

## GUIDANCE NOTES FOR PUBLICATION CERTIFICATE OF INSURANCE FOR THE 2014 AMENDMENTS TO THE CODE MLC 2006

The persons entitled to request publication of the Certificates are advised to consult the following guidance notes before preparing the application form.

The entries illegible, ambiguous information and / or incomplete application forms will be ignored.

Filling out the application form must be made using the website <https://mlc.consap.it/mlc>. To use the website prepared by Consap, the applicants must register prior to the site itself. The procedure for registration to the site is completely on line. With the credentials (username and password) received during registration, applicants can make requests, filling out online the Model A, Model B if necessary, and upload electronic copies of all the required documents. Completed the on-line preparation of applications, the same questions and attachments must be submitted with electronic sending (directly on-line).

## GUIDANCE NOTES FOR THE REGISTRATION TO THE SITE <https://mlc.consap.it/mlc>

Activating the Command Register on the home page, the site shows the page with which you can provide personal data (name, address, document recognition, numbers and e-mail address) and the institution (name, address of the registered office and head office / administrative) who will present applications for certification. Provided all required data, the system generates the login and password and sends it to the email address provided above.

## GUIDANCE NOTES FOR COMPLETING THE APPLICATION

By accessing the public site home page <https://mlc.consap.it/mlc> and using their credentials (login and password) received during the registration process, you access to its private home page where you can prepare one or more of publication questions. A request for publication may be made for more ships owned by the same model in this case will be published in the respective MLC insurance certificates.

To create a new application, use the command Create this in the Questions menu item. To edit a previously created application, select it in the list of questions by clicking on the question number.

On the question of interest, you can:

- Fill in the Model A (reference publication);
- Fill in the Model B (authorization), if the applicant is not the owner of the ship
- Load Electronic copies of the documents to accompany the application;

electronically Submit the completed application and all its attachments to Consap. The submission of the application is only possible if all required and all required attachments are loaded. Once the application has been forwarded to Consap, you cannot edit it.

#### Compilation of the Model A

To compile the Model A, press the corresponding button Question - New question. The system has a mask with which it is possible to indicate:

- The applicant (natural or legal person);
- The registered owner of the ship (natural or legal person), to be filled in if it is different from above;
- The list of ships for which it requires the publication of MLC insurance certificates.

The persons entitled to request publication of MLC certificates.

Applications for publication of MLC certificate in addition to the registered owner of the ship also the owner who has not yet obtained the registration, the owner, the bareboat charterer, the agent of the vessel, the trustee and manager of a ship (arts. 3:07 of the decree of the Ministry of Economic Development of 20 December 2012):

**For registered shipowner means** the person identified as the owner of the ship registry in the registration of the same or the registered owner of the ship in accordance with art. 1, par. 4, the Bunker Oil Convention;

**For Shipowner means** the person who operate the ship referred to in Articles 265 and following of the Code of Navigation or the operator of the ship pursuant to art. 1, par. 3, the Bunker Oil Convention;

**For conductor of the ship bareboat means** which is the subject of the contract in art. 376 of the Navigation Code, or the bareboat charter party contract pursuant to art. 1, par. 3, the Bunker Oil Convention;

**For Raccomandatario ship means** the person who exercises the profession governed by the Law of 4 April 1977 n. 135, entered into the register kept by the Chamber of Commerce, Industry, Handicraft and Agriculture and is responsible of the owner, the owner, the bareboat charterer or manager of a ship;

**To Mandatory means** the person authorized to act on behalf of the shipowner in accordance with articles. 1703-1730 of the Civil Code

**For Ship Manager:** The person who is part of a ship management contract or a ship management contract pursuant to art. 1, par. 3, the Bunker Oil Convention;

If the request for publication of the certificate is submitted by a person other than the registered owner of the ship, they shall be indicated in the fields provided the name and address of the registered office of the owner of the ship. Under the terms of the Conventions registered owners are legally responsible if their vessels are not adequately insured and certified. The request for certificate publication will indicate, in fact, as Annex of the Convention, the name of the registered owner that must match that shown on MLC certificates.

#### Vessel's Details

Each application may cover one or more ships.

In the application, the name of the ship, the IMO number, registration number (letters or numbers), and port of registry must be the same as those shown on MLC certificates.

**The ship's flag state** It indicates the state of the ship. Consap has enabled the publication of MLC certificates for ships with Italian flag and those vessels registered in a State which is not part of the bunker oil and CLC Conventions.

It is important to indicate the IMO number in the instance; This number is known as the permanent and unique identification code composed by the three letters of the acronym of the International Maritime Organization and 7 figures, released by the IMO for vessels of more than 100 GT. The IMO number must be indicated in the application also in the case of ship is not registered in the international register specifying the conventional value "0000000".

#### insurance or financial guarantee

As required by the MLC Convention, the ship's owner is obliged to conclude an insurance contract or to acquire other financial security for the fulfillment of obligations concerning the release of the financial security referred to in the Standard A.4.21 par.1 (b) of Rule 4.2 (responsibility of the Owner to illness, injury or death) and the Standard A.2.5.2 of Rule 2.5 paragraph 2 of the Owner responsible for the costs of return) of the code of ILO Convention MLC 2006, as amended as a result of the Amendments approved on June 11, 2014.

Evidence of the guarantee must be given in the form of MLC certificates that may be issued by an insurance company or a financial institution.

The applicant must indicate what kind of insurance or financial guarantee has been issued in the application and return the name and registered address of the person who issued it, stating in the case of insurance company the address of the branch that issued the certificates MLC. The warranty period may not exceed 12 months.

#### Billing

Pressing the command Manage billing and shipping information, the system displays a screen where you can enter all the data necessary to Consap for the issuance of the invoice amount that the applicant must pay. The bill, once it has been issued by Consap, will be made available to the applicant on the website associated with the application. Of the invoice date will be notified to the applicant through a special e-mail message. It should be noted that the applicant is required to print the invoice received on paper for its accounting in recording.

#### Attachments

The application shall be accompanied by:

- electronic copy of the MLC certificates (Rule 4.2 and Rule 2.5), attesting to the issuance of the insurance or financial guarantees for the vessel for which you require the publication of certificates issued by a P & I clubs;
- electronic copy of the proof of payment of the certificate fee of € 100.00 plus VAT if due, for each ship to be published;

Moreover, if the request for publication of the insurance certificate for the purposes of the 2014 Amendments to the Code MLC 2006 are issued by a non-entity agreement with Consap, the applicant must attach to the instance also electronic copies of the following documents:

- a) a copy of the financial statements of the last three non-contracted entity exercises, duly certified, including the report of the auditing firm, in electronic format;
- b) documentation, issued in the previous twelve months by an independent rating agencies and internationally recognized on the rating assigned non-contracted entity or its reinsurers in electronic format;

c) appropriate documentation, issued by the competent authority of the State in which the organization is not an agreement has its registered office or operating the effect that the same body is allowed to carry out insurance or financial, in electronic format;

The private, non-agreement must also be promptly sent to Consap the paper original of the insurance certificate for the purposes of the 2014 Amendments to the MLC 2006 Code.

Upon completion of formal audits performed Consap if the findings above were positive, proceed to publication of the MLC Certificates. If the findings above are not successful, Consap requires interested clarifications and possible additions of missing data, and in the absence of such responses or non-exhaustive answers, communicates the negative results to the subject that has sent the certificates and the register the vessel is registered.

Electronic copies of these documents must be uploaded into the system using the appropriate button Add attachment.

## GUIDANCE NOTES FOR THE RETURN OF DEMAND A CONSAP

Once all the models and electronic copies of the attachments have been downloaded into the system, you can submit your question Consap pressing the button Send questions. The execution of this command transfers the application and all of its attachments to Consap. The system generates a receipt of shipment and sends it to the email address of the applicant. From this point on is no longer any changes on the demand and its attachments can make.

## TERMS AND CONDITIONS OF ISSUE OF THE CERTIFICATE

### The instance Rejection of publication of Certificates

Certificates will not be published MLC if it was not possible to make a formal check on matching of data provided by regulations.

Also it will not be allowed an application for publication if it is not possible to find the payment of the cost of the certificate.

### Cancellation of certificates published in the Register

If for any reason the loss is notified - before the expiry of the validity period indicated in the insurance guarantee - the effectiveness of the insurance or other financial security which the Certificates relate, it will proceed to the registration of such new evidence

### The Responsibilities of the applicant publishing certificate

It is the responsibility of the person requesting the publication of the certificates provide for the submission of applications well in advance taking into account the time needed for tests of competence aimed at the publication of these.

### Responsibility of Consap

The Consap, in performing delegated tasks of assessment on the formal level and documentation of legal relationships in the field, is responsible only for the performance of about formal verification and publication of MLC Certificates and is exempt from any liability attributable to acts or acts or omissions in place by different parties, in previous or subsequent moments archiving of insurance certificates for deli Amendments MLC 2014 to 2006 Code. Consap and its employees, except in cases of fraud or negligence, are exempt from any liability for their acts when the same are the consequence of statements, declarations, documents false or containing incorrect information truths produced by the issuer of the

insurance certificates Amendments 2014 the MLC code 2006 or by third parties or the issuer or omissions of third parties.

E 'in any case Consap Any liability for damage resulting from the impossibility of use of the ship due to the refusal of the application of publication of certificates or the delay in the publication of the same is not directly attributable to Consap.

#### The cost of the publication of the Certificates

The cost of publication of certificates for individual ship - payable only in the euro - is € 100.00 plus VAT, if due.

Payment will be made by bank transfer to the following bank account held in Consap SpA - Bunkers:

- Banca Popolare di Sondrio
- Agency No. 25 in Rome, Viale Parioli No. 39 / b, 00197 Rome
- IBAN: IT59 V 05696 03225 000003431X81

Payment can also be made through the Pagopa platform, the relevant link can be found on the Consap website, in the section relating to MLC certification:

<https://www.consap.it/pubblicazione-certificati-mlc/>

#### Contacts

The Consap offices are open at the following address:

Consap spa- via Yser 14-00198 Rome (Italy)

Monday to Thursday from 8:15 am to 13:45 and from 14.45 to 17.15 and on Friday from 8.15 to 13.15.

For more information please contact +39 06 85796508 or send an email to the email [certificazioninavali@consap.it](mailto:certificazioninavali@consap.it)