

Bulletin



The Britannia Steam Ship
Insurance Association Limited

Managers
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Issue 03/09
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TO ALL MEMBERS
Sent by fax/email

NORTH AMERICAN CLEAN UP CO-OPERATIVE INDEMNITY COVER

Members will recall that for a number of years the Association has placed an insurance facility in the commercial market to protect Members from liabilities arising from contracts made with certain North American clean-up contractors which contain indemnities and undertakings that do not comply with the guidelines of the International Group of P&I Clubs and thus fall outside the scope of standard P&I cover. The ports involved are generally on the US West coast and the contractors are those listed on the attached documentation. Miller, the placing broker, has confirmed that the cover will be available again for the 2009/10 policy year and details of the renewal terms are attached. Members should note that although the premium is unchanged at USD415 per call, the 9.5% debit note discount is no longer available. Members who wish to purchase this additional insurance are requested to apply prior to their first declaration under the cover after which they will be requested to make declarations half-yearly in arrears on the attached declaration form.

The Managers would stress that this insurance is not provided by the Association but is instead placed on the Member's behalf in the commercial market and, as such, its Terms of Business Agreement – October 2008 are deemed to apply. A copy of this document can be found on the Britannia website (www.britanniapandi.com), alternatively, please contact the Managers for a copy.

NORTH AMERICAN CLEAN-UP CO-OPERATIVE INDEMNITY COVER 2009/2010

Declaration form for the period of:-

(A) Noon 20 February 2009 to Noon 20 August 2009*

(B) Noon 20 August 2009 to Noon 20 February 2010*

**(delete A or B as appropriate)*

Member Name	Vessel Name	Date of Call	Port of Call	Clean-Up Co-Op

Insurance is available in respect of the following contracts which contained 'non-approved' indemnity provisions as at 20 February 2009:

Alaska Chadux	Maritime Fire & Safety Ass./Clean Rivers Co-operative
Coos Bay, Oregon	Port of Newport/Yaquina Bay Oil Response plan
WSMC (Washington State)	Tesoro Alaska Petroleum Co.
Marine Logistics	Tesoro Maritime Co.
Clean Islands Council (Hawaii)	ARCO Marine
CISPRI (Alaska)	Polar Tanker Oil Spill Response Services
Guam Response Services	Alyeska Pipeline Services Co.
Penco	Foss Non-Tank Vessel Agreement
SEAPRO (Alaska)	Flint Hills Resources Alaska

Please send completed declarations to Steve Myatt

Fax: +44 (0) 20 7403 3942 / Email: nellwood@triley.co.uk

Risk Details

Type:	Contractual Liability Insurance.
Insured (s) :	Shipowners and/or Charterers who are Members of Associations that are Members of The International Group of P&I Associations.
Vessels:	Tankers and/or other vessels as defined as original, entered with Associations, Members of The International Group of P&I Associations.
Period:	Noon Greenwich Mean Time 20 February 2009 to Noon Greenwich Mean Time 20 February 2010.
Interest:	This insurance is to indemnify Insured(s) in respect of liabilities costs and expenses that would have been covered under the terms of a standard poolable entry but for indemnity clause(s) and/or hold harmless(es) and/or waivers contained in Clean-up Co-operative and/or Response Corporation agreements.
Deductible:	USD 25,000 any one accident or occurrence or series of accidents or occurrences arising out of one event.
Limit of Liability:	USD 25,000,000 any one accident or occurrence or series of accidents or occurrences arising out of one event.
Trading:	Worldwide.
Conditions:	<p>This insurance is to indemnify Insured(s) in respect of liabilities costs and expenses that would have been covered under the terms of a standard poolable entry but for Indemnity clause(s) and/or hold harmless(es) and/or waivers contained in Clean-up Co-operative and/or Response Corporation agreements,</p> <p>Subject to the limit of liability hereron, during period as above.</p> <p>Excluding claims recoverable under a standard poolable entry in an International Group P&I Association. Excluding loss of or damage to vessels.</p> <p>War Inclusion Clause MM No 1353(a) Cancellation Clause MM No. 2224(c). Radioactive Contamination Exclusion Clause MM No. 1083(d). Counter Guarantee Clause MM No. 1640. Costs Clause MM No. 1368(b). Insolvency Cancellation Clause MM No. 1329.</p>
Choice of Law & Jurisdiction:	The proper and exclusive law of this insurance shall be English and Welsh law. Any disputes arising under or in connection with it shall be subject to the exclusive jurisdiction of the Courts of England and Wales
Premium:	USD 415 per call.

Premium

Payment Terms:

Half Yearly Adjustments.

Information:

Certain North American Clean-up Contractors' contracts (as per schedule attached) contain indemnities etc. that do not comply with IGP guidelines and thus fall outside standard poolable cover.

**Schedule of North American Clean-up contractors whose contracts
contain indemnity provisions which do not comply with IGP Guidelines.**

Noon Greenwich Mean Time 20 February 2009 to Noon Greenwich Mean Time 20 February 2010

Alaska Chadux

Coos Bay, Oregon

WSMC (Washington State Maritime Co-operative Vessel Enrolment Agreement)

Marine Logistics

Clean Islands Council (Hawaii)

CISPRI (Cook Inlet Spill Prevention and Response, Alaska)

Guam Response Services

Penco

SEAPRO (South East Alaska Petroleum Resource Organisation)

Maritime Fire and Safety Association / Clean Rivers Co-Operative

Port of Newport / Yaquina Bay Oil Response plan

Tesoro Alaska Petroleum Company

Tesoro Maritime Co.

ARCO Marine

Polar Tanker Oil Spill Response Services

Alyeska Pipeline Services Co

Foss Non-tank Vessel Agreement – Alaska

Flint Hills Resources Alaska, LLC (FHR)

Underwriters note and agree to extend cover hereon to include, if required, liability arising under terms of indemnity clause(s) and/or hold harmless(es) and/or waivers contained in certain Argentinean oil spill response contracts.