greece, Hungary, Jamaica, Latvia, Lithuania, Liberia, Luxembourg, Marshall Islands, Norway, Poland, Samoa, Sierra Leone, Singapore, Slovenia, Spain, Tonga, the United Kingdom^[1] and Vanuatu.

Yours faithfully

For: **West of England Insurance Services
(Luxembourg) S.A.**
(As Managers)

A Paulson
Director

[1] Includes extension of the Convention to the Isle of Man

annex.pdf