



INFORMATION BULLETIN No. 164

INTERNATIONAL CONVENTION ON CIVIL LIABILITY FOR OIL POLLUTION DAMAGE 1992 (CLC CONVENTION)

Guidance and Instructions for Ship-owners, Managers, Masters, Bahamas Recognised Organisations and Bahamas Approved Nautical Inspectors

1 Purpose

- 1.1 The Bahamas has ratified the CLC Convention. This bulletin gives guidance on the implementation of the Convention which entered into force on 30 May 1996.
- 1.2 The CLC Convention requires that The Bahamas, as a State Party, issues appropriate Certificates of Insurance to Bahamas registered vessels.
- 1.3 In order to facilitate the smooth entry into force of the Convention, The Bahamas has also agreed to issue appropriate Certificates of Insurance to vessels registered in States which are not a party to the Convention.
- 1.4 Vessels found without a valid original CLC on board could be subject to detention and/or deficiency.

2 Application of the Convention

- 2.1 The CLC Convention applies to pollution damage and measures taken to prevent or minimise damage caused by any hydrocarbon mineral oil such as crude oil, fuel oil, heavy diesel oil and lubricating oil on board or originating from the ship.
- 2.2 The CLC Convention applies to all vessels falling within the definition of a ship as outlined in Article I (1.) of the Convention, i.e., vessels carrying oil in bulk as cargo on a voyage and following such carriage (unless it is proved that the vessel has no residues of such carriage of oil in bulk aboard).
- 2.3 Vessels which are not constructed or adapted for the carriage of oil in bulk or cargo clearly fall outside the definition of a ship for the purposes of the Convention. 'Offshore craft', however, such as FDPSOs, FPSOs, FSOs and FSUs will be considered ships by this Administration and therefore required to maintain insurance or other financial security, unless it can be shown that the vessel is fixed on location and does not possess the following elements:
 - (i) Its own independent motive power and steering equipment for seagoing navigation;

- (ii) Seafarers on board so as to be employed either as storage units or carriage of oil in bulk as cargo;
- (iii) Element of the carriage of oil and undertaking a voyage.

2.4 The Registered Owner is required to provide to this Administration confirmation that the vessel is not carrying oil in bulk as cargo on a voyage and therefore falls outside the CLC Convention. This confirmation should take the form of a Statement Letter from the vessel's Classification Society confirming that the vessel does not possess any of the elements outlined in section 2.3 of this Bulletin.

3 Liability Cover

3.1 Pursuant to Article VII of the Convention, it is incumbent upon the Registered Owner of a ship carrying more than 2,000 tons of oil in bulk as cargo to maintain insurance or other financial security in respect of oil pollution damage.

3.2 A CLC may be issued for insured parties where insurance cover is provided by:

- (i) Protection and Indemnity Club which is a member of The International Group of P&I Clubs; or
- (ii) Member of an insurance body/group of similar international standing; or
- (iii) Banking Corporation or Financial Institutions of similar international standing.

3.3 Proof of Insurance or other Financial Security must be provided in the form of:

- (i) A 'Blue Card' – usually issued by P&I Clubs; or
- (ii) An 'insurance certificate'; or
- (iii) A 'Financial guarantee Certificate'.

3.4 The certificate showing proof of insurance cover must indicate:

- (i) Name of Registered Owner
- (ii) Principal Place of Business of Registered Owner (Note that this is not necessarily the same as the registered office of the Owner)
- (iii) Name of Insurer or Guarantor
- (iv) Principal Place of Business of Insurer or Guarantor
- (v) Duration of Security
- (vi) "Certificate furnished as Evidence of Insurance Pursuant to Article VII of the International Convention on Civil Liability for Oil Pollution Damage, 1992."
- (vii) Name of Ship

- (viii) IMO Ship Identification Number
- (ix) Distinctive Numbers/Letters
- (x) Port of Registry
- (xi) "This is to certify that there is in force in respect of the above-named ship while in above-named ownership a policy of insurance satisfying the requirements of Article VII of the International Convention on Civil Liability for Oil Pollution Damage, 1992." (the Convention)
- (xii) Insurance cover will not cease before three months has lapsed from the date on which notice of termination is given.

3.5 Bahamas registered vessels need only supply proof of liability cover, together with the requisite fee, in order to initiate the process of certification by this Administration.

3.6 For vessels which are registered with non-State parties, a Transcript of Register, issued no later than five (5) days prior to submitting an application form to this Administration, is required in addition to the proof of liability cover and requisite fee.

4 Certification

4.1 A certificate (CLC) will be issued by the BMA for a maximum insurance period of 12 months to confirm each vessel is in compliance with the Convention.

4.2 The certificate will be issued in accordance with Article VII of the Convention and relevant Bahamas Shipping legislation upon receipt of proof of insurance or financial security from the vessel's P&I Club or other appropriate financial guarantor.

4.3 If there are any changes to the issued certificate, the owner must inform the BMA immediately, for any change will invalidate the certificate.

5 Fees

5.1 *Bahamas Registered Vessels*
CLC (includes processing fee) - GB£105 or US\$150

5.2 *Vessels registered in States not party to the Convention*
CLC (includes processing fee) - GB£210 or US\$300

5.3 All CLCs will be returned to the applicant via courier. The courier fee is GB£43 or US\$60.

6 Making an application

6.1 For ships registered with a non-State party, an application form must be completed for the issuance of a CLC. The form may be forwarded to BMA via electronic copy to reg@bahamasmaritime.com, with the original to follow. The application form R213 can be downloaded from our website – Form [R213](#)

6.2 To ensure an application for a CLC is processed quickly, please use the following checklist as a guide:

- (i) Confirmation of Cover (see 3.3 above)
- (ii) Application Form (see 6.1 above)
- (iii) Transcript of Register for non-State vessels (see 3.6 above)
- (iv) Payment (see 5 above)

All requests for CLCs which do not satisfy the above will not be processed and will be returned to the applicant.

7. Revision History

Rev.0 (14th February 2017) – First Issue