



**REPUBLIC OF  
THE MARSHALL ISLANDS**  
**MARITIME ADMINISTRATOR**

Marine Notice

No. 2-011-45

Rev. Mar/2024

**TO: ALL SHIPOWNERS, OPERATORS, MASTERS AND OFFICERS OF MERCHANT SHIPS, AND RECOGNIZED ORGANIZATIONS**

**SUBJECT: Nairobi International Convention on the Removal of Wrecks, 2007 Certification Requirements**

- References:**
- (a) **Wreck Removal Convention (WRC)**, *Nairobi International Convention on the Removal of Wrecks, 2007*
  - (b) **Convention on Limitation of Liability for Maritime Claims (LLMC), 1976**, as amended
  - (c) **RMI [Maritime Act 1990](#)**
  - (d) **RMI [Maritime Regulations](#)** (MI-108)
  - (e) **RMI *Vessel Registration and Mortgage Recordation*** ([MI-100](#))
  - (f) **RMI Marine Notice [1-002-1](#)**, *List of Office and Service Locations*
  - (g) **RMI Marine Notice [2-023-1](#)**, *Proof of Liability Insurance*

## PURPOSE

This Marine Notice (MN) implements the Wreck Removal Convention (the “Convention”) and provides the procedures for ships to obtain a *Certificate of Insurance or Other Financial Security in Respect of Liability for the Removal of Wrecks* (WRLC). The Republic of the Marshall Islands (RMI) Maritime Administrator (the “Administrator) issues WRLCs to ships registered in the RMI and to non-State Party ships. The WRLC certifies that proof of liability insurance or other financial security is in force in accordance with the provisions of the Convention.

This MN supersedes that of 2/15. It has been substantially streamlined to focus on actions that must be taken by the registered owner and ship. Text simply repeating that of the Convention has been removed. Section 2.0 has been amended to reference the requirements for proof of liability insurance in MN [2-023-1](#).

## BACKGROUND

The RMI ratified the Convention on 30 September 2014. It entered into force on 14 April 2015. The Convention provides the legal basis for States to remove, or have removed, shipwrecks that may adversely affect the safety of lives, goods, and property at sea, as well as the marine and coastal environment. It places financial responsibility on shipowners and requires them to obtain insurance or provide other financial security to cover the costs of wreck removal. It also provides States with a right of direct action against insurers. The Convention requirements, which apply the exclusive economic zone of a State Party, have been extended to RMI territorial waters through notification of the International Maritime Organization (IMO) Secretary-General as allowable under Article 3 of the Convention.

## APPLICABILITY

Ships of 300 gross tons and above:

- a. registered in the RMI; or
- b. entering or leaving a RMI port or an offshore facility in RMI waters.

## DEFINITIONS

The following definitions are provided to ensure a unified understanding of the requirements. All other terms are as defined in the Convention.

**Gross tonnage** means gross tonnage calculated in accordance with the tonnage measurement regulations contained in Annex 1 of the International Convention on Tonnage Measurement of Ships, 1969.

**Person** means any individual, legal entity, or partnership, whether corporate or not.

**Ship** means a seagoing vessel of any type whatsoever and includes hydrofoil boats, air-cushion vehicles, submersibles, and floating craft. This also includes fishing vessels, yachts, and floating platforms, except when they are on location engaged in the exploration, exploitation, or production of seabed mineral resources.

## REQUIREMENTS

### 1.0 Compliance

In accordance with the RMI [Maritime Act 1990](#) and RMI [Maritime Regulations](#), a vessel may not be issued an unrestricted RMI Certificate of Registry unless there is on file proof of third-party liability insurance or other financial security. Full compliance with the WRC is required.

### 2.0 Compulsory Insurance or Financial Security (Convention Article 12)

The registered owner of a ship to which this MN applies must maintain insurance or other financial security to cover their liability under the Convention for locating, marking and removing the wreck. This amount may not exceed an amount calculated in accordance with the Convention on Limitation of Liability for Maritime Claims, 1976, as amended.

### 3.0 Certification Requirements

#### 3.1 RMI-Registered Ships

- .1 The Administrator will issue a WRLC to each RMI-registered ship of 300 gross tons and above upon being shown proof that the registered owner has in place the insurance or other financial security required by the Convention.
- .2 Proof of insurance or other financial security must meet the requirements of MN [2-023-1](#).

- .3 The proof<sup>1</sup> of coverage and any additionally required documentation must be sent to the Administrator at a regional office listed in [MN 1-002-1](#). The standard fee<sup>2</sup> for issuing certificates related to an insurance certificate or other financial security will apply.
- .4 The Administration will not permit an RMI-flagged ship, to which the Convention applies, to operate unless it has been issued a WRLC and that certificate is carried on board the ship.

### 3.2. Non-State Party Ships

- .1 The Administrator may issue a WRLC upon request from the registered owner or operator of a ship not registered in the RMI but in a non-State Party to the Convention and not in possession of a Certificate of Insurance or Other Financial Security issued by the State of the ship's registry.
- .2 The following information must be submitted with the request:
  - a. proof of protection and indemnity cover in force with respect to the ship issued by a member Club of the International Group of P & I Clubs, except as may be determined at the sole discretion of the Administrator; and
  - b. a copy of a valid ship Certificate of Registry (COR).
- .3 The [Non-State Party application](#) must be submitted from the website and all fees must be paid before being issued a WRLC. For assistance contact: [WRLC@register-iri.com](mailto:WRLC@register-iri.com).
- .4 Any non-State Party ships entering or leaving a port in the territory of the RMI must meet these certification requirements.

## 4.0 WRLC Format

The WRLC issued by the Administrator will take the form and contain the information required by the Convention. A sample certificate is here: [MI-237](#).

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1 Proof of coverage will generally be in the form of a "cover note" or similar confirmation sometimes referred to as a "Blue Card," which verifies that insurance coverage, including wreck removal coverage, is currently in full force and effect.

2. Refer to MN [1-005-1](#), *Consolidated List of Fees and Charges for Official Documents and Services* and MN [1-005-2](#), *Consolidated List of Fees and Charges for Official Yacht Documents and Services*.

## 5.0 Issuance and Validity of Certificates

- 5.1 Ships being registered in the RMI must be issued a WRLC at registration in accordance with the MI-100.
- 5.2 Non-State Party ships will be issued a WRLC upon bank confirmation of receipt of payment of the required fee. (See § 3.2.3, above.)
- 5.3 The period of validity of the WRLC will not be longer than the period of validity of the insurance or other security. The WRLC must be renewed annually by the registered owner and at any other time there is a change in insurance or financial security.
- 5.4 It is the responsibility of the registered owner or operator of the ship registered in a non-State Party to place the WRLC on board the ship and to notify and provide a copy of the WRLC to its flag State administration.
- 5.5 The WRLC validity for both RMI-registered and non-State Party ships may be verified on [Vessel Document Verification](#).

## 6.0 Reporting Wrecks

- 6.1 The master and the operator of a ship flying the RMI flag must report to the Affected State<sup>3</sup> 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 is not obliged to report.
- 6.2 Such reports must provide the name and the principal place of business of the registered owner and all the relevant information necessary for the Affected State to determine whether the wreck poses a hazard, including:
  - .1 the precise location of the wreck;
  - .2 the type, size and construction of the wreck;
  - .3 the nature of the damage to, and the condition of, the wreck;
  - .4 the nature and quantity of the cargo, in particular any hazardous and noxious substances; and
  - .5 the amount and types of oil, including bunker oil and lubricating oil, on board.

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<sup>3</sup> For State contact points refer to IMO's Global Integrated Shipping Information System: [Contact Points/Focal points under the Nairobi Wreck Removal Convention](#).

## **7.0 Measures to Facilitate the Removal of Wrecks**

- 7.1 Where the Affected State determines that a wreck constitutes a hazard, the registered owner is liable for the removal of the wreck. The registered owner must provide evidence of the insurance or other financial security required by the Convention.
- 7.2 The registered owner may contract with any salvor or other person to remove the wreck. Before such removal commences, the Affected State may lay down conditions for such removal to ensure the removal proceeds in a manner consistent with considerations of safety and protection of the marine environment.
- 7.3 The Affected State is required to:
- .1 set a reasonable deadline within which the registered owner must remove the wreck, taking into account the nature of the hazard;
  - .2 inform the registered owner in writing of the deadline it has set and specify that, if the registered owner does not remove the wreck within that deadline, it may remove the wreck at the registered owner's expense; and
  - .3 inform the registered owner in writing that it intends to intervene immediately in circumstances where the hazard becomes particularly severe.