



# FONASBA ANNUAL MEETING

## The HNS 2010 Convention

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# Background

- The international Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea.
- Adopted by the IMO in 1996.
- 2010 HNS Protocol, adopted in april 2010. It was designed to address practical problems that had prevented many States from ratifying the original Convention.
- 2010 HNS Convention.

# Compensation regime

Aims to ensure adequate, prompt and effective compensation for damage to persons and property, costs of clean up and reinstatement measures and economic losses resulting from the maritime transport of hazardous and noxious substances.

HNS incorporates a two part compensation regime:

- Compulsory ship's own insurance (which liability can be limited)
- The HNS fund, made up of contributions from HMS receivers.

## When in force ?

The 2010 HNS Convention will enter into force 18 months after the date on which it is ratified by at least twelve States, including four States each with not less than 2 million units of gross tonnage, and having received during the preceding calendar year a total quantity of at least 40 million tonnes of cargo that would be contributing to the general account.

# Country members please advise

In order for FONASBA to ascertain the likely impact of the Convention on the Membership, please advise:

- Is your government planning, or already started, to implement the HNS Convention ?
- Are your authorities discussing the HNS Convention with stakeholders and if so have they involved the ship agency in those discussions ?
- At what stage are the discussions and if/when is implementation scheduled ?
- Are there any indications or suggestions that ship agents could become drawn into the liability regime ?



A response from everyone to these questions will enable FONASBA to determine the state of the implementation of the Convention overall and whether we need to take general or specific actions and if so what they should be.

¡ Thanks !



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