

MEMBER ALERT



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NEW TURKISH INSURANCE REGULATION REQUIRING SHIPS TO EVIDENCE P&I COVER

The Turkish Regulation on the Requirement to Obtain Insurance Coverage for Vessels against Maritime Claims and Supervision Thereof (the “Insurance Regulation”) entered into force in Turkey on July 1, 2011.

The Regulation requires all ships of 300gt or more calling at Turkish ports or that are Turkish flagged to have Protection & Indemnity (P&I) insurance cover in place to cover maritime claims subject to limitation under the Protocol of 1996 to Amend the International Convention on Limitation of Liability for Maritime Claims (LLMC Protocol) and up to the relevant maximum limits laid down therein. “Protection and Indemnity insurance” is defined in the Regulation as insurance of the type currently provided by members of the International Group of P&I Associations.

The Regulation requires that this cover is evidenced by a certificate or certificates of insurance when entering a Turkish port and that such a certificate(s) should be present on board the ship.

Following consultation between the International Group and the Turkish Undersecretariat of Maritime Affairs, it is understood that Turkish ports will accept a certificate of entry issued by International Group Clubs in an electronic format as evidence of compliance with the Insurance Regulation.

Upon request of the relevant competent authorities, ships bound for ports or offshore terminals in Turkish waters should submit a copy of their certificate of entry to the nearest port authority, through an agent domiciled in Turkish waters, before entering Turkish territorial waters. The Turkish administration has established a “Port Management Information System (LYBS)” to allow ships’ agents to submit the necessary details to the port authorities as part of the procedure for obtaining clearance to enter port, in order to facilitate compliance with the Insurance Regulation.

Port authorities will not issue permits for docking, mooring or anchoring until a certificate of entry has been provided and the Regulation has been complied with. A breach of the Regulation may be subject to a fine of between 500 and 20,000 Turkish Lira (approximately US\$300 – US\$11,600).

The Insurance Regulation is modeled very closely on European Directive 2009/20/EC of the European Parliament and of the Council of April 23, 2009 on the Insurance of Shipowners for Maritime Claims. Members are referred to Club Circular 29/09 of December 15, 2009 dealing with this Directive in general.