

Explanatory Notes and Guidance for EU Regulation (EC) 392/2009 on the Liability of Carriers of Passengers by Sea in the Event of Accidents

An electronic version of the application form is available to download from the [MCA Website](#). Please make sure that you are using the most up to date version of the form available – use of an out of date form may result in your application being rejected. If the information provided in your application form is illegible or incomplete, your application may be rejected without notice.

One application form must be completed for each ship and the original hard copy of this must be sent to the address below:

**Civil Liability Certificates (CLC) Team
Bay 2/24
Maritime & Coastguard Agency
105 Commercial Rd
Southampton SO15 1EG
United Kingdom**

Evidence of insurance (usually in the form of Blue Cards) and the appropriate fee, must accompany the application form. In the event that the application is incomplete when received, the application will be placed on hold until such time as the missing documents are received.

The fee of £31 per certificate is to be **paid only in Pounds Sterling (£)**. Cheques must be made payable to “The Maritime and Coastguard Agency”, crossed and drawn on a UK bank only (sort code and a branch address must be present on each cheque). If you have a rolling account with the MCA and wish to use this account to pay for your application, please indicate your account number on the application form in the space provided. Payment via bank/wire/swift transfer is also permitted, please contact MCA for further information on +44 (0) 23 80329 110 or email clc@mca.gov.uk.

Checklist

- 1) Application form** – filled in fully, with original signature.
- 2) Evidence of War Risks Insurance** – e.g. Blue Card.
- 3) Evidence on Non-War Risks Insurance** – e.g. Blue Card.
- 4) Payment or confirmation of payment** – Credit Card, Cheque, MCA Rolling Credit Account Number, or Bank/Wire/Swift Transfer. See website for details.

Post these to the address above and note that the application form must be the original signed version.

FORM MSF 3244 NOTES

Vessel details

- **Vessel name, distinctive number, IMO Number, Port of Registry** – As per the vessel's certificate of registry. These details should be identical to those given on the Blue Card(s).
- **Flag State of the vessel** – please check with the MCA if you are unsure of the status of flag of the vessel(s) concerned. The MCA may not be able to issue to some flag states.

Applicant

- **Name of applicant** – The name of the performing carrier, or company that is applying for certificates on behalf of the performing carrier.
Address of applicant – The address of the applicant which will be used to return the certificate to, unless otherwise stated.
- **Telephone number/email address** – Please provide contact details in case we need to contact you concerning your application. Please make sure you include any area codes that precede the telephone number.

Remittance

- **Fee** – A fee of £31 per certificate is payable in accordance with the Regulation 13 of The Merchant Shipping (Carriage of Passengers by Sea) Regulations 2012.

Preferred Delivery Method

- Delivery by Royal Mail's "Recorded signed for" service (for addresses within the United Kingdom), or a service of equivalent value (for other addresses) is included within the £31 fee.
- It is strongly advised that any certificate being delivered to a country outside Western Europe/Scandinavia be sent via courier. If a courier delivery is requested, the MCA can arrange delivery of the certificates at a cost of £25 per delivery per address.
- The MCA is not responsible for any delays incurred in transit when sent via express courier.
- The MCA is not responsible for any certificate lost in transit when express courier is **not** used.

Security Details

- **War Risks / Non-War risks** – Please provide the requested information for both insurance providers.
- **P&I Club / Insurance Company Name** – For example: North of England P&I Club
- **Address** – Please state the specific address of the branch that issued the vessel's blue card, rather than the headquarters of the P&I Club / Insurance Company.

To be read in conjunction with MSF 3244 10/12

- **Duration of Security** – As per the Blue Card(s). Note that the duration of both War Risk & Non-war risk insurance should be identical. Please note that the MCA will not issue a certificate valid for a period longer than 12 months (1 year).
- **Type of Security** – e.g. Protection & Indemnity (P&I) cover, Bank Guarantee, Compensation Fund Certificates or other form of security; Please specify.

Performing Carrier

- **Name and address** – name and full address of the principle place of business of the carrier who actually performs the carriage

Terms and Conditions

Cancellation of EU Regulation 392/2009 Certificates

The attention of owners is drawn to Regulation 7 (3) to (6) of The Merchant Shipping (Carriage of Passengers by Sea) Regulations 2012 which sets out the reasons for invalidation of the certificate and the need to return the certificate to the MCA. Any change of ownership of the vessel, change or termination of insurance cover will invalidate the certificate. Therefore, the MCA must be notified immediately.

Renewal of EU Regulation 392/2009 Certificates

The United Kingdom will not issue certificates for periods exceeding twelve calendar months from the date of commencement of the period of insurance or other security. Consequently, owners of vessels carrying a certificate which could expire during the course of a voyage should not delay in arranging for a replacement certificate to be placed on board the vessel ahead of expiry of the existing one.

Investigation

The issuing authority reserves the right to carry out detailed investigations, as deemed appropriate, in order to ensure the provider of financial security is approved by the United Kingdom's Financial Services Authority (FSA) or equivalent. Following such investigation any applicant whose financial security provider is not approved will be refused a United Kingdom State Certificate.

Customer Responsibility

It is the responsibility of the customer to make sure that any certificates required are applied for **well in advance**. This includes the time required to forward the certificate to each ship. We cannot expedite any application ahead of other customers for any reason whatsoever.