

Sjøassurandørernes Centralforening

Cefor Rig Form. No. 4

Conditions for the extension of the war risk hull insurance for mobile offshore units to confiscation, expropriation and nationalization

This insurance shall not be subject to the Insurance Contracts Act of 16 June 1989 No. 69, with the exception of Section 7-8 of the Act. The insurance contract shall be subject to the agreed insurance conditions, the Norwegian Marine Insurance Plan of 1964 (the Plan), and the Insurance Contracts Act of 1930 with the insurance practice which has been developed in connection with these provisions.

Unless otherwise provided in these Conditions or in the Policy, this insurance is governed by the Conditions for War Risk Hull Insurance of Mobile Offshore Units.

#### 1. Perils.

1.1 The war risk insurance is extended to include the following additional perils:

- Capture,
- condemnation in prize,
- confiscation,
- seizure,
- requisition for title or use, and
- other similar measures (including expropriation and nationalization) taken by alien state authorities.

By alien state authorities is understood authorities or states which are not allied to the unit's state of registry, and persons or organisations who unlawfully pretend to be exercising public or intergovernmental authority.

1.2 Where the unit is temporarily seized or requisitioned for use by alien state authorities, this insurance also covers the perils mentioned in § 15 of the Plan.

#### 2. Amendments to the provisions of the Plan.

2.1 To § 169, subsection 1 and 2 of the Plan:

The time period mentioned in subsection 1 and 2 is extended to 12 months.

2.2 To § 169 of the Plan:

The Assured may claim for a total loss when the unit is in the territorial waters or on the continental shelf of the country mentioned in the Policy and the Assured is unable to obtain export licence or similar permission from the authorities of the state mentioned, without being deprived of the title of or the use of the unit or parts of it, provided such export licence or permission was obtainable on the date of the attachment of the insurance.

The Assured may only claim compensation after the expiry of 6 months from the day he advised the Insurer that he is unable to obtain such licence or permission.

§ 170, subsection 1 of the Plan shall not apply.

2.3 To § 189, subsection 1 of the Plan:

Where the unit has been seized or requisitioned for use by alien state authorities and is redelivered before the expiry of the time period mentioned in § 169 of the Plan as amended above, all damage arisen during such seizure or requisition shall be deemed to have been caused by one single casualty.

**3 Loss due to seizure or requisition.**

3.1 If the Assured does not receive compensation for total loss of the unit during seizure or requisition in accordance with § 169 of the Plan as amended, wear and tear and other depreciation in excess of the normal consequence of the unit's age, shall be deemed to be damage to the unit. If the Assured receives compensation for the use of the unit his claim shall be reduced to the extent that such compensation covers such loss in addition to normal loss of income.

3.2 If the Assured does not receive any compensation for the use of the unit during seizure or requisition, no premium is payable for this period. If the Assured receives compensation he is to pay that proportion of the premium that the compensation bears to the unit's normal income.

**4. Loss due to capture at sea.**

4.1 In the event of capture at sea by alien state authorities, the Insurer shall compensate the unit's running costs and other expenses as well as loss of use of the unit while delayed in port, although not in respect of the first 7 days in addition to the day of arrival and departure.

4.2 If the unit which has been captured at sea is not released and the Assured claims compensation for a total loss in accordance with § 169 and § 170 of the Plan as amended, compensation paid according to this provision in respect of any period exceeding the first month of detention shall be deducted from the compensation for total loss.