



APRIL 15, 2014

CIRCULAR NO. 13/14

TO MEMBERS OF THE ASSOCIATION

Dear Member:

ENTRY INTO FORCE OF THE PROTOCOL OF 2002 TO THE ATHENS CONVENTION RELATING TO THE CARRIAGE OF PASSENGERS AND THEIR LUGGAGE BY SEA, 1974

Members are referred to the Athens Convention Relating to the Carriage of Passengers and their Luggage by Sea, 1974 as amended by the 2002 Protocol (the Convention), together with the 2006 IMO Reservation and Guidelines for Implementation of the Convention covering war risks.

The Convention will enter into force for seventeen states¹ on 23 April 2014.

Insurance and certification requirement

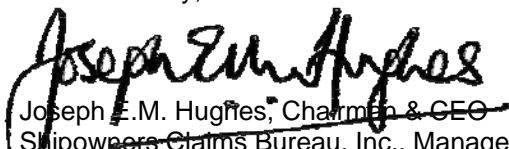
Article 4bis of the Convention introduces a requirement on passenger ship carriers and performing carriers engaged in international voyages to maintain insurance which complies with the requirements of the Convention i.e. if they are registered in a state party to the Convention or calling at or leaving the port of a state party. Such carriers will also need to obtain a certificate issued by a party to the Convention verifying that such insurance is in force.

Since December 31, 2012 carriers and performing carriers operating passenger ships that are either registered in, or trading to or from, an EU/EEA member state will have obtained evidence of insurance cover in the form of war and non-war "blue cards" and a certificate issued by an EU/EEA state in order to comply with the statutory requirements of EU Regulation 392/2009 on the Liability of Carriers of Passengers by Sea (PLR). PLR is closely modelled on the Convention.

The International Group has been working closely with officials in the International Maritime Organisation, EU member states, the European Commission and convention contracting states (i.e. states that have acceded to the Convention prior to its entry into force) in order to establish whether contracting states will recognize certificates issued by EU/EEA states as evidence of insurance required under Article 4bis of the Convention when calling at a port or terminal in any EU/EEA member state and non-EU/EEA Convention country.

The aim has been to avoid circumstances where operators of passenger vessels need to obtain duplicate sets of blue cards in order to obtain two certificates, one to comply with the Convention and one to meet the requirements of PLR. While a number of states have indicated a willingness to accept that one certificate will meet the requirements of both the Convention and PLR, final confirmation of this position is still awaited. Further information will be provided as soon as it is available. Members are encouraged to contact the Club immediately if they will be calling at a port in non-EU/EEA Convention country or if a flag or port state imposes upon carriers or performing carriers a requirement for duplicate certificates.

Yours faithfully,


Joseph E.M. Hughes, Chairman & CEO
Shipowners Claims Bureau, Inc., Managers for
THE AMERICAN CLUB

All clubs in the International Group have issued a similar circular.

¹ Albania, Belgium, Belize, Bulgaria, Croatia, Denmark, Greece, Latvia, Malta, Netherlands, Norway, Palau, Panama, Saint Kitts and Nevis, Serbia, Syrian Arab Republic, United Kingdom