



Republic of Mauritius

**Ministry of Public Infrastructure, National Development Unit,
Land Transport and Shipping
4th Floor, New Government Centre
PORT LOUIS**

NOTICE TO MARINERS Ref: 1 of 2014

**Title: Civil Liability for Bunker Oil Pollution Damage, 2001,
Certification Requirements**

(This Notice to mariners supersedes Notice to Mariners Ref: 4 of 2013)

Notice to Ship owners, Masters and Officers of Ships under the Mauritius Flag
and Recognised Organisations.

The objectives of this Notice to Mariners is to advise all parties that the International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001 (the "Bunker Convention") entered into force internationally on 21 November 2008 and as far as the Republic of Mauritius is concerned, it came into force on 17 October 2013. The Bunker Convention requires the maintenance of compulsory insurance or financial security for all vessels of over 1000 gross tonnage and the proof of such coverage shall be through certification. The details for the application of which are herein provided.

1. General

- 1.1** This Ministry wishes to inform all those concerned that the international Convention on Civil Liability for Bunker Oil Pollution Damage, 2001 entered into force in Mauritius on 17 October 2013.
- 1.2** The Convention was adopted to ensure that adequate, prompt, and effective compensation is available to persons who suffer damage caused by spills of oil from ships' bunkers.
- 1.3** Under the Convention the shipowner is liable to pay for pollution damage caused in the territory of a State party and is required to carry adequate insurance.
- 1.4** This Notice to mariners is aimed at providing all those involved with the necessary information on the International Convention on Civil Liability for bunker oil Pollution Damage, 2001 and the position of this Ministry,

with respect to its implementation.

2. Application of the Convention

- 2.1** The Convention applies to pollution damage caused in the territory, including the territorial sea, and in exclusive economic zones of State Parties and measures taken to prevent or minimise damage caused by 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 on board ships having a gross tonnage (GT) greater than 1000.
- 2.2** It therefore applies to all ships of more than 1000 GT under the Mauritius Flag and all foreign vessels of more than 1000 GT navigating in our territorial sea and exclusive economic zones.

3. Compulsory Insurance and Certification

- 3.1** Evidence of insurance must be carried by the ships registered under the Mauritius Flag in the form of a certificate issued by this Ministry and in the format specified in the Convention.
- 3.2** Evidence of insurance must be carried by all foreign vessels navigating in our territorial sea and exclusive economic zone.
- 3.3** In order to issue a certificate of insurance this Ministry needs to receive evidence of the insurance that has been contracted. Typically this evidence is in the form of a “Blue Card”. This Ministry is also required to assess the ability of any P&I Club offering such insurance and to only issue certificates when the evidence of insurance (Blue Card) is issued by a P&I Club which has been accepted by this Ministry.
- 3.4** Currently P&I Club which are members of the International Group of P&I Clubs are all accepted as suitable and therefore a “Blue Card” confirming the policy of insurance and issued by one of the International Group of P&I Clubs can be accepted as evidence. *Annex 1 to this Notice lists the current members of the International Group P&I Club and their affiliated and reinsured subsidiary associations accepted by this Ministry.*

4. Submission of application for issuing Bunker Convention (BC) Certificates

- 4.1** All ships registered in Mauritius and of 1000 Gt or more must carry a “Certificate of Insurance or Other Financial Security in Respect of Civil Liability for Bunker Oil Pollution” (Bunkers Certificate) Issued by this Ministry.
- 4.2** Bunkers Certificates will be issued by this Ministry. When a certificate is

required owners should submit a duly signed letter in the form set out in Annex 2 of this Notice to the Director of Shipping.

- 4.3** Each application should be accompanied by evidence of the actual insurance in the form of the “Blue Card” issued by an authorised P&I Club.
- 4.4** Applications may be submitted by mail, by fax or by email.
- 4.5** Owners, managers and ship’s officers should note that carriage of the Bunkers Certificate is a mandatory requirement and failure to produce it can result in detention by Port State Control officers.

5. Fees

- 5.1** Appropriate fees are charged for the issue of a Bunker Certificate

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