



Luxembourg, 2 April 2015

Circular CAM 03/2015

O/Ref. : AH/106681

Subject: Entry into force of the Nairobi Convention

To : All Accredited Shipping Managers, ship owners, ship operators and designated persons of Luxembourg flagged ships.

The Nairobi International Convention on the Removal of Wrecks, 2007, was adopted by an international conference held in Kenya in 2007. The Convention provides the legal basis for States to remove, or have removed, shipwrecks that may have the potential to affect adversely the safety of lives, goods and property at sea, as well as the marine environment. **It will enter into force on the 14 April 2015.**

Ships above 300gt and over registered in a state party or **leaving/entering a port in the territory of a State party to the Convention** must be provided with insurance cover arrangements meeting the requirements of the Convention.

The purpose of the present circular is to outline the procedure to follow in order to obtain the relevant Nairobi Convention Certificates (NCC).

As Luxembourg has not yet accessed to the Convention, Luxembourg flagged vessels may be provided with a NCC issued by the relevant maritime administration of any State party to the Convention. This Certificate must be carried on board at all times.

A copy of the NCC must be sent to the Commissariat aux affaires maritimes.

Through an administrative agreement with the Commissariat aux affaires maritimes, the Danish Maritime Authority (DMA) has agreed to issue NCCs for ships flying the Luxembourg flag.

Shipowners who want to take advantage of that opportunity are therefore requested to take the following steps:

- forward applications and proof of financial security, typically Blue Cards, as well as orientations as mentioned below to the DMA through vragcertifikat@dma.dk,
- use DMA's application form with, i.a., payment instructions on the link http://www.dma.dk/sitecollectiondocuments/cfs/ansoegning_vragcertifikat.pdf, and
- follow in general DMA's guidelines, available on the following link <http://www.dma.dk/sitecollectiondocuments/cfs/vragfjernelse%20vejledning%20-%20uk.pdf>

The DMA will then:

- evaluate the applications, and if they are deemed satisfactory,
- issue the certificate(s) and
- forward the certificate(s) directly to the shipowners

The fee for the issuance of one NCC is 1.250,00DKK. The details regarding the payment method are mentioned on the application form.

Shipowners are requested to take note of the important following information issued by the DMA:

- the issuance of NCCs on the basis of Blue Cards from P&I Clubs outside the International Group of P&I Clubs (IG) may take considerable time. The reason is that the DMA needs to verify the financial standing and solvency of non-IG companies in accordance with the IMO Guidelines for accepting insurance companies, financial security providers and the IG, cf. the IMO Circular Letter No. 3464 of 2 July 2014.
- the owner of a ship with an NCC issued by the DMA is obliged to immediately return the NCC to the DMA upon the expiry of the insurance or guarantee as well as upon the expiry of the NCC itself. The owner is also obliged to immediately inform the DMA of any changes to the insurance or guarantee of importance to the continued validity of the NCC.

The present circular will remain valid until Luxembourg has accessed to the Nairobi Convention. Shipowners will be informed of the above by means of a new circular.

You are kindly requested to ensure adequate dissemination of this information within your company and to the relevant Luxembourg flagged vessels.



(s) Robert BIWER
Government Commissioner
for maritime affairs