

## **MARINE INSURANCE CONDITIONS RELATING TO COMMERCIAL VESSELS LESS THAN 15 METRES LONG, CEFOR FORM 277 – OVERVIEW OF CHANGES IN RELATION TO CEFOR FORM 276**

This memo provides an overview of the changes in Cefor Form 277 in relation to Cefor Form 276, and can serve as the basis for information provided by the company to its customers. The following changes have been made in the Conditions and Appendix:

### **The Conditions**

#### **I. Chapter 4 Safety regulations**

##### **I.1. Clause 4-9 Carriage of passengers and other persons**

Sub-clause two has been split into two sub-clauses.

Sub-clause two clarifies the term passenger: “Any person with whom the assured has made an agreement to convey by the vessel shall be deemed as a passenger, except these persons the assured contracted with to perform service relating to the vessel.”

The new sub-clause three does no longer refer to the Norwegian Regulation of 2009 on the operation of vessels which carry 12 or fewer passengers. The deletion is done to make the Conditions readily available for use in all Nordic countries. The new sub-clause three reads as follows: “Where other persons are let onboard the vessel that are not members of the crew or employed in the service of the vessel, the assured shall comply with the orders and specifications given in public regulations.”

The amendments to Clause 4-9 are purely editorial, no material amendments intended.

##### **I.2. New safety regulation Clause 4-12 Ban on movable fan heaters on board**

The ban is laid down in a rescinded Norwegian public regulation, but is in force because the Regulation relating to maritime electrical installations refers to the section with the ban, cf. point 3.2. below. Movable electrical fan heaters constitute a great fire hazard, which is why the insurers have decided to include the ban as a safety regulation into the Conditions with the following wording: “Movable fan heaters must under no circumstances be used as a heater on board. Movable fan heaters must neither be fixed to the vessel.”

##### **I.3. New safety regulation Clause 4-13 Ban on navigating the vessel under influence of alcohol**

The insurers have found it necessary to ban on navigating the vessel under influence of alcohol as a safety regulation with the same limits for the content of alcohol in the blood as in the Maritime Code. The Safety Regulation is worded as follows: “It is prohibited to navigate or attempt to navigate the vessel under the influence of alcohol or other intoxicating or anaesthetic agent.

The navigator of the vessel is always deemed to be intoxicated if he has a larger content of alcohol than 0.2 pro mille of if he has an amount of alcohol in his body that may result in such content of alcohol in his blood, or the content of alcohol in his breath exceeds 0.1 milligrams per litre of air.”

**1.4** Former Clauses 4-12 to 4-15 are renumbered to 4-14 – 4-17 with equivalent amendments to the references in these Clauses.

## **2. Part D. Liability insurance, Chapter 16. The insurer's liability**

### **2.1. Clause 16-3 Not covered by the insurer's liability**

Number 1 of the Clause now clarifies that the insurer is not liable for loss of life of passengers. The liability cover was never intended to cover passenger liability, but the way the Clause was worked, it only mentioned injury to passengers. To avoid any misunderstanding, the Clause is now worded: "1. Liability for injury to or loss of life of passengers, unless the assured and the insurer have entered into a written agreement regarding such liability."

## **3. Appendix A. Safety Regulations issued by Norwegian Authorities**

### **3.1. Item 1. Construction, Certification, Equipment and Operation of the Vessel and Trading Areas**

New regulation added: 1.8. Regulation of 16 December 2016 No. 1770 relating to safety management for small cargo vessels, passenger vessels and fishing vessels etc.

### **3.2. Item 3. Safety Measures, Precautions against Fire, Gas fired Installations and Welding**

New regulation added: 3.3. Regulation of 4 December 2001 No. 1450 relating to maritime electrical installations.

Note in that regard the new Clause and safety regulation 4-12 concerning movable fan heaters on board.