



TO ALL MEMBERS

30 April 2008

Dear Sirs

**OPRC Convention – HNS Protocol: Japan
Regulations in respect of Prevention of Marine Pollution and Maritime Disaster,
effective 1 April 2008**

Under the *International Convention on Oil Pollution Preparedness, Response and Co-operation 1990 (OPRC)*, parties to the OPRC are required to establish measures for dealing with pollution incidents, either nationally or in co-operation with other countries. A Protocol to extend the Convention to apply to pollution incidents by hazardous and noxious substances (HNS) was adopted in 2000 and entered into force in certain countries including the UK and Japan on 14 June 2007 (OPRC - HNS).

Pursuant to the 2006 Japanese 'Law relating to the Prevention of Marine Pollution and Maritime Disasters', with effect from 1 April 2008, tankers over 150 gt carrying liquid HNS products e.g. kerosene, naphtha, jet oil, gas oil and noxious substances, when sailing in certain specified areas in Japan (Tokyo Bay, Ise Bay, Seto Inland Sea including Osaka Bay) are required to have access to materials, equipment and experts necessary for the prevention/elimination of HNS spills. The Japanese Maritime Disaster Prevention Center (MDPC) can provide these and, in reality, in order to comply with the requirement under this law it is necessary for owners to pre-contract with MDPC. Further details, including instructions as to how to contract with MDPC, can be found on their website, <http://www.mdpc.or.jp/> (see under 'pamphlet').

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The 2006 law is similar to that applying to tankers carrying persistent oil when calling at Japanese ports. Owners must pre-contract with MDPC in order to have access to the appropriate response equipment etc. MDPC is in effect acting as a spill response organisation. The latest MDPC contract in respect of HNS Response Resource Deployment and Emergency Response has been reviewed by the International Group to ascertain whether it accords with the International Group's guidelines for OSRO contracts. A copy is available on the MDPC website under 'covenant'. Unfortunately it does not conform to the Group's guidelines and therefore could prejudice members' cover with the Club. As a temporary measure, and to allow time for discussions with MDPC, the International Group clubs have arranged additional insurance to cover the increased liability, details of which can be obtained from the Managers.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Alistair Groom'. The signature is fluid and cursive, with a long horizontal stroke at the end.

Alistair Groom
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