



INTERNATIONAL
OIL POLLUTION
COMPENSATION
FUND

ASSEMBLY
17th session
Agenda item 16

FUND/A.17/13
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REVISION OF THE CLAIMS MANUAL

Note by the Director

- 1 At its 4th session, in October 1981, the Assembly considered a draft Claims Manual prepared by the Director, setting out the claims procedure followed by the IOPC Fund and the formalities required for the submission of claims. The Assembly decided to request the Executive Committee to consider the draft in the light of any comments received and to adopt a text for publication and circulation (document FUND/A.4/16, paragraph 13).
- 2 The Executive Committee considered the draft Claims Manual at its 6th session, in May 1982. The Committee adopted certain amendments to the draft and requested the Director to publish the Manual in printed form for circulation (document FUND/EXC.6/4, paragraph 3). This first edition of the Claims Manual was published in 1982.
- 3 At its 22nd session, in October 1989, the Executive Committee examined a draft revised Claims Manual elaborated by the Secretariat. The Committee approved in principle the revised text and authorised the Director to finalise the text of the revised Manual, in the light of any comments received by 1 December 1989 (document FUND/EXC.22/5, paragraph 4). The second edition of the Claims Manual was published in 1990.
- 4 A third edition of the Claims Manual was published in November 1992, reflecting the Assembly's decisions at its 14th session concerning the limits of the Director's authority to settle claims. Other minor editorial amendments were also made.
- 5 At its 16th session, the Assembly established a Working Group to study the criteria for the admissibility of claims for compensation. The report of this 7th Intersessional Working Group will be submitted by its Chairman for consideration by the Assembly at the present session (document FUND/A.17/23).

6 The Assembly may wish to consider whether the Director should be authorised to publish, in consultation with the Chairman of the Working Group, a revised edition of the Claims Manual. In the view of the Director, this revised version should be expanded so as to present the criteria applied by the IOPC Fund in respect of the admissibility of claims for compensation, reflecting the position on major questions of principle taken by the Assembly on the basis of the report of the Working Group.

Action to be Taken by the Assembly

7 The Assembly is invited to:

- (a) take note of the information contained in this document; and
 - (b) consider whether to authorise the Director to publish a revised edition of the Claims Manual, in consultation with the Chairman of the 7th Intersessional Working Group.
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