



An Roinn Iompair,  
Turasóireachta agus Spóirt  
Department of Transport,  
Tourism and Sport

## Marine Notice No. 41 of 2018

*Notice to all Passenger Ship Owners, Operators, Masters, and Agents.*

### Liability of Carriers of Passengers by Sea in the Event of Accidents

The purpose of this Marine Notice is to draw further attention to *Regulation (EU) 392/2009 of the European Parliament and of the Council of 23 April 2009 on the liability of carriers of passengers by sea in the event of accidents*, which came into force in all Member States on the 31 December 2012.

Regulation (EU) No 392/2009 incorporates the provisions of the 2002 protocol to the Athens Convention relating to the carriage of passengers and their luggage by Sea, 1974, with some additions into EU Law. The 2002 Protocol introduces compulsory insurance to cover passengers on ships and raises the limits of liability. A copy of the EU Regulation is [here](#) for your information

The European Union (Liability of Carriers of Passengers by Sea) Regulations 2012 [S.I. No. 552 of 2012](#) which applies from 31<sup>st</sup> December 2012 gives full effect to Regulation (EU) No 392/2009. The Regulations deferred the application of Regulation (EC) No 392/2009 to class B ships travelling within the State until 31<sup>st</sup> December 2018 in accordance with article 11.2 of the EU Regulation.

**Owners and operators of Class B ships travelling within the State should contact their insurers in sufficient time to ensure the relevant insurance is in place from 1<sup>st</sup> January 2019.**

Carriers are required to provide evidence of insurance and the insurance cover required by the regulation must be verified by a certificate issued by the state where the ship is registered.

To apply for certification, the owner of a ship which has been granted the right to fly the Irish flag to which this regulation applies should contact: The Chief Surveyor, Marine Survey Office (MSO), Department of Transport, Tourism and Sport, Leeson Lane, Dublin 2.

**Email:** [mso@dtas.ie](mailto:mso@dtas.ie), **Fax:** +353 (01) 6783409, **Telephone:** +353(01) 6783400.

Irish Maritime Administration,  
Department of Transport, Tourism and Sport,  
Leeson Lane, Dublin, D02TR60, Ireland

07/11/2018

For any technical assistance in relation to this Marine Notice, please contact:  
The Marine Survey Office, tel: +353-(0)1-678 3400.  
For general enquiries, please contact the Maritime Safety Policy Division, tel: +353-(0)1-678 3418.  
Written enquiries concerning Marine Notices should be addressed to:  
Maritime Safety Policy Division, Dept. of Transport, Tourism and Sport, Leeson Lane, Dublin, D02 TR60,  
Ireland.  
email: [marinenotices@dtas.gov.ie](mailto:marinenotices@dtas.gov.ie) or visit us at: [www.dttas.gov.ie](http://www.dttas.gov.ie)