

# Palau International Ship Registry



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## MARINE NOTICE 145.2

**To: SHIPOWNERS, MANAGERS, MASTERS, DEPUTY REGISTRARS AND RECOGNIZED ORGANIZATIONS**

**Subject: NAIROBI INTERNATIONAL CONVENTION ON THE REMOVAL OF WRECKS, 2007 – CERTIFICATION REQUIREMENTS AND PROCEDURES**

1. Reference
  - 1.1 Nairobi International Convention on the Removal of Wrecks, 2007
  - 1.2 Convention on Limitation of Liability for Maritime Claims, 1976, as amended
2. Application
  - 2.1 All ships above 300 GRT registered with the Palau Flag will need insurance cover arrangements, which meet the requirements of the Convention.
  - 2.2 All ships not registered with the Palau Flag but that will be entering or leaving a Republic of Palau port shall also maintain insurance or other financial security to cover liability under the Convention.
3. Definitions
  - 3.1 Convention area: means the exclusive economic zone of a State Party, established in accordance with International Law or, if a State Party has not established such a zone, an area beyond and adjacent to the territorial sea of that State determined by the State in accordance with International Law and extending not more than 200 nautical miles from the baseline from which the breadth of its territorial sea is measured.
  - 3.2 Ship means a seagoing vessel of any type whatsoever and includes hydrofoil boats, air-cushion vehicles, submersibles, floating craft, fishing vessels, yachts and floating platforms, except when such platforms are on location engaged in the exploration, exploitation or production of seabed mineral resources.



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3.3 Maritime Casualty means a collision of ships, stranding or other incident of navigation, or other occurrence on board a ship or external to it, resulting in material damage or imminent threat of material damage to a ship or its cargo.

3.4 Wreck following upon a maritime casualty, means:

- a. a sunken or stranded ship; or
- b. any part of a sunken or stranded ship, including any object that is or has been on board such a ship; or
- c. any object that is lost at sea from a ship and that is stranded, sunken or adrift at sea;
- d. a ship that is about, or may reasonably be expected, to sink or to strand, where effective measures to assist the ship or any property in danger are not already being taken.

3.5 Hazard means any condition or threat that:

- a. poses a danger or impediment to navigation; or
- b. may reasonably be expected to result in major harmful consequences to the marine environment, or damage to the coastline or related interests of one or more States.

3.6 Related Interest means the interests of a coastal State directly affected or threatened by a wreck, such as:

- a. maritime coastal and coastal activities, including fisheries activities, constituting an essential means of livelihood of the persons concerned;
- b. tourist attractions and other economic interest of the area concerned;
- c. the health of the coastal population and the wellbeing of the area concerned, including conservation of marine living resources and of wildlife; and
- d. offshore and underwater structures.

3.7 Removal means any form of prevention, mitigation or elimination of the hazard created by a wreck.

3.8 Registered Owner means the person or persons registered as the owner of the ship or, in the absence of registration, the person or persons owning the ship at



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the time of the maritime casualty. Person means any individual, legal entity or partnership, whether corporate or not.

3.9 Operator of the Ship means the owner of the ship or any other Organization or person such as the manager, or the bareboat charterer, who has assumed the responsibility for operation of the ship from the owner of the ship and who, on assuming such responsibility, has agreed to take over all duties and responsibilities established under the International Safety Management Code, as amended. Person means any individual, legal entity or partnership, whether corporate or not.

3.10 Affected State means the State in whose Convention area the wreck is located.

## 4 Requirements

4.1 In accordance with Article 11 of the Convention, the registered owner shall be liable for the costs of locating, marking, and removing the wreck under Articles 7, 8 and 9 of the Convention, unless the registered owner can prove that the maritime casualty:

- a. Resulted from an act of war, hostilities, civil war, insurrection, or natural phenomenon of an exception, inevitable and irresistible character;
- b. Was wholly caused by an act or omission done with intent to cause damaged by a third party; or
- c. Was wholly caused by the negligence or other wrongful act of any Government or other authority responsible for the maintenance of lights or other navigational aids in the exercise of that function.

4.2 Nothing in the Convention affects the right of the registered owner to limit liability under any applicable national or international regime, such as the Convention on the Limitation of Liability for Maritime Claims, 1976, as amended, to which the Palau Flag is a party.

4.3 Any claims for costs arising under the Convention may be brought directly against the insurer or other person providing financial security for the registered owner's liability.



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- 4.4 The Convention further expands information regarding Liability of the Shipowners and the Owner's Limitation of Liability.

## 5 WRC Certificate

5.1 In order to obtain the WRC, the following documentation is to be submitted to PISR HO:

- 5.1.1 [A.003 – Application For Issuance Of Convention Certificates](#)  
5.1.2 Blue Card issued from Approved P&I Company<sup>1</sup> and addressed to one of the below Head Offices of Palau International Ship Registry:

Europe Head Office	USA Head Office
Piraeus, 18536, Greece 5, Sachtouri Street 6 <sup>th</sup> floor T: +30 210 4293500 F: +30 210 4293505	The Woodlands, TX, 77380 9595 Six Pines Drive, Suite 8210, Office 277 T: +1 832 631 6061 F: +1 832 631 6001

- 5.1.3 Valid Certificate of Registry (*not required for vessels already registered under the Palau Ship Registry Administration*).
- 5.1.4 Confirmation of payment /acceptance of quote.

5.2 The WRC will be issued within 24 hrs. after all the requirements has been duly received and reviewed.

5.3 The WRC shall contain the following particulars:

- Name of the ship, distinctive number or letters and port of registry;
- Gross tonnage of the ship;
- Name and principal place of business of the registered owner;
- IMO Ship Identification number;

<sup>1</sup> List of Approved P&I Clubs is available at the [Palau Ship Registry administrator website](#).



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- e. Type and duration of security;
- f. Name and principal place of business of insurer or other person giving security and, where appropriate, place of business where the insurance of security is established; and
- g. Period of validity of the certificate, which shall not be longer than the period of validity of the insurance or other security.

5.4 Ships registered with the Palau Flag to which the Convention applies must be issued with a WRC at the time of registration and such certificates should be renewed immediately upon expiration of the Blue Card.

5.5 Ships registered with a State that is not a member of the Convention but that trade within ports of a Member State of the Convention, can request the Palau Ship Registry Administrator to issue the WRC.

## 6 Approved P&I Clubs

6.1 Blue Card provided from a P&I Club which is a member of the International Group of P&I Clubs, is assumed accepted and the insurance is deemed sufficient.

6.2 Blue Card provided from a P&I Club, which is not a member of the International Group of P&I Clubs or is not included in the list of Approved P&I Clubs as stated in website <https://www.palaureg.com/information-centre/approved-suppliers/pi-clubs/>, will be subject to review and approval by this Maritime Administration. A written Application for Verification and Accreditation must be submitted to the Flag Administration.

## 7 Cancellation of Blue Card

7.1 In the event that the Blue Card is cancelled, the client will be informed accordingly. The WRC will have a remark including the Blue Card No. and therefore upon the cancellation of the Blue Card the WRC will become automatically cancelled as well.

## 8 Reporting Wrecks



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8.1 The Master and the operator of a ship flying the Palau Flag shall report to the Affected State without delay when that ship has been involved in a maritime casualty resulting in a wreck. To the extent that the reporting obligation has been fulfilled either by the Master or the operator of the ship, the other shall not be obliged to report.

## 9 Contact

9.1 Any inquiries concerning the subject for this Marine Notice should be directed to the Head Office of the Palau Ship Registry Administrator at [info@palaureg.com](mailto:info@palaureg.com)

**\*\*This Marine Notice supersedes  
Marine Notice 145.1**

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