



INTERNATIONAL
OIL POLLUTION
COMPENSATION
FUNDS

IOPC/2015/Circ.2	
20 May 2015	
1992 Fund	●
Supplementary Fund	

Order to register a judgment in respect of the *Plate Princess* incident

The Director wishes to provide 1992 Fund Member States with information in respect of the enforcement of a Venezuelan judgment relating to the *Plate Princess* incident (Venezuela, 1997).

On 6 May 2015, the 1992 Fund received from the lawyers representing the Venezuelan claimants an order of the High Court of Justice in London registering in England a judgment rendered in 2009 by the Maritime Court of Appeal in Venezuela against the 1971 Fund in the amount of SDR 56.3 million (£51 million). The order gives the 1971 Fund 21 days to apply to set aside the registration of the Venezuelan judgment in England. The Venezuelan judgment is against the 1971 Fund which was dissolved on 31 December 2014; however it was sent to the offices of the 1992 Fund Secretariat.

The Director has discussed this matter with the 1992 Fund's legal advisers in the United Kingdom. The legal advice he has received is that the 1992 Fund should make an application to the High Court as an intervening party for an order declaring that the judgment by the Venezuelan Court does not apply to the 1992 Fund as it is clearly against the (now dissolved) 1971 Fund. The application will be submitted on or before 27 May 2015. A decision on the matter is unlikely to be rendered by the High Court until sometime after the summer.

The Director has informed the United Kingdom Government, as host country of the 1992 Fund, of this order and has also discussed this matter with the Chairman of the 1992 Fund Assembly.

The Director will not be convening an extraordinary session of the 1992 Fund Assembly to discuss this matter but he will report any developments to the Assembly at its next regular session in October 2015.
