

How to apply for certificate of financial security for non-tanker ships¹

When applying for first time, we recommend consulting with the District Transport Bureau before the formal application is made.

1. Documents required for the application

The following (1)-(4) documents are required for the application. Among these documents, (1) is necessary to be filled in JAPANESE (Alphabet can be used for proper nouns). If documents of (2)-(4) are written in a language other than Japanese or English, the Japanese or English translations with the note that “I agree that the District Transport Bureau makes decisions based upon the translations” and the applicant’s signature on each translation should be attached.

(1) Application for issuing certificate of financial security for the non-tanker ships.

Revenue stamps of 14,300yen value per ship must be attached to the form. (There are some variations of value depending on the type of the application. Please ask to the District Transport Bureau in details.)

(2) A copy of the contract of financial security

Copies of the following documents are required. (Photo copies are acceptable.)

- Policy OR
- Certificate of insurance OR
- Certificate of entry

AND

- Rule (Normally, clauses extracted from the rule that show the insurance covers for the bunker oil pollution damage and the cost for shipwreck removing are sufficient.)

(3) Certificate of the flag of ship and tonnage

The certificate of ship’s nationality and the international tonnage certificate are required. (Photo copies are acceptable.)

(4) The document that proves the agent is duly empowered by the applicant (only when applying via the agent).

There is no designated form.

2. The office receiving the application

The application shall be directed to the main office of the District Transport Bureau (There are 10 offices throughout Japan) or the Okinawa general bureau. The application will be received by hand or sent by mail. (Email will not be accepted.)

You can choose any bureau. However, in case of congestion at a bureau, the Bureau may ask to apply at another bureau.

Please use the registered mail if you make an application by mail and put the name

¹ ”Non-tanker ships” means any ship other than tankers carrying oil in bulk as cargo as stated in the Law on Liability for Oil Pollution Damage.

and telephone and facsimile number, email address of the contact person on the cover page of the application. Also enclose the self-addressed envelope with stamps for sending the certificate by registered mail.

3. The time required to issue the certificate

It will take ONE MONTH OR MORE from the receipt of the application until the issuance of the certificate. Especially, it will take more time in the case the insurer has not been recognized by the ministry before the application.

4. How to fill in the application form

The followings are a brief explanation of items on the form. If you have any questions when filling in the form, please contact one of the District Transport Bureaus.

(1) The applicant

The person or company who concludes a contract with the insurer is to make an application. Please fill in the name, address, zip code and telephone number. Also if the applicant is a corporation, the representative's name must be filled in. The applicant can sign the applicant's name instead of using a seal.

(2) The agent

If the application is submitted via the agent, please fill in the name, address, zip code (if available) and telephone number of the agent. Also if the agent is a corporation, the representative's name shall be entered.

(3) Name, address of "the shipowner and the charterer"² and, if these party(s) is a corporation, the representative's name.

All parties' names falling under category of "the shipowner and the charterer" EXCEPT the one appearing as the applicant in the beginning part of the form must be filled in.

(4) Details of ship and the financial security

- ① Name and type of ship
- ② Distinctive number/letters or callsign
- ③ IMO number (if available)
- ④ Flag of ship
- ⑤ Gross tonnage (in International G/T)
- ⑥ Type of security

If the type of the financial security is P&I insurance provided by the Mutual Club, please put "船主責任相互保險" (= "P&I insurance (Mutual Club)"). If P&I insurance is provided by the commercial company or other type of organization, please put "船主責任保險" (= "P&I insurance"). If the type of the insurance does not come under these types, please fill in the description of the type of the insurance.

- ⑦ Period of the financial security

² "The shipowner and the charterer" means principally the registered owner, bareboat charterer and time charterer in the Law on Liability for Oil Pollution Damage.

Put the period of insurance. Please note that the certificate is available for one year maximum even though the period of insurance is more than one year.

- ⑧ Does financial security cover for damage stipulated in article 39-5, paragraph 1, subparagraph 1 and 2?

Please confirm whether the insurance or other financial security covers both a) damages of bunker oil pollution and b) the cost of shipwreck removal stipulated in article 39-5, paragraph 1, subparagraph 1 and 2. If both points are covered, please check “有り”(=Yes).

If “無し” (=No) is checked, that means the insurance coverage does not satisfy the requirement of the Law, and the application will be rejected.

- ⑨ Amount of the financial security cover

Please fill in the amount of insurance or other financial security cover. If the insurance provides unlimited cover in respect of the liability of shipowner, please enter “限度額を定めない”(=Unlimited).

- ⑩ Name, address, tel/fax number and email address of the insurer or the guarantor and, if the party is a corporation, the representative's name.

- ⑪ Which subparagraph (1 or 2) of Article 2, paragraph 2 of the government ordinance does the insurer or the guarantor come under?

- Either “(ア)” or “(イ)”

If the insurer or the guarantor specified in item ⑩ comes under one of following categories of (a)-(d), “(ア)” must be filled in. Otherwise “(イ)” must be filled in.

- (a) Japan P&I Club
(b) Fishing Vessel Insurance Association
(c) Insurance companies licensed for the non-life insurance business by the Japan Financial Service Agency
(d) The foreign insurer or the foreign guarantor named in CLC³ certificates issued or certified under the authority of a CLC contracting state

- The name of state(s) issuing or certifying the CLC certificate

If the insurer or the guarantor comes under the category (d) in above mentioned item, please list the name of state(s) issuing or certifying the CLC certificate.

Following items shall be filled in ONLY WHEN the item ⑪ is “(イ)”.

- ⑫ The year, month and date of establishing the insurer or the guarantor

- ⑬ The statute under which the insurer or the guarantor is licensed to run insurance or other financial security business and the type of the license that the insurer or the guarantor holds.

Please put the name of the statute and the number of the article that empowers the insurer to run the business. The type of the license (e.g. the maritime liability insurance business) must also be filled in.

- ⑭ The name, address, tel/fax number and email address of the office in Japan dealing with business related to payment of insurance correspondent in Japan.

Please specify name, address and so on of the correspondent in Japan.

³ International Convention on Civil Liability for Oil Pollution Damage

- ⑮ The number and the aggregate amount G/T of ships that entered the same type of financial security as the application. The aggregate amount of premiums and the payment of the insurance regarding the same type of the financial security as the application for the last accounting period
Data shall be only about P&I insurance, not including other types of insurance (e.g. hull insurance).
- ⑯ Are there any accidents on Japanese waters involving the ship that entered the same type of financial security as the application during past 5 year? If yes, fill in the outline of the accident.
If any accidents on Japanese waters during past 5 years that have made the insurer pay insurance had occurred, please put “有り”(=Yes) and describe the outline of the accidents such as ship’s name, date occurred, location of the accident and the type of accident. Otherwise please put “無し” (=No).
- ⑰ Does the insurer or the guarantor have any record of receiving any kind of punishment from the authority in the homeland during past 5 years? If yes, write the outline of the punishment
- ⑱ Profit & Loss statement and balance sheet for last accounting period
If printed versions of documents are available, these documents can be attached to the application form instead of filling in the item.