

GUIDANCE NOTE 02/2011

**EXTENSION OF THE INTERNATIONAL CONVENTION ON CIVIL LIABILITY
FOR BUNKER OIL POLLUTION DAMAGE, 2001, TO THE CAYMAN ISLANDS**

To: OWNERS, MANAGERS AND MASTERS OF CAYMAN ISLANDS SHIPS

This Guidance Note was previously issued as Shipping Notice 02/2011 and the content remains unchanged.
A copy of Shipping Notice 02/2011 is attached to, and forms part of, this Guidance Note.

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SHIPPING NOTICE 02/2011

EXTENSION OF THE INTERNATIONAL CONVENTION ON CIVIL LIABILITY FOR BUNKER OIL POLLUTION DAMAGE, 2001, TO THE CAYMAN ISLANDS.

To: OWNERS, MANAGERS, CHARTERERS AND MASTERS OF CAYMAN ISLANDS SHIPS OVER 1,000 GT (INCLUDING PRIVATE AND COMMERCIAL YACHTS).

1. BACKGROUND

- 1.1 The *International Convention on Civil Liability for Bunker Oil Pollution, 2001*, (the Convention) has now been formally extended to the Cayman Islands by the United Kingdom Government.
- 1.2 This extension was notified to IMO on 12 January 2011, and the Convention entered into force for all Cayman Islands ships and yachts of 1,000 GT and above at that time.
- 1.3 This Shipping Notice updates information contained in Shipping Notice 004/2008 Rev.2 in light of the extension of the Convention to the Cayman Islands. Shipping Notice 004/2008 Rev.2 is now withdrawn.

2. APPLICATION

- 2.1 The Convention defines a “ship” as “*any seagoing vessel and seaborne craft, of any type whatsoever*”.
- 2.2 As such the Convention will apply to all ships and yachts (both private and commercial) over 1,000 GT. The Convention will apply regardless of the age of the ship or the quantity and grade of bunker and lubricating oil carried.
- 2.3 “Oil tankers” will be required to comply with the *International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001* in addition to the *International Convention on Civil Liability for Oil Pollution Damage, 1969* as amended.

3. CERTIFICATION REQUIREMENTS

- 3.1 Owners¹ of all Cayman Islands ships (including yachts) of 1,000 GT and above are required to maintain insurance or other financial security to cover the liability of the owner for pollution damage from bunker oil. The amount of insurance or other financial security required is calculated in accordance with the *Convention on Limitation of Liability for Maritime Claims, 1976*, as amended.
- 3.2 A certificate attesting that the insurance or other financial security required by the Convention will be issued by the Cayman Islands Shipping Registry upon application from the shipowner.
- 3.3 As the Convention has now been extended to the Cayman Islands, it is no longer acceptable for Cayman Islands ships to obtain certificates under the Convention from other Governments who are Parties to the Convention. Certificates for Cayman Islands ships issued by other Governments which are currently in force will remain valid until their date of expiry and do not need to be replaced. These certificates must be re-issued by MACI upon their expiry.
- 3.4 Similarly, all Cayman Islands ships and yachts of 1,000 GT and above require certification under the Convention regardless of their geographical location.

4 INSURANCE OR OTHER FINANCIAL SECURITY

- 4.1 Marine Insurers and P&I Clubs are familiar with the Convention requirements and are able to both arrange the required insurance and furnish evidence thereof. This evidence is required to enable the Cayman Islands Shipping Registry to issue the certification required by the Convention.

5 OBTAINING THE CONVENTION CERTIFICATE

- 5.1 To apply for the issue of certificates in accordance with Article 7 of the Convention, applicants should send the original evidence of insurance (or "Blue Card") issued by the insurer or other financial institution to either the George Town or European Regional Offices of the Cayman Islands Shipping Registry. "Electronic Blue Cards", if issued directly by the P&I Club, will be accepted as "original". Certificates issued under Article 7 of the Convention will incur an administration fee.

¹ Under the Merchant Shipping Law, 2008 Revision, "Owner" means the registered owner and includes a demise charterer and a managing agent.

5.2 The address shown on all “Blue Cards” should be:

The Maritime Authority of the Cayman Islands.
2nd Floor Strathvale House
90 North Church Street
George Town,
Cayman Islands.

(Please note this is not the postal address for applications. See Section 6, below)

5.3 “Blue Cards” issued by P&I Clubs or insurers which are not members of the “International Group of P&I Clubs” (www.igpandi.org) may be subject to detailed investigations in order to ensure the provider of financial security is approved by the United Kingdom’s Financial Services Authority (FSA). The minimum period for conducting investigations is ten (10) working days, but the process may take longer.

6 ADDRESS FOR APPLICATIONS

6.1 “Original Blue Cards” in hard copy can be sent to either:

Cayman Islands Shipping Registry, 1 st Floor, Vanbrugh House, Grange Drive, Hedge End, Southampton SO30 2AF United Kingdom.	Cayman Islands Shipping Registry, 2 nd Floor Strathvale House, 90 North Church Street, PO Box 2256, Grand Cayman, KY1 – 1107 Cayman Islands.
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“Electronic Blue Cards” should be sent to: bunkers@cishipping.com
