



International Oil Pollution
Compensation Funds

Agenda Item 3	IOPC/OCT17/3/12	
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1992 Fund Assembly	92A22	
1992 Fund Executive Committee	92EC69	●
Supplementary Fund Assembly	SA14	

INCIDENTS INVOLVING THE IOPC FUNDS – 1992 FUND

SHOKO MARU

Note by the Secretariat

Objective of document:	To inform the 1992 Fund Executive Committee of the latest developments regarding this incident.
Summary:	<p>On 29 May 2014, the <i>Shoko Maru</i>, a small Japanese-flagged oil tanker built in 1995, exploded and sank off the port of Himeji, Japan.</p> <p>The Japan Coast Guard (JCG) undertook the initial response together with the local government. The clean-up operation was monitored and partly performed by the Kinki Regional Development Bureau of the Ministry of Land, Infrastructure, Transport and Tourism, together with the shipowner and his insurer. The operation comprised principally of the monitoring of floating oil and preventive measures.</p> <p>Only approximately 50 tonnes of oil were on board the vessel (the vessel's bunkers) as she had discharged a cargo of approximately 2 000 tonnes of crude oil at Aioi Port six days before. Oil balls (sludge) from her previous cargo were found to have landed on Tanga-Shima Island located about 15 kilometres south of the incident site. Clean-up operations were conducted at sea and on Tanga-Shima Island.</p> <p>By September 2014, the wreck had been towed to an oil disposal facility prior to it being sent for scrapping. The clean-up operations on the island were also completed.</p> <p>Since the tonnage of the <i>Shoko Maru</i> (998 GT) is below 5 000 units of tonnage, the limitation amount applicable under the 1992 Civil Liability Convention (1992 CLC) is SDR 4.51 million. The shipowner has an insurance policy with Mitsui Sumitomo Insurance Co. Ltd covering both hull and machinery and P&I risks.</p>
Recent developments:	<p>All the claims submitted as a result of the incident have been settled by the shipowner/insurer, well within the limitation applicable to the <i>Shoko Maru</i> under the 1992 CLC. The 1992 Fund has not been notified of a legal action against the shipowner/insurer and the three-year time bar period expired in May 2017. Therefore, it is certain that the 1992 Fund will not be liable to pay compensation in relation to this spill.</p> <p>This incident is now closed.</p>
Relevant documents:	The online Shoko Maru incident report can be found via the Incidents section of the IOPC Funds' website.

Action to be taken:	<u>1992 Fund Executive Committee</u> Information to be noted.
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1 Summary of incident

Ship	<i>Shoko Maru</i>
Date of incident	29.05.2014
Place of incident	Himeji Port, Hyogo Prefecture, Japan
Cause of incident	Explosion
Quantity of oil spilled	Less than 50 tonnes of bunkers on board
Flag State of ship	Japan
Gross tonnage	998 GT
P&I insurer	Mitsui Sumitomo Insurance Co. Ltd
CLC Limit	SDR 4.51 million
STOPIA/TOPIA applicable	Not applicable. No member of the International Group of P&I Associations is involved.
CLC + Fund limit	SDR 203 million
Compensation	None paid by the Fund
Legal proceedings	None

2 Background information

The background information relating to this incident is summarised above. Further background information, including an analysis of the claims submitted, is provided in the [online *Shoko Maru* incident report](#).

3 Investigation into the cause of the incident

- 3.1 The Japan Coast Guard (JCG) has now completed the criminal investigation into the cause of the incident and has sent the case to the Himeji Branch of Kobe District Public Prosecutors Office.
- 3.2 On 18 March 2016, the Prosecutors Office decided not to prosecute the captain and the chief officer for this incident.

4 Claims for compensation

- 4.1 All the claims submitted as a result of the incident have been settled by the shipowner/insurer, well within the limitation applicable to the *Shoko Maru* under the 1992 CLC. Therefore, it is certain that the 1992 Fund will not be liable to pay compensation in relation to this spill.
- 4.2 No further claims are expected.

5 Director's considerations

- 5.1 The Director notes that the claims submitted have not exceeded the limitation applicable to the *Shoko Maru* under the 1992 CLC. The Director also notes that the 1992 Fund has not been notified of a legal action against the shipowner/insurer and that the three-year time bar period expired in May 2017. Therefore, it is certain that the 1992 Fund will not be liable to pay compensation to the victims of this spill.
- 5.2 This incident is now closed.

6 Action to be taken

1992 Fund Executive Committee

The 1992 Fund Executive Committee is invited to take note of the information contained in this document.
