



INTERNATIONAL  
OIL POLLUTION  
COMPENSATION  
FUNDS

IOPC/2015/Circ.3	
24 July 2015	
1992 Fund	●
Supplementary Fund	

## **Order registering a judgment in respect of the *Plate Princess* incident set aside by the High Court**

The Director wishes to provide 1992 Fund Member States with further information in respect of the recognition and attempted enforcement in England of a Venezuelan judgment relating to the *Plate Princess* incident (Venezuela, 1997). Reference is made to IOPC Funds' circular [IOPC/2015/Circ.2](#), issued in May 2015.

On 22 July 2015 after a one-day hearing, the High Court in London rendered a decision in favour of the 1992 Fund.

The Judge found that the English Court had no jurisdiction to register the Venezuelan judgment against the 1992 Fund because the 2009 judgment by the Venezuelan Court did not apply to the 1992 Fund as it was against the (now dissolved) 1971 Fund.

In addition, the Judge found that the Venezuelan judgment was a judgment under the 1971 Fund Convention. As a result, the 1992 Fund was immune under the International Oil Pollution Compensation Fund (Immunities and Privileges) Order 1996 in any event.

The previous order of the English Court (dated 18 March 2015), which had the effect of registering the Venezuelan judgment in England, was therefore set aside and the 1992 Fund was awarded costs of its court application in full to be paid within 28 days.

The claimants were denied permission to appeal from the Judge's decision but were granted six weeks to apply to the Court of Appeal for such permission.

The Director will report on this matter in further detail to the 1992 Fund Assembly at its next regular session in October 2015.

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