

DTV NUCLEAR CLAUSE 1991
(in addition to the DTV Hull Clauses 1978)
(Germany)

1 - This insurance excludes damage caused by nuclear energy or radioactive materials.

2.1 - Underwriters remain liable for damage done to the insured ship itself caused in consequence of an event covered by the Hull Policy by radioactive material being loaded

- on board of the insured ship or
- in case of a collision of ships on board of a third party vessel.

Underwriters especially compensate for damages caused by radioactive contamination, i.e. touch or contact of the ship, the equipment or the installation with radioactive substance.

2.2 - The compensation includes all expenses for isolation and decontamination measures and for transport of such isolated and decontaminated goods to a storage area necessitated by the event insured (decontamination cost), however excluding

- cost for establishing a depot
- current storage costs
- transport cost from first depot to a further intermediary or final depot and the relevant technical processing.

2.3 - The indemnification by the Underwriters for damage to the ship itself plus all costs in consequences of a claim insured under par. 2.1 and 2.2 is limited to 10 % of the Hull tax, maximum DM 5 Mio.

2.4 - Clauses 19.2 and 19.3 DTV Hull clauses 1978 to apply.

For information : Clauses 19.2 and 19.3 DTV Hull clauses 1978

19.2 Underwriters also do not cover loss or damage if the German regulation or the rules and instruction of the classification society for the carriage of radioactive material have been violated and the loss or damage is due to such violation.

Underwriters shall not be discharged from liability if the Assured proves that he has complied with the foregoing regulations, rules and instruction and has performed everything necessary to secure the observance thereof during the carriage or neither knew nor ought to have known of such carriage.

In case of loading of radioactive materials in a foreign port under regulations existing in such a port, the Assured has the option of complying either with these regulations or with the German regulations.

19.3 Underwriters are discharged from liability to such extent as the Assured receives or would receive compensation from a third party if this insurance had not been effected.