



Technical Circular

No.: 04/2015

Date: 17th March 2015

To Whomsoever it may concern

Subject: M.S. Notice No. 2 of 2015: Issuance of Certificate of Insurance or other financial security in respect of the liability of the removal of wrecks under Article 12 of the Nairobi International Convention on the Removal of Wrecks" 2007

1. Please find attached M.S. Notice No. 2 of 2015 issued by DG Shipping in respect of Issuance of Certificate of Insurance or other financial security in respect of the liability of the removal of wrecks under Article 12 of the Nairobi International Convention on the Removal of Wrecks" 2007 which was adopted internationally on 18th May 2007, at Nairobi which will enter into force, globally, on the 14th of April 2015 and was acceded by India on 23rd of March 2011.
2. Paragraph (2) of Article 12 of the Convention requires an Appropriate Authority of the State of the ship's registry to issue a certificate (copy of the format attached) to each merchant ship of 300 gross tons and above, attesting that insurance or other financial security is in force and is in accordance with the provisions of the Convention.
3. To comply with the provisions of paragraph (2) of Article 12 of the Convention, the Registrars of Indian merchant ships i.e. the Mercantile Marine Departments concerned, at the ports of registry of the Indian ships concerned shall issue the Certificate Of Insurance or other Financial Security in respect of liability for the removal of wrecks (CIOFS).
4. Ship owners are advised to make an application to the respective MMD where the ship is registered for issue of the said CIOFS, along with the applicable fee and duly authenticated copies of the certificates of insurance (i.e. insurance blue cards), as evidence of insurance issued by the International Group (IG) of P&I (Protection & Indemnity) Clubs and other insurance companies as may be formally approved from time to time by the Govt. of India, and is valid under the provisions of Merchant Shipping (Regulation of Entry of Ships into Ports, Anchorages and other Facilities) Rules, 2012 IPER, 2012). Such certificates shall be accepted for the issue of the said CIOFS. The list of the insurance companies approved under the provisions of the IPER, 2012, is available on the official website www.dgshipping.gov.in. The said certificate is an evidence of insurance (i.e. the insurance blue card) in an electronic format that can be verified on line by the Registrars of Indian merchant ships and shall be accepted for issue of the CIOFS.

Enclosure:

1. M.S. Notice No. 2 of 2015.
2. Format of the Certificate of Insurance or Other Financial Security in Respect of Liability (CIOFS).

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सत्यमेव जयते

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नौवहन महानिदेशालय / DIRECTORATE GENERAL OF SHIPPING

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F. No. 25-NT (1)/2014

Dated: 04.03.15

M.S. Notice No. 2 of 2015

Sub: Issue of certificate of insurance or other financial security in respect of liability for the removal of wrecks under Article 12 of the Nairobi International Convention on the Removal of Wrecks, 2007 – reg.

1. The Nairobi International Convention on the Removal of Wrecks, 2007 [hereinafter referred to as the ‘Convention’], was adopted, internationally, on the 18th of May, 2007, at Nairobi. India has acceded to the Convention on the 23rd of March, 2011. The Convention will enter into force, globally, on the 14th of April 2015.
2. Paragraph (2) of Article 12 of the Convention requires an Appropriate Authority of the State of the ship’s registry to issue a certificate attesting that insurance or other financial security is in force in accordance with the provisions of the Convention to each merchant ship of 300 [three hundred] gross tons [GT] and above. The format of the said certificate to be issued has been annexed to the Convention.
3. A proposal to bring an appropriate amendment to the Indian Merchant Shipping [M S] Act, 1958, to incorporate necessary provisions of the Convention into the said Indian national legislation, is under active consideration of the Ministry of Shipping, GoI, and is at an advanced stage currently. In view of the forgoing, the Competent Authority has decided as follows, contextually;
 - 3.1. To comply with the provisions of paragraph (2) of Article 12 of the Convention, the Registrars of Indian merchant ships i.e. the Mercantile Marine Departments [MMDs] concerned, at the ports of registry of the Indian ships concerned shall issue the ‘CERTIFICATE OF INSURANCE OR OTHER FINANCIAL SECURITY IN RESPECT OF LIABILITY FOR THE REMOVAL OF WRECKS [CIOFS]’, as per the format thereof appended to this M. S. Notice. [Annexure – I: 1 page].

- 3.2. Indian merchant ship-owners shall apply to the MMDs at the ports of registry of their merchant ships for issue of the said CIOFS, along with the applicable fee and duly authenticated copies of the certificates of insurance (i.e. insurance blue cards), furnished as evidence of insurance issued by the International Group [IG] of P&I [Protection & Indemnity] Clubs and other insurance companies as may be formally approved from time to time by the Govt. of India, and is valid under the provisions of the Merchant Shipping (Regulation of Entry of Ships into Ports, Anchorages and Offshore Facilities) Rules, 2012 [PER, 2012]. Such certificates shall be accepted for the issue of the said CIOFS. The list of the insurance companies approved under the provisions of the PER, 2012, is available on the official website of this office [www.dgshipping.gov.in].
- 3.3. The said certificate furnished as an evidence of insurance (i.e. the insurance blue card) in an electronic format that can be verified online by the Registrars of Indian merchant ships, shall be accepted for issue of the CIOFS.
- 3.4. An administrative fee of Rs 5,000/- (Rupees five thousand only) shall be charged for the purpose of issue of the said CIOFS.
4. This issues with the approval of the Competent Authority.


(Capt. K.P. Jayakumar)

Deputy Nautical Adviser to the Govt. of India

Encl.: – As above

Certificate No.:- _____



**CERTIFICATE OF INSURANCE OR OTHER FINANCIAL SECURITY
IN RESPECT OF LIABILITY FOR THE REMOVAL OF WRECKS**

Issued in accordance with the provisions of article 12 of the Nairobi International
Convention on the Removal of Wrecks, 2007

Name of Ships	Gross Tonnage	Distinctive number of letters	IMO Ship Identification Number	Port of Registry	Name and address of the principal place of business of the registered owner

This is to certify that there is in force, in respect of the above-named ship, a policy of insurance or other financial security satisfying the requirements of article 12 of the Nairobi International Convention on the Removal of Wrecks, 2007.

Type of Security.....

Duration of Security.....

Name and address of the insurer(s) and/or guarantor(s)

Name.....

Address.....

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This certificate is valid until.....

Issued or certified by the Government of India

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(Full designation of the Registrar)

Registrar of Indian Ships

Mercantile Marine Department