



EXPERIENCE OF THE BULGARIAN MARITIME ADMINISTRATION

Seminar on Places of Refuge
Kiev, Ukraine, 11-12 May 2016

ANNA NATOVA





Content

- NATIONAL LEGISLATION
- EMSA visit on the implementation of VTMIS Directive
- ELGA 1 Case





NATIONAL LEGISLATION

- Directive 2009 /17 EC of 23 April 2009 amending Directive 2002/59/EC establishing a Community Vessel Traffic Monitoring and Information system
- VTMIS Ordinance – Part V
- National plan for accommodating ships in need of assistance





VTMIS Ordinance

Adopted by the Council of Ministers in 2005 , last ammendment 2015

Definition of Place of Refuge

Part V - transposed the Directive 2009/17 Article 20, 20a, 20 b, 20 c and 20 d

Financial and security obligation - *The absence of an insurance certificate for maritime claims shall not exonerate the Bulgarian Maritime administration from the preliminary assessment and shall not in itself be considered sufficient reason to refuse to accommodate a ship in a place of refuge. When accommodating a ship in a place of refuge, the harbor master of port Varna/Burgas may request the ship's operator, agent or master to present a insurance certificate. The act of requesting the certificate shall not lead to a delay in accommodating the ship*

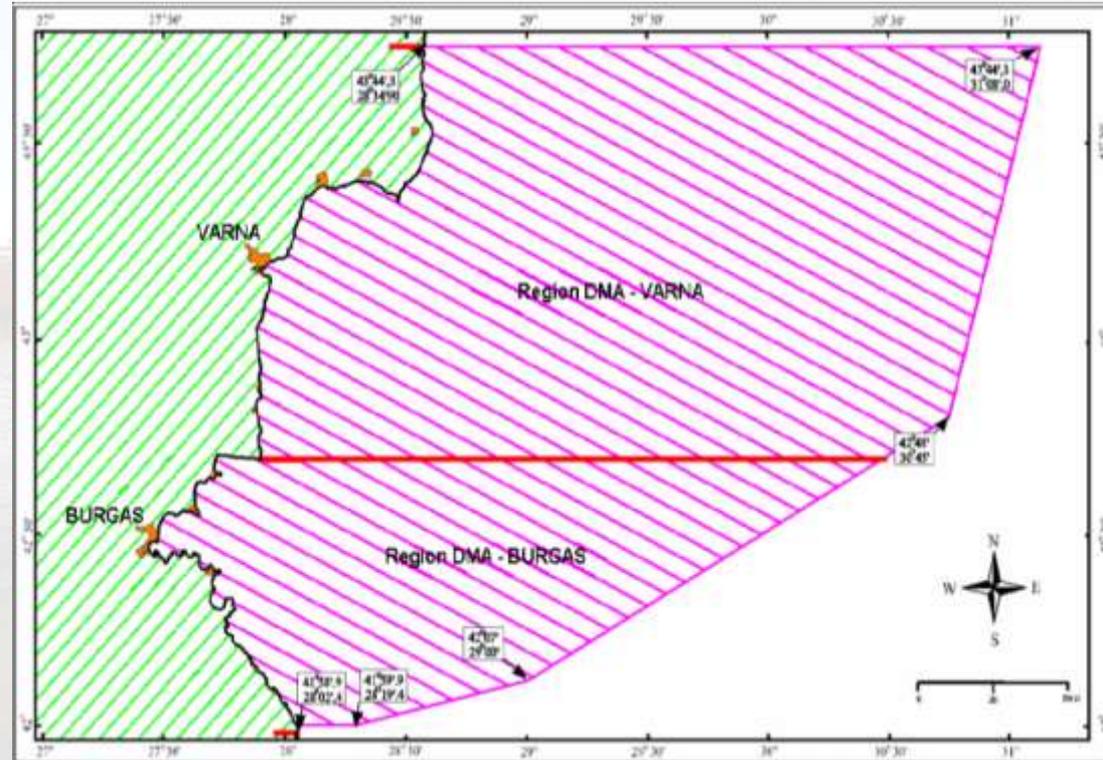
System of sanctions for the breach of national provisions





National plan for accommodating ships in need of assistance

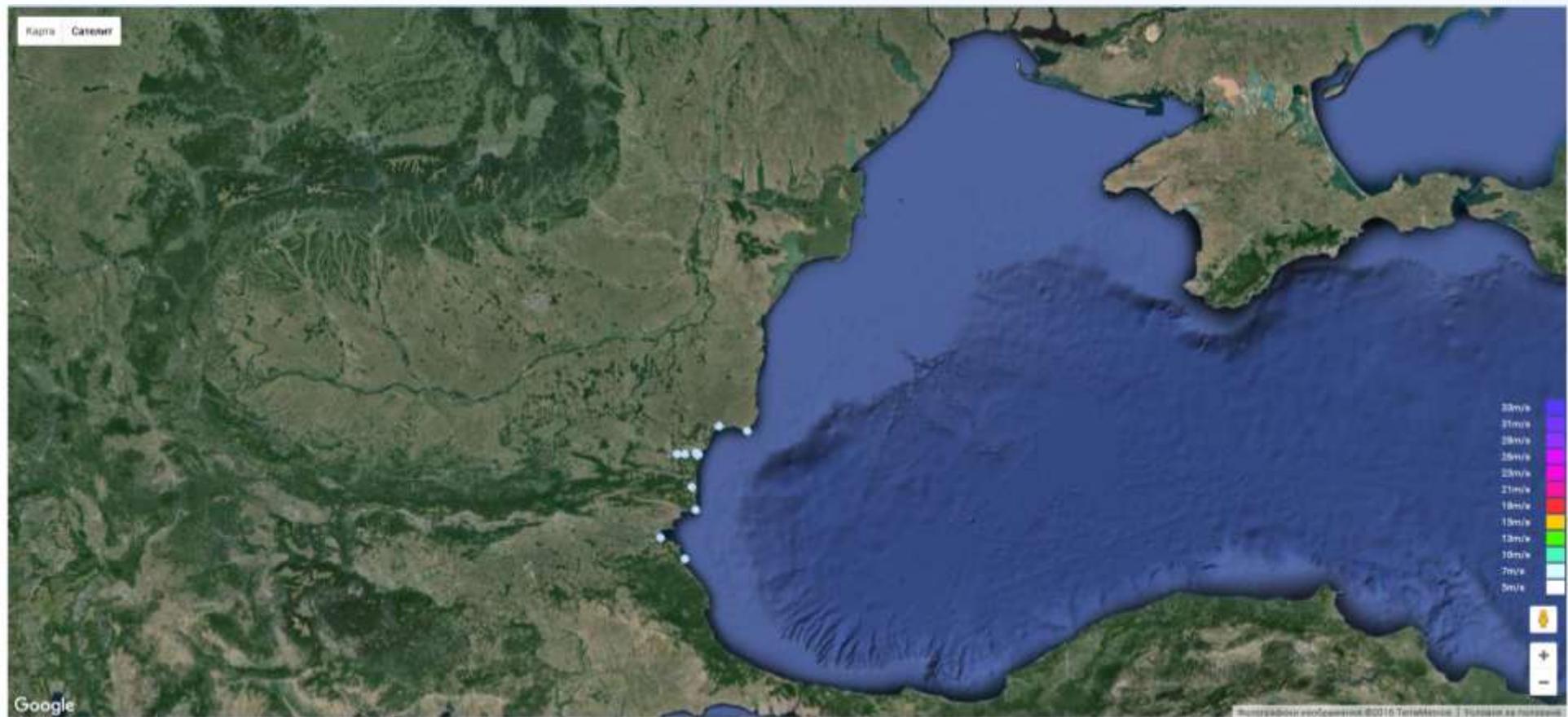
- Adopted by the Bulgarian Maritime Administration in 2013 after consultations with the Ministry of Foreign affairs, Ministry of defense, Ministry of Interior and Bulgarian Ports Infrastructure Company
- 10 Parts including 8 Annexes
- Region





TRACECA Maritime Safety & Security II

Contract No. 2012/308-311

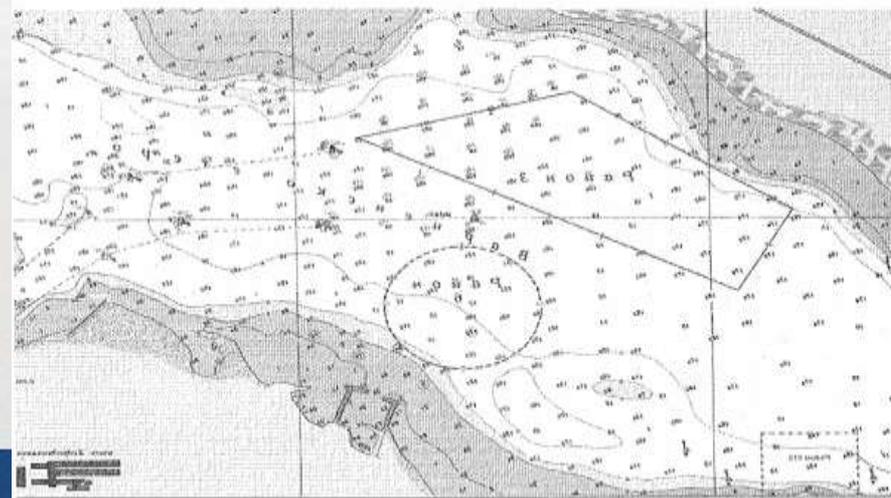
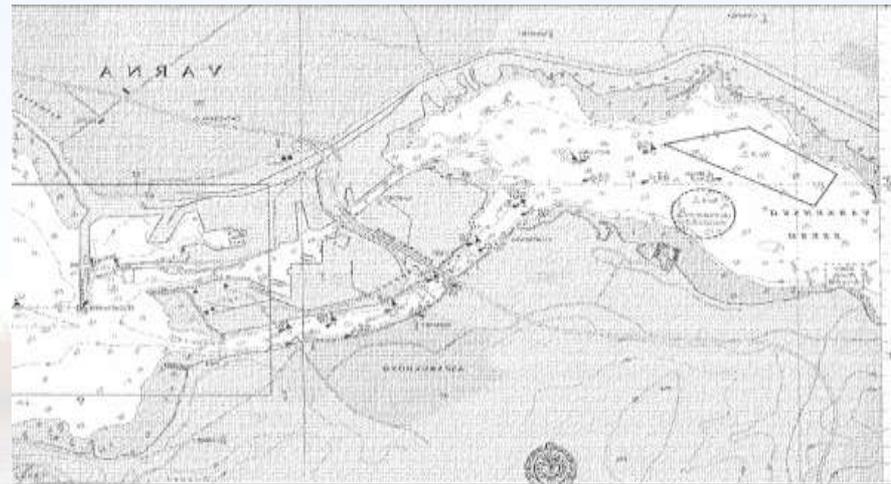
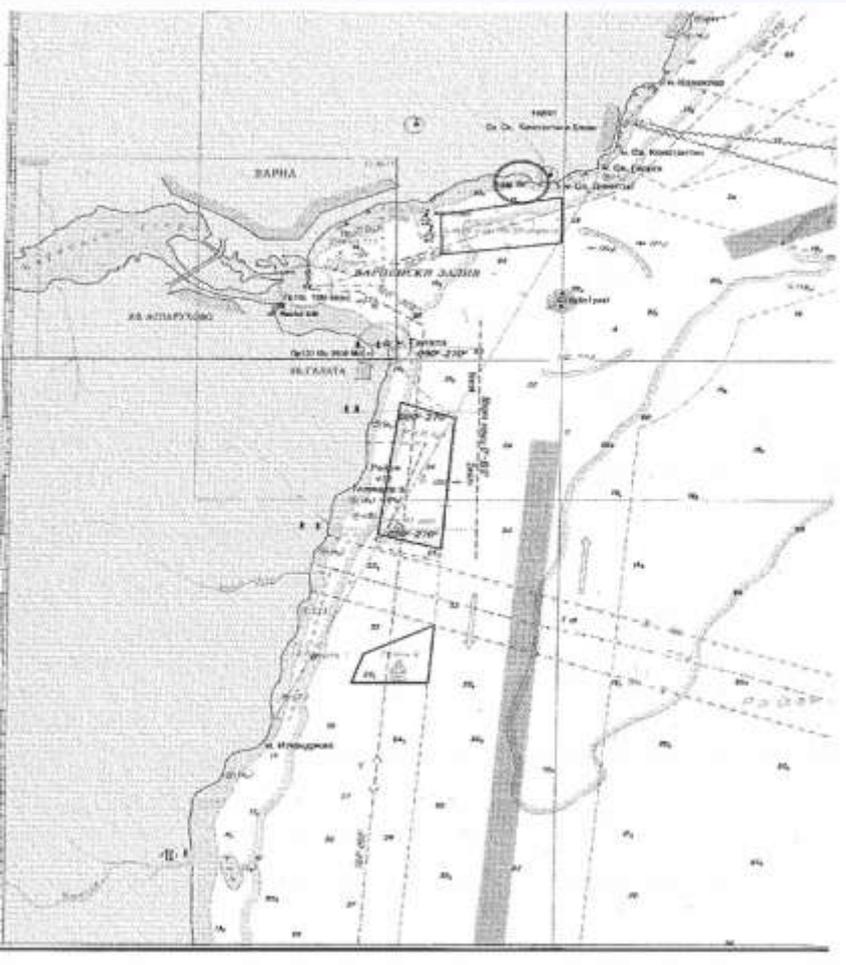


This project is financed by the European Union and implemented by the consortium led by NTU



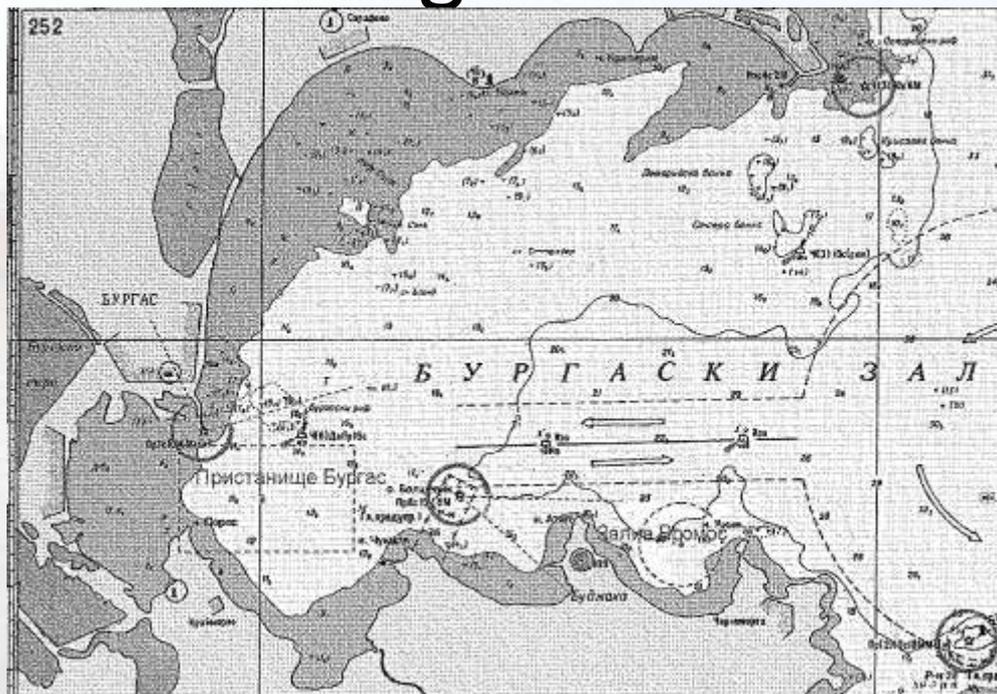


Map of Places of Refuge of Varna Region





Map of Places of Refuge of Burgas Region





CONTENT OF THE NATIONAL PLAN



- Contact details of the identity of the authorities responsible for receiving and handling alerts: Maritime Administration – Varna MRSC
- Contact details of the identity of the competent authority for assessing the situation and taking a decision on acceptance or refusal of a ship in need of assistance in the place of refuge – The Executive Director of BMA
- Information on the coastline of Bulgaria and all elements facilitating a prior assessment and rapid decision regarding the place of refuge for a ship, including a description of environmental, economic and social factors and natural conditions;
- Places of refuge in the region of Varna
- Places of refuge in the region of Burgas
- Assessment procedures for acceptance or refusal of a ship in need of assistance in a place of refuge;
- Resources and installations suitable for assistance, rescue and combating pollution in the region of Varna;
- Resources and installations suitable for assistance, rescue and combating pollution in the region of Burgas





CONTENT OF THE NATIONAL PLAN

- International cooperation and decision on the accommodation of ship
- Liability and compensation for financial damages sustained by places of refuge when accommodating a ship in need of assistance

International agreements – Bulgaria has ratified the liability Conventions

National legislation which implements liability provisions in law in order to reduce risk of protracted legal actions and delay in payment of compensation

Liability of the shipowner - The rules of limitation of liability of shipowners emanating from the LLMC Convention apply as amended 1996 version (Bulgaria ratified the 1996 Protocol)





EMSA VISIT

➤ **EXAMINE THE IMPLEMENTATION OF VTMIS DIRECTIVE – 19-21 February 2013 ; to verify the so called "implementation of art. 20+".**

➤ **One observation related to Article 20 (1)**

In the national legislation it was not found that the competent authority can take independent decision on their initiative concerning the accommodation of ships in need of assistance





ELGA 1



IMO: 8848408

Name: ELGA 1

MMSI: 273354910

Type: GENERAL CARGO

Gross Tonnage: 4966

Summer DWT: 6277 t

Build: 1991

Flag: RUSSIA

Home port: ASTRAKHAN

The vessel carrying coal left Russia's Temryuk (Krasnodar territory) for Varna. On December 3, the ship, which was about 160 kilometres to the east of Varna, gave a distress signal, saying that into its engine room began flowing water, and the main pump was out of service. The Sea Spayder ship, which was carrying pipes for the South Stream gas pipeline, came to assist the Elga-1 and took the Russian crew on board.

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Thank you for your
attention

