

# Palau International Ship Registry



Europe Head Office	USA Head Office
Piraeus, 18536, Greece	The Woodlands, TX, 77380
5, Sachtouri Street	9595 Six Pines Drive,
6 <sup>th</sup> floor	Suite 8210, Office 277
T: +30 210 4293500	T: +1 832 631 6061
F: +30 210 4293505	F: +1 832 631 6001
<a href="mailto:info@palaureg.com">info@palaureg.com</a>	<a href="http://www.palaureg.com">www.palaureg.com</a>

## MARINE NOTICE 131.2

**To: ALL SHIPOWNERS, MANAGERS, MASTERS AND OFFICERS OF VESSELS FLYING PALAU FLAG.**

**Subject: INTERNATIONAL CONVENTION ON CIVIL LIABILITY FOR BUNKER OIL POLLUTION DAMAGE, 2001**

1. Reference
  - 1.1 International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001
  - 1.2 Convention on Limitation of Liability for Maritime Claims, 1976, as amended.
  - 1.3 Palau Maritime Regulations Section 5.14
2. Objective
  - 2.1 The purpose of this Notice is to provide information on the Requirements and Procedures to obtain the Bunker Convention Certificate.
3. Reference
  - 3.1 The Bunker Convention was adopted to ensure that adequate, prompt and effective compensation is available to persons who suffer pollution damaged caused by spills of bunker oil on board or originating from a ship. The Bunker Convention requires the maintenance of compulsory insurance or financial security, the proof of such coverage shall be through Certification, which will be referred as Bunker Convention Certificate or BCC.
4. Applicability
  - 4.1 The Bunker Convention applies to all ships having 1000 GRT or above, Registered with the Palau Flag.
  - 4.2 The Convention does not apply to warships, naval auxiliary or other ships owned or operated by the State and used for the time being, only on Government noncommercial service.



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## 5. Requirements

- 5.1 The registered owner of a vessel under the Republic of Palau shall be required to maintain insurance or other financial security, such as the Guarantee of a bank or similar Financial Institution, to cover the liability of the registered owner for pollution damage in an amount equal to the limits of liability under an applicable National or International limitation regime, but in all cases, not exceeding an amount calculated in accordance with the Convention on Limitation of Liability for Maritime Claims, 1976, as amended.
- 5.2 The Palau Ship Registry Administrator will issue a Bunker Convention Certificate as evidence that such insurance is in place and evidence has been provided to this effect.

## 6. Definitions

- 6.1 **Ship:** means any seagoing vessel and seaborne craft of any type whatsoever.
- 6.2 **Shipowner:** means the owner, including the registered owner, bareboat charterer, manager and operator of the ship.
- 6.3 **Registered owner:** means the person or persons registered as the owner of the ship or, in the absence of registration, the person or persons owning the ship.
- 6.4 **Bunker oil:** means any hydrocarbon mineral oil, including lubricating oil, used or intended to be used for the operation or propulsion of the ship, and any residues of such oil.
- 6.5 **Gross Tonnage:** means gross tonnage calculated in accordance with the tonnage measurement regulations contained in Annex I of the International Convention on Tonnage Measurement of Ships, 1969, as may be amended from time to time.
- 6.6 **Pollution damage:** means
  - a. Loss or damage cause outside the ship by contamination resulting form the escape or discharge of bunker oil from the ship, wherever such escape or discharge may occur, provided that compensation for impairment of the environment other than loss of profit from such impairment shall be limited to costs of reasonable measures of reinstatement actually undertaken or to be undertaken;
  - b. The costs of preventive measurement and further loss or damage caused by preventive measures



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6.7 **Preventive measures:** means any reasonable measures taken by any person after an incident has occurred to prevent or minimize pollution damage.

6.8 **Incident:** means any occurrence or series of occurrences, having the same origin, which causes pollution damage or creates a grave and imminent threat of causing such damage.

## 7. Liability of the Shipowner

7.1 At a time of an incident, the shipowner shall be liable for pollution damage caused by any bunker oil on board or originating from the ship, provided that, if an incident consists of a series of occurrences having the same origin, the liability shall attach to the shipowner at the time of the first of such occurrences.

7.2 Where more than one person is liable in accordance with paragraph 5.1, their liability shall be joint.

7.3 When an incident involving two or more ships occurs and pollution damage results therefrom, the shipowners of all the ships concerned, unless exonerated under Article 3 of the Bunker Convention, shall be jointly and severally liable for all such damage which is not reasonably separable.

## 8. Limitation of Liability

8.1 Nothing in the Bunker Convention affects the right of the shipowner and the person or persons providing insurance or other financial security to limit liability under any applicable national or international regime, such as the Convention on the Limitation of Liability for Maritime Claims, 1976, as amended to which the Republic of Palau is a signatory member.

## 9. Procedures for obtaining Bunker Convention Certificate

9.1 Owner or Owner's representative should forward to the Palau Ship Registry Administrator the following documents in order to obtain Bunker Convention Certificate:

9.1.1 [A.003 – Application For Issuance Of Convention Certificates](#)



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9.1.2 Blue Card issued from Approved P&I Company<sup>1</sup> and addressed to one of the below Head Offices of Palau International Ship Registry:

Europe Head Office	USA Head Office
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9.1.3. Valid Certificate of Registry (*not required for vessels already registered under the Palau Ship Registry Administration*).

9.1.4. Confirmation of payment /acceptance of quote.

- 9.2 Upon the receipt of the above, the Palau Ship Registry Administrator will issue the Bunker Convention Certificate which will remain valid for the duration of the Blue Card. All the information can be sent directly in electronic format.
- 9.3 The Palau Ship Registry Administrator can issue Bunker Convention Certificates to vessels that are not registered under a State Member of the Convention.
- 9.4 The Bunker Convention Certificate shall contain the following particulars:
- Name of ship,
  - IMO ship identification number,
  - Distinctive number or letters,
  - Port of registry,
  - Name and principal place of business of the registered owner,
  - Type of security,
  - Duration of security, not longer than the period of validity of the insurance or other security;
  - Name and principal place of business of insurer or other person giving security and,
  - Refers to a unique Authorization Number for the said Bunker Convention Certificate.
- 9.5 The Bunker Convention Certificate must be issued to each vessel at the Initial Registration or shortly thereafter providing the required security. The

<sup>1</sup> List of Approved P&I Clubs is available at the [Palau Ship Registry administrator website](#).



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registered owner must renew the Certification annually by the date of the expiration of the Blue Card validity.

9.6 The Bunker Convention Certificate must be carried on board the ship at all times as per the Convention's provisions. The Palau Ship Registry Administrator will not permit a ship under the Republic's Flag to which the Bunker Convention applies to operate at any time, unless a Certificate has been issued to this effect.

## 10. Approved P&I Clubs.

10.1 Blue Card provided from a P&I Club which is a member of the International Group of P&I Clubs, is assumed accepted and the insurance is deemed sufficient.

10.2 Blue Card provided from a P&I Club, which is not a member of the International Group of P&I Clubs or is not included in the list of Approved P&I Clubs as stated in website <https://www.palaureg.com/information-centre/approved-suppliers/pi-clubs/>, will be subject to review and approval by this Maritime Administration. A written Application for Verification and Accreditation must be submitted to the Flag Administration.

## 11. Contacts and Additional Information

11.1 To request Additional Information or to submit a Request for Application, or to provide information for verification and accreditation of a P&I Club which is not member of the International Group of P&I Clubs, please contact the Palau Ship Registry Administrator Head Office at [info@palaureg.com](mailto:info@palaureg.com)

**\*\*This Marine Notice supersedes  
MARINE NOTICE 131.1**

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Notices

