



TUVALU SHIP REGISTRY

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MARINE CIRCULAR 3-2004

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FOR: Shipowners, Classification Societies, Ship Masters and the Shipping Community

COMPULSORY INSURANCE REQUIREMENT FOR NON-TANKER VESSELS

Entry into force: 1 March 2005

The Japanese Government has amended the "Law on Liability for Oil Pollution to tackle the problem of abandoned shipwreck in Japanese coastal waters. Under the law, most of ocean going vessels shall be insured.

Details of the Requirement

From 1 March 2005, shipowner of a vessel calling at any Japanese port must fulfil the following requirements:

- [A] *Compulsory Insurance*
 - applicable to all ocean-going vessels (excluding oil tankers) above 100 gross tonnage
 - coverage to include bunker oil removal and shipwreck removal, and the insurance coverage must be equal to the sum of the limit of liability (including personal claim) for bunker oil pollution and (other than personal claim) for shipwreck removal.

- [B] *Carrying A Relevant Certificate Onboard*
 - when vessels are visiting a Japanese port, the Certificate of Insurance must be carried onboard
 - the shipowner or its agent is required to apply in advance the Certificate of Insurance from the Minister of Land, Infrastructure and Transport
 - alternatively, the Certificate of Entry issued by designated insurers from P&I clubs belonging to the International Group of P&I Clubs will be accepted

- [C] *Report of the Status of Insurance*
 - Captain or agent in Japan of the vessel is required to report the status of insurance and identification information of the vessel prior entry to ports

- [D] *Inspection*
 - Vessel will be subjected to inspection and shipowners will be penalised and vessel liable for detention should the Captain fail to comply with regulations.

- [E] *Liability Rule*
 - Liability rule on bunker oil pollution damage has been amended to include strict or joint liability on the shipowner and charterer.