



Trafik- och kommunikationsministeriet
Postboks 31
00023 Statsrådet
Finland

Oslo, 11 April 2012

EU DIRECTIVE 2009/20 ON THE INSURANCE FOR SHIPOWNERS FOR MARITIME CLAIMS – RECOGNITION OF INSURANCE CERTIFICATES (ARTICLE 6) ISSUED BY INSURERS WHICH ARE NOT MEMBERS OF THE INTERNATIONAL GROUP OF P&I CLUBS

The Nordic Association of Marine Insurers (Cefor) represents marine insurers in the Nordic countries. Our objective is to enhance the Nordic marine insurance market and promote the members' common interests on key issues for the marine insurance industry. We have members in all four Nordic countries and several of our members have branch offices two or more Nordic countries. Two of our members, Gard and Swedish Club, are also members of the International Group of P&I Clubs (IG).

The purpose of this letter, which is also addressed to the relevant ministries in the other Nordic countries, is to raise a matter of concern to our members who are not IG members relating to the issue of insurance certificates pursuant to Article 6 of the abovementioned EU Directive.

According to Article 3 (b), the insurance required under the Directive is defined as an “insurance with or without deductibles, and comprises, for example, indemnity insurance of the type currently provided by members of the International Group of P & I Clubs, and other effective forms of insurance (including proved self insurance) and financial security offering similar conditions of cover”.

Paragraph 3 of Article 4 states further that the “insurance referred to in paragraphs 1 and 2 shall cover maritime claims subject to limitation under the 1996 Convention. The amount of the insurance for each and every ship per incident shall be equal to the relevant maximum amount for the limitation of liability as laid down in the 1996 Convention.”

The Nordic Association of Marine Insurers

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The International Group of P & I Clubs has liaised with each EU Member State to determine whether they will accept an IG Club issued certificate of entry as evidence of compliance with the Directive for both Port State and Flag State purposes. A significant number of EU Member States is said to have indicated that they will accept a standard IG Club issued P&I certificate of entry carried on board ships of 300gt or more as evidence that the necessary insurance cover is in place under the Directive.

The question is how the EU member states will react to insurance certificates issued by insurers who are not members of the IG. It is common practice in the Nordic countries for hull insurers to also cover liability insurance for fishing vessels and small ships. As an example please find attached a certificate issued by our member Alandia.

Cefor holds the opinion that insurance certificates issued by insurers registered in an EU/EEA country and operating under the relevant insurance legislation of this country should be accepted as evidence of insurance in line with certificates of entry issued by IG clubs.

Cefor therefore requests that the Nordic maritime ministries ensure that there is no discrimination against insurers which are not IG members who issue insurance certificates as stated in the abovementioned Directive.

If needed, we would welcome the opportunity to meet with you to discuss the issue and provide you with additional information.

Yours sincerely,
The Nordic Association of Marine Insurers (Cefor)



Helle Hammer
Managing Director

Identical letters sent to:

Erhvervs- og Vækstministeriet
Slotsholmsgade 10-12
1216 København K
Danmark

Nærings- og handelsdepartementet
Postboks 8014 Dep.
0030 Oslo
Norge

Näringsdepartementet
103 33 Stockholm
Sverige

CERTIFICATE OF INSURANCE**Registered Owner:****Insurance number:****Period:****Vessel:****IMO No:****Call sign:****Port of Registry:****Insurer:**

Försäkringsaktiebolaget Alandia

PB 121

AX-22101 Mariehamn

Finland

Alandia P&I Insurance Rules 1.1.2011**Scope of Insurance Cover**

This Insurance covers the named Assured and the Vessel named in this Policy in accordance with the applicable Insurance Rules for Alandia P&I and subject to the special terms and exclusions stated in this Policy.

Limit of liability

The maximum liability payable under this Insurance is limited to EUR 75 millions, each vessel and occurrence.

THIS IS TO CERTIFY that there is in force in respect of the above-named ship while in the above ownership a policy of insurance satisfying the requirements of Article 4 No. 3 of Directive 2009/20/EC of the European Parliament and of the Council of 23 April 2009 on the insurance of shipowners for maritime claims where and when applicable. This insurance covers liability for maritime claims subject to the 1976 convention on Limitation of Liability for Maritime Claims as amended by the 1996 Protocol and the cover under this insurance is limited to the maximum amounts of limitation as laid down in the said 1996 Protocol.

Date: 14 February 2012

This Certificate has been issued by the insurer Försäkringsaktiebolaget Alandia.

Leif Nordlund
Managing Director