



GARD AS

Circular No. 5/2008

August 2008

**To the Members of
Assuranceforeningen Gard - gjensidig**

Servicebox 600
NO-4809 ARENDAL
NORWAY

Tel +47 37 01 91 00
Fax +47 37 02 48 10

companymail@gard.no
www.gard.no

Dear Sirs,

**Re: Entry into force of the Bunker Convention – update on application
procedures for State certification and the issuance of Blue Cards**

We refer to Circulars Nos. 2/2008 and 4/2008 regarding the entry into force of the International Convention on Civil Liability for Bunker Oil Pollution Damage 2001 (hereinafter called the "Bunker Convention"). The purpose of this circular is to update Members as to application procedures for State certification and the issuance of Blue Cards.

State certification

General

A certificate (hereinafter called the "Bunker Convention Certificate") attesting the insurance or other financial security in force in accordance with the provisions of the Bunker Convention shall be issued to each ship¹ after the appropriate authority of a State Party has determined that the requirements of the Bunker Convention have been complied with.

Ships registered in a State Party

For ships registered in a State Party an application has to be made by the Member to the authorities in that State. Members with ships registered in a State Party to the Bunker Convention are recommended to contact the authorities in the relevant State in order to confirm the application procedures for the Bunker Convention Certificates. Please find attached as *Appendix I* contact details of some of the authorities in the States Parties to the Bunker Convention.

¹ Pursuant to the Bunker Convention, Article 7.1, a ship, defined as any seagoing vessel and seaborne craft of any type, which has a gross tonnage greater than 1000, shall be required to maintain insurance or other financial security.

Ships registered in non-States Parties

For ships registered in non-States Parties to the Bunker Convention, we are pleased to inform Members that Liberia is willing to issue the required certificates, once Liberia has ratified the Convention. The application procedures will be the same as for Liberian registered vessels. Two other States have indicated that they will issue certificates to owners of vessels flying the flag of non-States Parties. Further details will be circulated shortly.

Issuance of Bunker Blue Cards – additional details of each entry required

The International Group Clubs are prepared to provide the necessary security

The P&I Clubs being members of the International Group of P&I Clubs are prepared to offer the required financial security (hereinafter called “Bunker Blue Card”) as required pursuant to Article 7 of the Bunker Convention. The Bunker Blue Card must be attached to the Member’s application to the authorities for the required Bunker Convention Certificate as outlined above.

Further information required

In order for the Association to be able to issue Bunker Blue Cards complying with the requirements under the Bunker Convention, further information is needed regarding each entry. For that reason each Member being the owner of a ship falling within the scope of the Bunker Convention² has already received, or will soon receive, a request to fill in a spreadsheet with the required information. The required information includes the following items:

- Name of registered owner;
- The registered owner’s principal place of business;
- IMO number;
- Flag;
- Port of registry; and
- Call sign.

Future time table

The plan is as follows:

- August 2008: The Association to send out the spreadsheet requesting the required information. Members to return the spreadsheet with the required information to the Association;

² See footnote 1 above.

- September/October 2008: The Association will issue and send electronic Bunker Blue Cards to owners of vessels whose flag States have ratified the Bunker Convention; and
- September/November 2008: Members need to apply to the relevant flag State authority (being a State Party to the Bunker Convention) for a Bunker Convention Certificate to be carried on board the vessel.

War Risk indemnity

Members have previously been informed that the Association will issue the Bunker Blue Card on the condition that the Member agrees that where any payment by the Association under the Bunker Convention Certificate is in respect of war risks, the Member shall indemnify the Association to the extent that such payment is recoverable under the Member's war risk policy or would have been recoverable if the Member had maintained and complied with the terms and conditions of a standard P&I war risk insurance policy, and that there shall be assigned to the Association all rights of the Member under such insurance and against any third party.

By requesting a Bunker Blue Card in respect of an entry through the return of the spreadsheet referred to above or otherwise the Member will be deemed to have agreed in writing to the above terms and conditions.

Please return the spreadsheet referred to above duly filled in to one of the following persons:

Alf Ivar Sørensen, e-mail: alf.ivar.sorensen@gard.no

Liv Gundersen, e-mail: liv.gundersen@gard.no

Inger Helene Andersen, e-mail: inger.helene.andersen@gard.no

If you have any further questions, please contact one of the above persons or Gard's Legal Department.

Yours faithfully

Gard AS

As agent for Assuranceforeningen Gard – gjensidig



Claes Isacson
Chief Executive Officer

State contacts – Bunker Convention Certificates

Country	Authority	Contact Details
Bahamas (I)	The Bahamas Maritime Authority 120 Old Broad Street, London EC2N 1AR United Kingdom	Tel: +44 20 7562 1300 Fax: +44 20 7614 0650
Bahamas (II)	The Bahamas Maritime Authority Bahamas House, 231 East 46 th Street New York 10017 United States of America	Tel: +1 212 829 0221 Fax: +1 212 829 0356
Bahamas (III)	The Bahamas Maritime Authority PO Box N4679 Nassau, Bahamas	Tel: +1 242 394 3024 Fax: +1 242 394 3014 E-mail: reg@bahamasmaritime.com Web-site: www.bahamasmaritime.com
Bulgaria	Bulgarian Maritime Administration 9, Dyakon Ignatii Street Sofia 1000, BULGARIA	Capt. Nikolay Apostolov, Exec Director Tel: +359 2 930 09 10 Fax: +359 2 930 09 20 E-mail: bma@marad.bg Web-site: http://www.marad.bg
Croatia	Ministry of the Sea, Transport and Infrastructure Safety of Navigation, Maritime Environment and Inland Waters Protection Directorate 10 000 ZAGREB, Prislavlje 14, CROATIA	Mr Stjepan Vuk (Head of Department for Safety of Navigation) Tel: +385 1 6169 380 Fax: +385 1 6169 069 E-mail: stjepan.vuk@pomorstvo.hr Web-site: www.mmpi.hr
Cyprus	Department of Merchant Shipping Registrar of Cyprus Ships Kyllinis Street, Mesa Geitonia CY-4007 LIMASSOL, Cyprus	Ms Lydia Markari-Kyriacou Tel: +357 25 848 100 Fax: +357 25 848 200 Contact person(s) direct Tel: +357 25 848 237 E-mail: maritimeadmin@dms.mcw.gov.cy Web-site: www.shipping.gov.cy

Germany	Bundesamt für Seeschifffahrt und Hydrographie Bernhard – Nocht - Str. 78 Postfach 30 12 20, 20359 Hamburg	Grit Tüngler Tel: +49 40 3190 7140 Fax: +49 40 3190 5000 E-mail: Grit.tuengler@bsh.de Web: www.bsh.de
	Information on applying for certificates can be obtained from: http://www.bsh.de/en/Maritime_shipping/Commercial_shipping/Liability_for_oil_pollution_damage/index.jsp Application forms for Bunkers certificates should be downloaded in the first instance from: http://www.bsh.de/de/Antraege/Oelhaftung/Antrag_Bunkeroel.doc	
Greece	Central Harbour Master's Office of Pireaus Marine Environment Protection Department 50 Akti Miaouli Str. GR-185 10 PIRAEUS, Greece	Lieutenant (HCG) Koutsodontis Nikolaos Tel: +30 210 45 93 172 Fax: +30 210 41 83 743 E-mail: tptap@mail.yen.gr
Liberia (not yet ratified)	Liberian International Ship & Corporate Registry 8619 Westwood Center Drive, Suite 300 Vienna, Virginia 22182 United States of America	Bunker CLC Applications Tel: +1 703 790 3434 Fax: +1 703 790 5655 E-mail: clc@liscr.com www.liscr.com/liscr/Portals/0/MarineOperationsNote_02-2008_final.pdf
Luxembourg	19-21 Boulevard Royal L-2449 Luxembourg LUXEMBOURG	Commissariat aux affaires maritimes Tel : +352 478 4453 Fax : +352 29 91 40 E-mail : cam@cam.etat.lu
Marshall Islands	Maritime Administrator for The Republic of the Marshall Islands 11495 Commerce Park Drive RESTON VA 20191 United States of America	Marshall Islands Maritime Administration Tel: +1 703 620 4880 Tel: +1 703 476 3762 (after hours emergency number) Fax: +1 703 476 8522 E-mail: maritime@register-iri.com Web-site: www.register-iri.com
Norway	Sjøfartsdirektoratet P.O Box 2222 N-5509 Haugesund NORWAY	Norwegian Maritime Directorate Tel: +47 52 74 50 00 Fax: +47 52 74 50 01 E-mail: postmottak@sjofartsdir.no

Singapore	Maritime and Port Authority of Singapore(MPA) Shipping Division, Singapore Registry of Ships 460 Alexandra Road, PSA Building, #21-00 Singapore 119963	Mr Wong Kai Cheong, Manager (Registry & Manning) Tel: +65 6375 6236 Fax: +65 6375 6231 E-mail: kai_cheong_WONG@mpa.gov.sg Or Ms Emily Sihab, Asst Manager (Ship Registry) Tel: +65 6375 6227 Fax: +65 6375 6231 E-mail : emily_shalawati_bte_sinab@mpa.gov.sg Web: www.mpa.gov.sg
Spain	Direction General for Merchant Marine C/Ruiz de Alarcón, 1 28071-1, MADRID, Spain	Mr Fernando Blanco Head of Dumping and Marine Pollution Section Tel: +34 91 597 9181 Fax: +34 91 597 9235 E-Mail: fblanco@fomento.es
Tonga	Ministry of Marine & Ports PO Box 397 Nuku'alofa, Tonga	William Leslie Simpson Johnson Acting Secretary of Marine & Ports Tel: +676 22555/26235 Fax: +676 26234/24267 E-mail: marine@kalianet.to
United Kingdom	CLC Bunkers 2/13 Maritime and Coastguard Agency Spring Place, 105 Commercial Road Southampton SO15 1EG, UK	Richard Tong Tel: +44 23 80 329202 (Direct) Tel: +44 23 80329110 (public enquiries) Fax: +44 2380329447 E-mail: bunkers@mcga.gov.uk General: info@mcga.gov.uk http://www.ukshipregister.co.uk/ukr-home/forms.htm