



INTERNATIONAL
OIL POLLUTION
COMPENSATION
FUND 1992

ASSEMBLY
5th session
Agenda item 6

92FUND/A.5/INF.1
23 October 2000
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REVISION OF THE LIMITS CONTAINED IN THE 1992 CONVENTIONS

Note by the Director

- 1 At its 82nd session, held from 16 to 20 October 2000, the Legal Committee of the International Maritime Organization adopted two resolutions amending the limits contained in the 1992 Conventions by some 50.37%. The Resolutions are reproduced at Annexes I and II.
- 2 The amendments will enter into force on 1 November 2003, unless prior to 1 May 2002 not less than one quarter of the States that were Contracting States on 18 October 2000 have communicated to IMO that they do not accept these amendments.
- 3 The amendment to the level of compensation available under the 1992 Fund Convention will bring the total amount available under the 1992 Conventions to 203 million Special Drawing Rights.

Action to be taken by the Assembly

- 4 The Assembly is invited to take note of the information contained in this document.

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ANNEX I

RESOLUTION LEG.1(82)

(adopted on 18 October 2000)

ADOPTION OF AMENDMENTS OF THE LIMITATION AMOUNTS IN THE PROTOCOL OF 1992 TO AMEND THE INTERNATIONAL CONVENTION ON CIVIL LIABILITY FOR OIL POLLUTION DAMAGE, 1969

THE LEGAL COMMITTEE at its eighty-second session:

RECALLING Article 33(b) of the Convention on the International Maritime Organization (hereinafter referred to as the "IMO Convention") concerning the functions of the Committee,

MINDFUL of Article 36 of the IMO Convention concerning rules governing the procedures to be followed when exercising the functions conferred on it by or under any international convention or instrument,

RECALLING FURTHER article 15 of the Protocol of 1992 to amend the International Convention on Civil Liability for Oil Pollution Damage, 1969 (hereinafter referred to as the "1992 CLC Protocol") concerning the procedures for amending the limitation amounts set out in article 6(1) of the 1992 CLC Protocol,

HAVING CONSIDERED amendments to the limitation amounts proposed and circulated in accordance with the provisions of article 15(1) and (2) of the 1992 CLC Protocol,

1. ADOPTS, in accordance with article 15(4) of the 1992 CLC Protocol, amendments to the limitation amounts set out in article 6(1) of the 1992 CLC Protocol, as set out in the Annex to this resolution;
2. DETERMINES, in accordance with article 15(7) of the 1992 CLC Protocol, that these amendments shall be deemed to have been accepted on 1 May 2002 unless, prior to that date, not less than one quarter of the States that were Contracting States on the date of the adoption of these amendments (being 18 October 2000) have communicated to the Organization that they do not accept these amendments;
3. FURTHER DETERMINES that, in accordance with article 15(8) of the 1992 CLC Protocol, these amendments, deemed to have been accepted in accordance with paragraph 2 above, shall enter into force on 1 November 2003;
4. REQUESTS the Secretary-General, in accordance with articles 15(7) and 17(2)(v) of the 1992 CLC Protocol, to transmit certified copies of the present resolution and the amendments contained in the Annex thereto to all States which have signed or acceded to the 1992 CLC Protocol; and
5. FURTHER REQUESTS the Secretary-General to transmit copies of the present resolution and its Annex to the Members of the Organization which have not signed or acceded to the 1992 CLC Protocol.

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ANNEX

AMENDMENTS OF THE LIMITATION AMOUNTS IN THE PROTOCOL OF 1992 TO AMEND
THE INTERNATIONAL CONVENTION ON CIVIL LIABILITY FOR OIL POLLUTION
DAMAGE, 1969

Article 6(1) of the 1992 CLC Protocol is amended as follows:

the reference to "3 million units of account" shall read "4,510,000 units of account";

the reference to "420 units of account" shall read "631 units of account"; and

the reference to "59.7 million units of account" shall read "89,770,000 units of account".

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ANNEX II

RESOLUTION LEG.2(82)

(adopted on 18 October 2000)

ADOPTION OF AMENDMENTS OF THE LIMITS OF COMPENSATION IN THE PROTOCOL OF 1992 TO AMEND THE INTERNATIONAL CONVENTION ON THE ESTABLISHMENT OF AN INTERNATIONAL FUND FOR COMPENSATION FOR OIL POLLUTION DAMAGE, 1971

THE LEGAL COMMITTEE at its eighty-second session:

RECALLING Article 33(b) of the Convention on the International Maritime Organization (hereinafter referred to as the "IMO Convention") concerning the functions of the Committee,

MINDFUL of Article 36 of the IMO Convention concerning rules governing the procedures to be followed when exercising the functions conferred on it by or under any international convention or instrument,

RECALLING FURTHER article 33 of the Protocol of 1992 to amend the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971 (hereinafter referred to as the "1992 Fund Protocol") concerning the procedures for amending the limits of the amounts of compensation set out in article 6(3) of the 1992 Fund Protocol,

HAVING CONSIDERED amendments to the limits of the amounts of compensation proposed and circulated in accordance with the provisions of article 33(1) and (2) of the 1992 Fund Protocol,

1. ADOPTS, in accordance with article 33(4) of the 1992 Fund Protocol, amendments to the limits of the amounts of compensation set out in article 6(3) of the 1992 Fund Protocol, as set out in the Annex to this resolution;
2. DETERMINES, in accordance with article 33(7) of the 1992 Fund Protocol, that these amendments shall be deemed to have been accepted on 1 May 2002 unless, prior to that date, not less than one quarter of the States that were Contracting States on the date of the adoption of these amendments (being 18 October 2000) have communicated to the Organization that they do not accept these amendments;
3. FURTHER DETERMINES that, in accordance with article 33(8) of the 1992 Fund Protocol, these amendments, deemed to have been accepted in accordance with paragraph 2 above, shall enter into force on 1 November 2003;
4. REQUESTS the Secretary-General, in accordance with articles 33(7) and 38(2)(vi) of the 1992 Fund Protocol, to transmit certified copies of the present resolution and the amendments contained in the Annex thereto to all States which have signed or acceded to the 1992 Fund Protocol; and
5. FURTHER REQUESTS the Secretary-General to transmit copies of the present resolution and its Annex to the Members of the Organization which have not signed or acceded to the 1992 Fund Protocol.

ANNEX

**AMENDMENTS OF THE LIMITS OF COMPENSATION IN THE PROTOCOL OF 1992 TO
AMEND THE INTERNATIONAL CONVENTION ON THE ESTABLISHMENT OF AN
INTERNATIONAL FUND FOR COMPENSATION FOR OIL
POLLUTION DAMAGE, 1971**

Article 6(3) of the 1992 Fund Protocol is amended as follows:

the reference in paragraph 4(a) to "135 million units of account" shall read "203,000,000 units of account";

the reference in paragraph 4(b) to "135 million units of account" shall read "203,000,000 units of account"; and

the reference in paragraph 4(c) to "200 million units of account" shall read "300,740,000 units of account".