

Guidelines

Guidelines on reporting to the Danish Maritime Authority about insurance certificates as proof of coverage for maritime claims

a. Danish ships

As of 31 December 2011 regulations have been introduced on certificates as proof of coverage for maritime claims. The regulations mean, i.a., that all Danish ships with a gross tonnage of or above 300 must carry a certificate on board documenting that insurance has been taken out for maritime claims. Ships covered by the certificate requirement are not allowed to engage in trade without carrying the certificate on board.

Insurance certificates in the form of a "Certificate of Entry"

In accordance with Directive 2009/20/EC of the European Parliament and of the Council of 23 April 2009 and act no. 251 of 30 March 2011 amending, i.a., the merchant shipping act, the Danish Maritime Authority recognizes a so-called "Certificate of Entry" as a valid insurance certificate. A "Certificate of Entry" states that a P&I (Protection and Indemnity) insurance issued by the International Group of P&I Clubs has been taken out. The certificate must state the ship's name, IMO ship identification number and port of registry as well as the shipowner's name and principal place of business. Furthermore, the name and principal place of business of the insurance company must be stated as well as the type and duration of the insurance.

Informing the Danish Maritime Authority about the insurance?

As far as Danish ships are concerned, the Danish Maritime Authority must be informed if a P&I insurance issued by the International Group of P&I Clubs has not been taken out and, consequently, a "Certificate of Entry" cannot be presented.

The reporting must contain detailed information about where the insurance has been taken out and the duration of the insurance. Furthermore, it must be stated whether it is a third party liability insurance, a documented self-insurance, a bank guarantee or any other type of financial security with similar conditions of coverage as those of a P&I insurance. Finally, it must be stated whether the insurance is with or without deductibles.

As regards ships without a "Certificate of Entry", the Danish Maritime Authority can in special cases require documentation that the insurer is solvent, can meet his obligations to cover maritime claims and has a right to carry out insurance business in the country where the insurer is domiciled.

Ship-owners/shipping companies report by filling in and submitting the reporting form shown [here](#) to the Danish Maritime Authority through soeretlige krav@dma.dk once a year. Reporting for 2012 must be given as soon as possible and no later than 1 August. Furthermore, ship-owners/shipping companies must inform the Danish Maritime Authority immediately if the insurance is changed in any way that is of importance to the validity of the certificate.

Ships carrying a "Certificate of Entry" on board are not under an obligation to report to the Danish Maritime Authority.

b. Foreign Ships

Foreign ships with a gross tonnage of or above 300 calling at or departing from a Danish port or any other place of loading or unloading in Denmark or in the Danish continental shelf area or carrying out activities in Danish territorial waters are equally required to carry on board a certificate as proof that insurance has been taken out for maritime claims.

The Danish Maritime Authority may control a foreign ship's compliance with the rules on insurance for maritime claims and related certificates upon its arrival. In case of doubts about the insurance coverage of a foreign ship the Danish Maritime Authority may contact the relevant flag state for control purposes.

c. Exception

Danish and foreign warships or other ships owned or used by a State and used for State, non-commercial purposes are not required to take out insurance for maritime claims.