



## NON-TECHNICAL MEASURES TO PROMOTE QUALITY SHIPPING FOR CARRIAGE OF OIL BY SEA

### THE PROCESS BY WHICH CLC CERTIFICATES ARE ISSUED BY THE REPUBLIC OF LIBERIA

#### Submitted by Liberia

<b>Summary:</b>	This information document sets out the procedures followed by the Office of the Deputy Commissioner, Bureau of Maritime Affairs, Republic of Liberia when issuing certificates to attest that insurance is in place in accordance with the 1992 Civil Liability Convention (CLC certificates).
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<b>Action to be taken:</b>	Information to be noted.
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#### 1 **Introduction**

- 1.1 The 1992 Fund's fourth intersessional Working Group was set up to consider non-technical measures to promote quality shipping for the carriage of oil by sea.
- 1.2 At the first meeting of the Working Group, held in May 2006, the Chairperson stated that, in the interests of promoting quality shipping, it would be beneficial if all States had common standards and adopted the same checks and procedures to be followed when insurance certificates were issued.
- 1.3 She also encouraged States to share information on practices (document 92FUND/WGR.4/3, paragraph 7.2.5). In this regard, the practices of the Office of the Deputy Commissioner, Bureau of Maritime Affairs, Republic of Liberia are set forth as follows.

#### 2 **Process of Certification - Issuance of CLC certificates**

- 2.1 The Office of the Deputy Commissioner, Bureau of Maritime Affairs, Republic of Liberia is responsible for the issuance of Civil Liability Convention certification.
- 2.2 Article VII (1) of the 1992 Civil Liability Convention requires the owner of a ship carrying more than 2 000 tons of persistent oil in bulk as cargo to maintain insurance or other financial security to cover the shipowners's liability for pollution damage.
- 2.3 The 1992 Civil Liability Convention was ratified by Liberia by deposit of an instrument of accession on 10 May 1995, and it is being implemented by the Liberian Maritime Regulation 2.35 pursuant to the Civil Liability Convention, which requires the owner of any Liberian registered vessel carrying more than 2 000 tons of persistent oil in bulk as cargo, to maintain such insurance. It also requires Liberian flag ships to carry a certificate attesting that this insurance against liability for pollution damage is in place and issued by the Office of the Deputy Commissioner.
- 2.4 An application for a CLC certificate is made by a request with submission of proof of financial

security, which is usually in the form of a Blue Card issued by a Club belonging to the International Group of P&I Clubs. Normally, a letter or email is sent from the shipowner or the vessel operators or shipowners' representative requesting a CLC certificate to be issued for the applicable vessel and payment of a fee of US\$150 plus courier charges.

- 2.5 If the proof of financial security is provided by an International Group Club, no further checks by the Office of the Deputy Commissioner of Maritime Affairs are undertaken in respect of the insurer. If, however, the submitted proof of financial security is provided by an insurer which is not a member of the International Group of P&I Clubs, then further checks are undertaken by the Investigation Department of the Office of the Deputy Commissioner of Maritime Affairs. If there is doubt whether the company providing the insurance or other financial security will be able to meet the obligation under Article VII of the 1992 Civil Liability Convention or the insurance or other security will cover the shipowner's liability under the Convention, the Deputy Commissioner of Maritime Affairs may refuse to issue the CLC certificate and ask the owner/operator for a blue card from another company.
- 2.6 Article VII (2) of the 1992 Civil Liability Convention provides that CLC Certificates may only be issued by a State Party for ships registered in that State Party or in a non-Contracting State. Certificates may not be issued for ships registered in other States Parties to the 1992 Civil Liability Convention.
- 2.7 For the 2006-2007 period, the Liberian Maritime Administration issued 640 CLC certificates to Liberian flag vessels. No Liberian CLC certificates were issued to non-Liberian registered ships.

### **3 Penalties**

- 3.1 Due to port state implementation enforcement a ship may not enter or leave a port or terminal in a State Party to the 1992 Civil Liability Convention unless there is on board a valid CLC certificate complying with the requirements of Article VII of the 1992 Civil Liability Convention. For Liberian registered vessels, the certificate must be issued by the Officer of the Deputy Commissioner of Maritime Affairs.
- 3.2 If a ship fails to have a valid CLC certificate, the ship is subject to port state detention while every effort is made by the Officer of the Deputy Commissioner to issue the CLC certificate if requested and the valid supporting documentation and applicable fees are submitted. Contravention of International Convention and treaties to which the Republic of Liberia is a Party, including the 1992 Civil Liability Convention, may result in the imposition of a penalty on the Master or shipowner of the Liberian flag vessel. This is authorised by Liberian Maritime Regulation 2.35.

### **4 Renewal Certification**

The Liberian CLC certificates are normally issued for a period of 12 months to cover 20 February of the current calendar year to 20 February of the following year. In December of each year, the Liberia Administration sends out an annual reminder letter to Liberian shipowner and ship operators whose vessels will require compliance with the 1992 Civil Liability Convention. They are reminded that timely submission of the required document and payment will avoid delay in the processing and forwarding of the CLC certificate.

### **5 Action to be taken by the Working Group**

The Working Group is invited to take note of the information contained in this document.

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