

CIRCULAR

3/22 MAY 2022

OUTLINE

- Insurers and reinsurers domiciled in or operating from the UK can only insure voyages involving transit through Russian waters pursuant to the terms of a General Licence.
- The General Licence requires the Club to collect certain information as detailed in the circular below
- Members are requested to ensure that the required information is provided to the Club in respect of relevant voyages that have taken place since 17 March, and in future within one month of transiting Russian waters (including making Russian port calls).
- Please use the attached reporting template, which should be sent to Paul.O'Neill@thomasmiller.com

TO THE MEMBERS

GENERAL TRADE LICENCE DATED 17 MARCH 2022 – REPORTING OF VESSEL CALLS TO RUSSIA AND TRANSITING RUSSIAN TERRITORIAL WATERS

On 17 March 2022 the UK Government published a General Trade Licence in part to clarify earlier amendments to the UK Russia (Sanctions) (EU Exit) Regulations (the “Regulation”). Specifically, the licence addresses the issue as to whether it is lawful under the Regulation for insurers and reinsurers domiciled or operating from the United Kingdom to provide insurance for vessels calling at Russian ports or transiting Russian territorial waters.

A copy of the General Trade Licence (the “Licence”) can be found [here](#).

The Licence provides that where the underlying trade is lawful and in accordance with applicable sanctions, UK domiciled Clubs, or UK domiciled subsidiaries, branches and management companies of Clubs, may insure and handle claims arising out of vessels engaged in a trade to and from Russia and/or transiting Russian waters provided that the Club notifies the UK Secretary of State of the name and address at which records are kept in relation to each use of the Licence. The contents of the records that the Club is required to keep are set out in Regulation 76 (General trade licences: records) and include:

- (a) a description of the act;
- (b) a description of any goods, technology, services or funds to which the act relates;
- (c) the date of the act or the dates between which the act took place;
- (d) the quantity of any goods or funds to which the act relates;
- (e) (the Insurer’s) name and address;
- (f) the name and address of any consignee of goods to which the act relates or any recipient of technology, services or funds to which the act relates;

(g) in so far as it is known to (the Insurer's), the name and address of the end-user of the goods, technology, services or funds to which the act relates;

(h) if different from (the Insurer's), the name and address of the supplier of any goods to which the act relates.

This information must be held by the Club until the end of the calendar year in which the information is recorded plus a further period of four years.

From 17 March 2022, it is now necessary for the owners of vessels that have called in a Russian port or transited Russian territorial waters to notify their club of that call providing as far as possible the details required by Regulation 76. A failure to do so may invalidate the vessel's P&I insurance cover and/or prevent the Club from covering a claim. Please note that this requirement applies to all entered vessels (including Russian domiciled and flagged vessels) and is not limited to Members domiciled in the UK or operating UK flagged vessels.

Members are therefore requested to provide within (one month) of a call to a Russian port or a transit of Russian waters the information requested on the attached spreadsheet together with a copy of the bill(s) of lading for the relevant voyage.

Trade involving Russia is now subject to significant legal restrictions. Members are reminded that cover is not available for trade that breaches applicable sanctions and are advised to conduct thorough due diligence on the parties, cargoes and trade involved before engaging in trade to, through or from Russia.

All Clubs in the International Group have issued a similarly worded circular.

Yours faithfully

THE MANAGERS

For more information

Members requiring further information should contact their usual underwriting contact at the Club.