

Preface

Norwegian Marine Insurance Plan of 1996, Version 2002

As from 1 November 2001, the copyright of the Norwegian Marine Insurance Plan (NMIP) was transferred by Det Norske Veritas to the Central Union of Marine Underwriters Norway (CEFOR). This marks an important change in a tradition dating back 130 years. Det Norske Veritas has been responsible for preparing and publishing the marine insurance plans since the very first plan saw the light of day in 1871 up until the current Plan of 1996. It is natural, therefore, that the Norwegian marine insurance community express its warm gratitude to Det Norske Veritas for the pivotal role that it has played in the course of these many years. Moreover, Det Norske Veritas will continue to be responsible for publishing the Internet editions of the Plan.

This preface covers the work on the 1996 Plan, Version 2002. As regards Version 1997 and Version 1999 of the 1996 Plan, please refer to the prefaces of the Version 1999 edition.

During the preparation of the 1996 Plan, Version 2002, the Standing Revision Committee has comprised the following persons:

Hans Jacob Bull, Professor, LL.D., Chairman

Trine-Lise Wilhelmsen, Professor LL.D., Secretary

The Central Union of Marine Underwriters Norway

Haakon Stang Lund, legal counsel

Einar Kvammen, Claims Director

Sveinung Måkestad, Adjusting Manager

Coastal Marine Clubs' Mutual Company

Palmer Sjøholm, Managing Director

Norwegian Shipowners' Association

Skule Adolfsen, Vice President, Insurance/Claims

Karoline Bøhler, legal counsel

Norwegian Average Adjusters

Bjørn Slaatten, Average Adjuster

Mr. Stang Lund and Mr. Kvammen originally represented the Mutual Marine Insurers Committee. Since the merger with and reorganization of CEFOR in 2001, both of them have represented the latter.

The Revision Committee has adopted the following amendments for incorporation into the Norwegian Marine Insurance Plan, Version 2002:

- (1) Addition of the words "acts of terrorism" in § 2-9, in order to make it clear that such acts are to be regarded as war perils.
- (2) Deletion of § 3-24A, which concerned the "millennium" problem and was added in Version 1999. It is now considered to have no practical significance.
- (3) Amendment of § 7-2, in order to underscore that special rules apply for the rights of the mortgagee in relation to amendments to and cancellation of war insurance, cf. § 15-8.
- (4) Amendment of the Appendix to § 3-15, subparagraph 1, in which the trading limits for European-Arctic waters (no. 1.1) and the southern hemisphere (no. 2) are specified.
- (5) Amendment of § 12-5 (a) regarding agreement as to cover of crew's wages and maintenance, etc. during the period of time it takes to repair the ship.
- (6) Amendment of § 12-6, thereby reverting to the rule in the 1964 Plan regarding the insurer's liability for deferred repairs.
- (7) Amendment of § 15-8, subparagraph 1, second and third sentences, whereby the mortgagee, in relation to the war risk insurer, has the same protection against cancellation as the person effecting the insurance, but must be notified separately by the insurer of the cancellation.

Furthermore, as of 1 January 2001, a number of amendments were adopted in Chapter 17. These have been applied in 2001 in the form of Special Rules for Fishing Vessels and Smaller Freighters, etc., and have now been incorporated into the ordinary Plan, Version 2002:

- (1) In § 17-2 "Renewal of the insurance", a number of new rules have been introduced as regards the procedures to be followed in connection with renewal of the insurance on new conditions and with cancellation of the insurance.
- (2) In § 17-3 "Trading limits", the trading area has been extended eastwards and westwards. The provision has also been reworded and supplemented by an appendix with maps which further defines the trading area.
- (3) In § 17-22 "Extraordinary handling costs", the cover has been expanded to include costs in connection with the removal and destruction of damaged catches.
- (4) In § 17-23 "Excluded perils", letter (d), the cover has been expanded by eliminating the time-limit.
- (5) In § 17-31 "Excluded perils", the description of the range of perils has been amended from a positive specification of the perils covered with related exceptions to cover of all perils unless they are explicitly excepted.
- (6) § 17-43 "Liability for social benefits for the crew" now comprises a new letter (c) regarding cover of costs of the crew's travel home, including maintenance, in the event of the illness or death of a close relative.

Furthermore, sections 6 and 7 on P & I insurance have been amalgamated.

These amendments will enter into force as of 1 January 2002. However, the amendments to Chapter 17 have already come into force on 1 January 2001. In Version 2002, the amendments to the text of the Plan and Commentary are marked in bold type. In the Internet version, they are also marked in a different colour. However, the amendments to Chapter 17 have not been marked in Version 2002, because they have already been in use since the 2001 renewals.

Version 2002 will be printed by the Faculty of Law's printing plant, while the Internet version will remain the responsibility of Det Norske Veritas under the address:

English version: <http://exchange.dnv.com/NMIP/>

Norwegian version: <http://exchange.dnv.com/NMIP-NO/>

A new, unabridged version of the Plan and Commentary will be published on the Internet every year, with all amendments specially marked in colour.

Oslo, December 2001

Hans Jacob Bull, Chairman

Trine-Lise Wilhelmsen, Secretary