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FUND

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PREPARATIONS FOR THE ENTRY INTO FORCE OF THE 1992 PROTOCOL AMENDING THE 1971 FUND CONVENTION

INTERNAL REGULATIONS

Note by the Director

1 The 1971 Fund Assembly adopted, at its 2nd session, Internal Regulations governing a number of aspects of the administration of the IOPC Fund. They deal, in particular, with the payment of contributions, accounts and budget, reports of contributing oil receipts, the filing of claims, intervention in legal proceedings, the settlement of claims, indemnification of the shipowner, loans and investments, assistance to States in emergency situations and the extension of credit facilities in respect of preventive measures. These Regulations have been amended from time to time.

2 The Director's study of the Internal Regulations has identified a number of areas where amendments are proposed. The main proposed amendments are as follows:

- (a) Amendments to the Regulations of the 1971 Fund in the light of experience, which are carried over *mutatis mutandis* to the proposed Regulations for the 1992 Fund:
- the inclusion of new provisions (proposed Regulations 4.2 and 4.4) and a correction of the text (proposed Regulations 4.6 and 4.7) concerning the submission of reports on contributing oil;
 - a clarification concerning a contributor's right to reimbursement (proposed Regulation 4.8);
 - the inclusion of a reference to the Claims Manual (proposed Regulation 5.3);
 - clarification of the text concerning the provisional payment of claims (proposed Regulation 7.9).

Attention is also drawn to proposed Regulations 7.4 and 7.5 of the 1971 Fund's Internal Regulations, where the Assembly of the 1971 Fund may wish to reassess the limits of the Director's authority to settle claims.

(b) Editorial amendments to the Regulations of the 1971 Fund in order to simplify the text, which are carried over to the proposed Regulations for the 1992 Fund, for example:

- the use of the term "Member State" instead of "Contracting State";
- the use of the phrase "Pounds Sterling" rather than "the currency of the Headquarters State";
- the use of SDRs instead of (gold) francs;
- the inclusion of the date of the relevant Convention.

(c) The transfer of certain regulations from the Internal Regulations to the Financial Regulations:

It is proposed that existing Regulation 4 (Accounts and budget) and Regulation 10 (Loans and Investments) be transferred to the Financial Regulations.

(d) Amendments of substance necessary for the application of the 1992 Fund Convention:

- the deletion of Regulation 8 (indemnification of the shipowner);
- the deletion of all references to initial contributions;
- the deletion of all references to the Executive Committee;
- the inclusion of a reference to the capping provisions of Article 36ter of the 1992 Fund Convention;
- the inclusion of a reference to joint intervention in legal proceedings with the 1992 Fund.

(e) Certain questions left open, pending decision by the 1st Assembly of the 1992 Fund:

Attention is drawn to proposed Regulations 7.4, 7.5 and 7.8 concerning the limits of the Director's authority to settle claims, where the text will depend upon decisions taken by the Assembly of the 1992 Fund on the procedures for the handling of claims by the 1992 Fund.

3 In the attached table can be found the following three versions of the Internal Regulations:

- the existing text applicable to the 1971 Fund;
- proposed revised text to be applied by the 1971 Fund; and
- proposed text to be applied by the 1992 Fund.

4 The proposed texts have been prepared in consultation with the External Auditor of the 1971 Fund.

Matters to be addressed

5 The Assembly of the 1992 Fund will be invited to consider the adoption of Rules of Procedure of the 1992 Fund Assembly.

6 The Assembly of the 1971 Fund might wish to consider amending the Internal Regulations of the 1971 Fund (cf document FUND/A.18/13/16, paragraphs 4 and 11).

Existing Internal Regulations of the 1971 Fund	Proposed Revised Internal Regulations for the 1971 Fund	Proposed Internal Regulations for the 1992 Fund
Internal Regulations of the International Oil Pollution Compensation Fund	<i>DRAFT</i> Internal Regulations of the International Oil Pollution Compensation Fund established under the 1971 Fund Convention	<i>DRAFT</i> Internal Regulations of the International Oil Pollution Compensation Fund established under the 1992 Fund Convention
<u>Regulation 1</u> <i>Definitions</i>	<u>Regulation 1</u> <i>Definitions</i>	<u>Regulation 1</u> <i>Definitions</i>
In these Internal Regulations		
1 "The Fund Convention" means the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, adopted at Brussels on 18 December 1971.	1.1 The "1971 Fund Convention" means the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971.	1.1 The "1992 Fund Convention" means the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992.
2 "The Liability Convention" means the International Convention on Civil Liability for Oil Pollution Damage, adopted at Brussels on 29 November 1969.	1.2 The "1969 Civil Liability Convention" means the International Convention on Civil Liability for Oil Pollution Damage, 1969.	1.2 The "1992 Civil Liability Convention" means the International Convention on Civil Liability for Oil Pollution Damage, 1992.
3 "The Fund" means the International Oil Pollution Compensation Fund, established pursuant to Article 2, paragraph 1 of the Fund Convention.	1.3 The "1971 Fund" means the International Oil Pollution Compensation Fund, established pursuant to Article 2.1 of the 1971 Fund Convention.	1.3 The "1992 Fund" means the International Oil Pollution Compensation Fund, established pursuant to Article 2.1 of the 1992 Fund Convention.
	1.4 The "1992 Fund Convention" means the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992.	1.4 The "1971 Fund Convention" means the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971.
	1.5 The "1992 Fund" means the International Oil Pollution Compensation Fund, established pursuant to Article 2.1 of the 1992 Fund Convention.	1.5 The "1971 Fund" means the International Oil Pollution Compensation Fund, established pursuant to Article 2.1 of the 1971 Fund Convention.
4 "Contracting State" means a State for which the Fund Convention is in force.	1.6 "Member State" means a State for which the 1971 Fund Convention is in force.	1.6 "Member State" means a State for which the 1992 Fund Convention is in force.
5 "Ship", "Person", "Owner", "Oil", "Pollution Damage", "Preventive Measures", "Incident", "Organization", "Contributing Oil", "Franc", "Ton", "Guarantor" and "Terminal Installation" have the same meaning as in Article 1 of the Fund Convention.	1.7 "Ship", "Person", "Owner", "Oil", "Pollution Damage", "Preventive Measures", "Incident", "Contributing Oil", "Guarantor" and "Terminal Installation" have the same meaning as in Article 1 of the 1971 Fund Convention.	1.7 "Ship", "Person", "Owner", "Oil", "Pollution Damage", "Preventive Measures", "Incident", "Contributing Oil", "Guarantor" and "Terminal Installation" have the same meaning as in Article 1 of the 1992 Fund Convention.
	1.8 "Tonne" in relation to oil means a metric ton.	1.8 "Tonne" in relation to oil means a metric ton.

Existing Internal Regulations of the 1971 Fund	Proposed Revised Internal Regulations for the 1971 Fund	Proposed Internal Regulations for the 1992 Fund
6 "Assembly" means the Assembly referred to in Article 17 of the Fund Convention or, where appropriate, the Executive Committee referred to in Article 21 of that Convention when it performs functions in accordance with Article 26 of the Fund Convention.	1.9 "Assembly" means the Assembly referred to in Article 17 of the 1971 Fund Convention or, where appropriate, the Executive Committee referred to in Article 21 of that Convention when it performs functions in accordance with Article 26 of the 1971 Fund Convention.	1.9 "Assembly" means the Assembly referred to in Article 17 of the 1992 Fund Convention {or, where appropriate, a subsidiary body established by the Assembly in accordance with Article 18.9 of the 1992 Fund Convention} .
	1.10 "Director" means the Director referred to in Article 16 of the 1971 Fund Convention.	1.10 "Director" means the Director referred to in Article 16 of the 1992 Fund Convention.
7 "Claim" means any application for compensation for pollution damage made to or against an owner, his guarantor or the Fund and, except for the purpose of Regulation 8, any application for indemnification made by an owner or his guarantor to or against the Fund pursuant to Article 5, paragraph 1 of the Fund Convention.	1.11 "Claim" means any application for compensation for pollution damage made to or against an owner, his guarantor or the 1971 Fund and, except for the purpose of Internal Regulation 7, any application for indemnification made by an owner or his guarantor to or against the 1971 Fund pursuant to Article 5.1 of the 1971 Fund Convention.	1.11 "Claim" means any application for compensation for pollution damage made to or against an owner, his guarantor or the 1992 Fund.
8 "Claimant" means any person making a claim.	1.12 "Claimant" means any person making a claim.	1.12 "Claimant" means any person making a claim.
9 "Headquarters State" means the State in which the Fund has its Headquarters.	[Deleted]	
	1.13 "SDR" means the Special Drawing Right as defined by the International Monetary Fund.	1.13 "SDR" means the Special Drawing Right as defined by the International Monetary Fund.
<p style="text-align: center;"><u>Regulation 2</u></p> <p style="text-align: center;"><i>Conversion of Francs</i></p> <p>Where an amount is expressed in francs in these Internal Regulations such amount shall be converted into the currency of the Headquarters State in accordance with the following rules:</p> <p>(a) the amount determined in francs shall be converted into Special Drawing Rights as defined by the International Monetary Fund on the basis that 15 francs are equal to one Special Drawing Right;</p> <p>(b) the number of Special Drawing Rights found pursuant to (a) shall be converted into the currency of the Headquarters State in accordance with the method of evaluation applied by the International Monetary Fund in effect for its operations and transactions at the date applicable under these Regulations.</p>	<p style="text-align: center;"><u>Regulation 2</u></p> <p style="text-align: center;"><i>Conversion of SDRs</i></p> <p>Where an amount is expressed in SDRs in these Internal Regulations, such an amount shall be converted into Pounds Sterling in accordance with the method of valuation applied by the International Monetary Fund in effect for its operations and transactions at the date applicable under these Internal Regulations.</p>	<p style="text-align: center;"><u>Regulation 2</u></p> <p style="text-align: center;"><i>Conversion of SDRs</i></p> <p>Where an amount is expressed in SDRs in these Internal Regulations, such an amount shall be converted into Pounds Sterling in accordance with the method of valuation applied by the International Monetary Fund in effect for its operations and transactions at the date applicable under these Internal Regulations.</p>

Existing Internal Regulations of the 1971 Fund	Proposed Revised Internal Regulations for the 1971 Fund	Proposed Internal Regulations for the 1992 Fund
<p align="center"><u>Regulation 3</u></p> <p align="center"><i>Contributions</i></p> <p>3.1 The fixed sum on the basis of which initial contributions shall be calculated under Article 11, paragraph 1 of the Fund Convention shall be determined in francs. The relevant date for conversion shall be the date of the entry into force of the Fund Convention for the Contracting State in question.</p> <p>3.2 The fixed sum on the basis of which annual contributions shall be calculated under Article 12, paragraph 2 of the Fund Convention shall be determined in the currency of the Headquarters State.</p> <p>3.3 Initial contributions shall be payable in the currency of the Headquarters State. However, the Director may require a contributor to pay his initial contribution or a portion thereof in the national currency of the State within whose territory the relevant quantities of contributing oil were received. In the latter case, conversion from the currency of the Headquarters State to the currency in which payment is to be made shall be at the mid-market rate of exchange applied by the Central Bank of the Headquarters State on the date of the entry into force of the Fund Convention for the Contracting State in question.</p> <p>3.4 Annual contributions shall be payable in the currency of the Headquarters State. However, the Director may require a contributor to pay his annual contribution or a portion thereof in the national currency of the State within whose territory the relevant quantities of contributing oil were received. In the latter case, conversion from the currency of the Headquarters State to the currency in which payment is to be made shall be at the mid-market rate of exchange applied by the Central Bank of the Headquarters State on the first day of the month of the invoice.</p>	<p align="center"><u>Regulation 3</u></p> <p align="center"><i>Contributions</i></p> <p>3.1 The fixed sum on the basis of which initial contributions shall be calculated under Article 11.1 of the 1971 Fund Convention shall be 0.003145 SDRs. The relevant date for conversion shall be the date of the entry into force of the 1971 Fund Convention for the Member State in question.</p> <p>3.2 The fixed sum on the basis of which annual contributions shall be calculated under Article 12.2 of the 1971 Fund Convention shall be determined in Pounds Sterling.</p> <p>3.3 Initial contributions shall be payable in Pounds Sterling.</p> <p>3.4 Annual contributions shall be payable Pounds Sterling. However, the Director may require a contributor to pay his annual contribution or a portion thereof in the national currency of the State within whose territory the relevant quantities of contributing oil were received. In the latter case, conversion from Pounds Sterling to the currency in which payment is to be made shall be at the mid-market rate of exchange applied by the Bank of England on the first day of the month of the invoice.</p>	<p align="center"><u>Regulation 3</u></p> <p align="center"><i>Contributions</i></p> <p><i>[No corresponding provisions required]</i></p> <p>3.1 The fixed sum on the basis of which annual contributions shall be calculated under Article 12.2 of the 1992 Fund Convention shall be determined in Pounds Sterling.</p> <p><i>[No corresponding provision required]</i></p> <p>3.2 Annual contributions shall be payable in Pounds Sterling. However, the Director may require a contributor to pay his annual contribution or a portion thereof in the national currency of the State within whose territory the relevant quantities of contributing oil were received. In the latter case, conversion from Pounds Sterling to the currency in which payment is to be made shall be at the mid-market rate of exchange applied by the Bank of England on the first day of the month of the invoice.</p>

Existing Internal Regulations of the 1971 Fund	Proposed Revised Internal Regulations for the 1971 Fund	Proposed Internal Regulations for the 1992 Fund
3.5 For the purposes of calculating the annual contributions, the relevant date for conversion of the figure of 15 million francs laid down in Article 12, paragraph (1)(i)(b) and (c) shall be the date of the incident in question.	3.5 For the purposes of calculating the annual contributions, the relevant date for conversion of the figure of 1 million SDR laid down in Article 12.1(i)(b) and (c) of the 1971 Fund Convention as amended by the 1976 Protocol thereto, or of the figure of 15 million francs laid down Article 12.1(i)(b) and (c) of the 1971 Fund Convention in its original version, as the case may be, shall be the date of the incident in question.	3.3 For the purposes of calculating the annual contributions, the relevant date for conversion of the figure of 4 million SDR laid down in Article 12.1(i)(b) and (c) of the 1992 Fund Convention shall be the date of the incident in question.
3.6 In respect of any State for which the Fund Convention is not in force on 1 January of a particular year, the annual contribution to be paid by each person in that State for that year, in accordance with Article 12.2(a) of the Fund Convention, shall be calculated pro rata for that part of the calendar year for which the Convention is in force for that State.	3.6 In respect of any State for which the 1971 Fund Convention is not in force on 1 January of a particular year, the annual contribution to be paid by each person in that State for that year, in accordance with Article 12.2(a) of the 1971 Fund Convention, shall be calculated pro rata for that part of the calendar year for which the Convention is in force for that State.	3.4 In respect of any State for which the 1992 Fund Convention is not in force on 1 January of a particular year, the annual contribution to be paid by each person in that State for that year, in accordance with Article 12.2(a) of the 1992 Fund Convention, shall be calculated pro rata for that part of the calendar year for which the Convention is in force for that State.
		3.5 During the period when the provisions of Article 36 ter of the 1992 Fund Convention are applicable, the calculations pursuant to those provisions shall be made in a manner determined by the Assembly.

Existing Internal Regulations of the 1971 Fund	Proposed Revised Internal Regulations for the 1971 Fund	Proposed Internal Regulations for the 1992 Fund
<p>3.7 The Director shall promptly issue to every person liable to pay contributions under Articles 10, 11, 12 and 14 of the Fund Convention an invoice in respect of the sums for which he is liable. A copy of each invoice shall also be sent to the State within whose territory the relevant quantities of contributing oil were received. An invoice shall state:</p> <p>(a) the amount of the contribution due and the currency in which payment shall be made;</p> <p>(b) the data on the basis of which the amount of contribution has been calculated;</p> <p>(c) the date by which payment is due;</p> <p>(d) the address at which payment shall be made;</p> <p>(e) that interest is payable in respect of overdue annual contributions;</p> <p>(f) any other relevant information.</p> <p>If the payment due is less than 30 Special Drawing Rights the demand shall be waived.</p>	<p>3.7 The Director shall promptly issue to every person liable to pay contributions under Articles 10, 11, 12 and 14 of the 1971 Fund Convention an invoice in respect of the sums for which he is liable. A copy of each invoice shall also be sent to the State within whose territory the relevant quantities of contributing oil were received. An invoice shall state:</p> <p>(a) the amount of the contribution due and the currency in which payment shall be made;</p> <p>(b) the data on the basis of which the amount of contribution has been calculated;</p> <p>(c) the date by which payment is due;</p> <p>(d) the bank account to which payment shall be made;</p> <p>(e) that interest is payable in respect of overdue annual contributions;</p> <p>(f) any other relevant information.</p> <p>If the payment due is less than 30 SDRs, the amount shall be waived and no invoice shall be issued in respect of the person in question.</p>	<p>3.6 The Director shall promptly issue to every person liable to pay contributions under Articles 10, 12 and 14 of the 1992 Fund Convention an invoice in respect of the sums for which he is liable. A copy of each invoice shall also be sent to the State within whose territory the relevant quantities of contributing oil were received. An invoice shall state:</p> <p>(a) the amount of the contribution due and the currency in which payment shall be made;</p> <p>(b) the data on the basis of which the amount of contribution has been calculated;</p> <p>(c) the date by which payment is due;</p> <p>(d) the bank account to which payment shall be made;</p> <p>(e) that interest is payable in respect of overdue annual contributions;</p> <p>(f) any other relevant information.</p> <p>If the payment due is less than 30 SDRs, the amount shall be waived and no invoice shall be issued in respect of the person in question.</p>
<p>3.8 Payment of annual contributions shall be due on 1 February of the year following that in which the Assembly decides on the levy of annual contributions, unless the Assembly decides otherwise.</p>	<p>3.8 Payment of annual contributions shall be due on 1 February of the year following that in which the Assembly decides on the levy of annual contributions, unless the Assembly decides otherwise.</p>	<p>3.7 Payment of annual contributions shall be due on 1 February of the year following that in which the Assembly decides on the levy of annual contributions, unless the Assembly decides otherwise.</p>
<p>3.9 If a contributor is in arrears with the payment of an initial or annual contribution, the Director may notify the State within whose territory the relevant quantities of contributing oil were received and request advice on the action to be taken to ensure that the obligations of that contributor are fulfilled.</p>	<p>3.9 If a contributor is in arrears with the payment of an initial or annual contribution, the Director may notify the State within whose territory the relevant quantities of contributing oil were received and request advice on the action to be taken to ensure that the obligations of that contributor are fulfilled.</p>	<p>3.8 If a contributor is in arrears with the payment of an annual contribution, the Director may notify the State within whose territory the relevant quantities of contributing oil were received and request advice on the action to be taken to ensure that the obligations of that contributor are fulfilled.</p>
<p>3.10 Interest shall be charged on unpaid annual contributions from the date on which payment is due at an annual rate which for each period of twelve months from 1 February shall be 2% higher than the lowest London clearing bank base rate prevailing on 1 February.</p>	<p>3.10 Interest shall be charged on unpaid annual contributions from the date on which payment is due at an annual rate which for each period of twelve months from 1 February shall be 2% higher than the lowest London clearing bank base rate prevailing on 1 February.</p>	<p>3.9 Interest shall be charged on unpaid annual contributions from the date on which payment is due at an annual rate which for each period of twelve months from 1 February shall be 2% higher than the lowest London clearing bank base rate prevailing on 1 February.</p>

Existing Internal Regulations of the 1971 Fund	Proposed Revised Internal Regulations for the 1971 Fund	Proposed Internal Regulations for the 1992 Fund
3.11 Any credit balance on a contributor's account with the Fund shall bear interest at the rate of the lowest London clearing bank base rate, taking into account any changes in the London clearing bank base rates.	3.11 Any credit balance on a contributor's account with the 1971 Fund shall bear interest at the rate of the lowest London clearing bank base rate, taking into account any changes in the London clearing bank base rates.	3.10 Any credit balance on a contributor's account with the 1992 Fund shall bear interest at the rate of the lowest London clearing bank base rate, taking into account any changes in the London clearing bank base rates.
3.12 Any bank charges which arise in connection with the payment of contributions or of interest on overdue contributions shall be borne by the contributor.	3.12 Any bank charges which arise in connection with the payment of contributions or of interest on overdue contributions shall be borne by the contributor.	3.11 Any bank charges which arise in connection with the payment of contributions or of interest on overdue contributions shall be borne by the contributor.
<p style="text-align: center;"><u>Regulation 4</u></p> <p style="text-align: center;"><i>Accounts and Budget</i></p> <p>4.1 The accounts of the Fund and its annual budget shall be established in the currency of the Headquarters State.</p> <p>4.2 Subject to Regulation 4.3, the accounts of the Fund shall be completed and closed at the end of each calendar year. Any surplus funds including interest from operations in a given year shall be carried forward to the next calendar year.</p> <p>4.3 Annual contributions paid to the Fund under Article 12, paragraph 2(b) of the Fund Convention, including any interest thereon, shall be used exclusively for the satisfaction of the claims for which they were levied and, if exceptionally not used during that year, shall be reserved in the accounts of the Fund from year to year for this purpose.</p> <p>4.4.1 Where, after the periods set out in Article 6 of the Fund Convention for bringing actions in respect of a particular incident have lapsed and all claims and expenses arising out of that incident have been settled, or where, after the settlement of all claims known to the Fund, the Executive Committee is satisfied that no more claims in respect of that incident will be made against the Fund and no more expenses will have to be met, there remains a substantial amount which has been reserved in accordance with Regulation 4.3, the Assembly shall decide whether such amount shall be reimbursed pro rata to the persons who made contributions with respect to that incident in accordance with Article 12, paragraph 2(b) of the Fund Convention, or whether such amount shall be credited pro rata to the accounts of these persons.</p>	[<i>'Accounts and Budget' transferred to Financial Regulations</i>]	

Existing Internal Regulations of the 1971 Fund	Proposed Revised Internal Regulations for the 1971 Fund	Proposed Internal Regulations for the 1992 Fund
<p>4.4.2 If, in the case of Regulation 4.4.1, the Assembly considers the amount remaining not to be substantial, this amount shall be transferred to the general fund (Financial Regulation 5.1).</p> <p>4.5 In respect of each incident giving rise to claims against the Fund, the Director shall maintain a running record of all expenses incurred by the Fund.</p>		
<p><u>Regulation 5</u></p> <p><i>Reports of Contributing Oil Receipts</i></p> <p>5.1 Each Contracting State shall forward to the Director an annual report using the form annexed to these Regulations. The annual report shall reach the Director not later than 31 March each year and shall specify the names and addresses of all persons who, in the preceding calendar year, received within the territory of the Contracting State concerned oil in respect of which contributions are liable to be paid in accordance with Article 10 of the Fund Convention, together with details of the quantities of contributing oil received by all such persons during that year. Each State in respect of which the Convention enters into force after 31 March of any year shall, on or before the date of entry into force of the Fund Convention for that State, submit a report in the terms stipulated in this Regulation in respect of contributing oil received within its territory during the preceding calendar year.</p>	<p><u>Regulation 4</u></p> <p><i>Reports on Contributing Oil Receipts</i></p> <p>4.1 Each Member State shall forward annually to the Director reports on contributing oil receipts, using the form annexed to these Internal Regulations. The reports shall reach the Director not later than 31 March each year. They shall specify the names and addresses of all persons who, in the preceding calendar year, received within the territory of the Member State concerned oil in respect of which contributions are liable to be paid in accordance with Article 10 of the 1971 Fund Convention, together with details of the quantities of contributing oil received by all such persons during that year.</p> <p>4.2 The reports shall be completed by the contributors concerned, taking into account the explanatory notes attached to the form referred to in Internal Regulation 4.1. The reports shall be signed by a competent officer of the entity which received the oil and shall be countersigned by a Government official.</p> <p>4.3 Each State in respect of which the Convention enters into force after 31 March of any year shall, on or before the date of entry into force of the 1971 Fund Convention for that State, submit a report in the terms stipulated in this Internal Regulation in respect of contributing oil received within its territory during the preceding calendar year.</p> <p>4.4 If no person in a Member State has received contributing oil in sufficient quantities for a report to be submitted, the State shall notify the Director accordingly.</p>	<p><u>Regulation 4</u></p> <p><i>Reports on Contributing Oil Receipts</i></p> <p>4.1 Each Member State shall forward annually to the Director reports on contributing oil receipts, using the form annexed to these Internal Regulations. The reports shall reach the Director not later than 31 March each year. They shall specify the names and addresses of all persons who, in the preceding calendar year, received within the territory of the Member State concerned oil in respect of which contributions are liable to be paid in accordance with Article 10 of the 1992 Fund Convention, together with details of the quantities of contributing oil received by all such persons during that year.</p> <p>4.2 The reports shall be completed by the contributors concerned, taking into account the explanatory notes attached to the form referred to in Internal Regulation 4.1. The reports shall be signed by a competent officer of the entity which received the oil and shall be countersigned by a Government official.</p> <p>4.3 Each State in respect of which the Convention enters into force after 31 March of any year shall, on or before the date of entry into force of the 1992 Fund Convention for that State, submit a report in the terms stipulated in this Internal Regulation in respect of contributing oil received within its territory during the preceding calendar year.</p> <p>4.4 If no person in a Member State has received contributing oil in sufficient quantities for a report to be submitted, the State shall notify the Director accordingly.</p>

Existing Internal Regulations of the 1971 Fund	Proposed Revised Internal Regulations for the 1971 Fund	Proposed Internal Regulations for the 1992 Fund
<p>5.2 The Director shall, not later than 15 January of each year, invite Contracting States to submit the reports referred to in Regulation 5.1 and shall send these States an appropriate number of the forms mentioned in that Regulation as well as a list of the States in respect of which the Fund Convention will be in force on 31 March of that year. The Director shall notify these States of the date on which the Fund Convention enters into force for any other State during the course of the year.</p>	<p>4.5 The Director shall, not later than 15 January of each year, invite Member States to submit the reports referred to in Internal Regulation 4.1. He shall send these States an appropriate number of the forms mentioned in that Regulation.</p> <p>4.6 The Director shall provide Member States with a list of the States in respect of which the 1971 Fund Convention was in force on 1 January of that year, with a indication of the date on which the 1971 Fund Convention entered into force for any State during the course of the previous year. The Director shall also notify Member States of the date on which the 1971 Fund Convention ceased to be in force for any State during the course of that year.</p>	<p>4.5 The Director shall, not later than 15 January of each year, invite Member States to submit the reports referred to in Internal Regulation 4.1. He shall send these States an appropriate number of the forms mentioned in that Regulation.</p> <p>4.6 The Director shall provide Member States with a list of the States in respect of which the 1992 Fund Convention was in force on 1 January of that year, with a indication of the date on which the 1992 Fund Convention entered into force for any State during the course of the previous year. The Director shall also notify Member States of the date on which the 1992 Fund Convention ceased to be in force for any State during the course of that year.</p>
<p>5.3 The Director shall ascertain whether, as a result of the coming into force of the Fund Convention for a State after 31 March of any year, some quantities of contributing oil have been reported to the Fund under Regulation 5.1 by more than one State. Where any such double reporting is found, the Director shall amend the reports submitted by the Contracting States concerned accordingly and inform these States.</p>	<p>4.7 The Director shall ascertain whether, as a result of the coming into force of the 1971 Fund Convention for a State during the course of any given year, some quantities of contributing oil have been reported to the 1971 Fund under Internal Regulation 4.1 by more than one State. Where any such double reporting is found, the Director shall amend the reports submitted by the Member States concerned accordingly and inform these States.</p>	<p>4.7 The Director shall ascertain whether, as a result of the coming into force of the 1992 Fund Convention for a State during the course of any given year, some quantities of contributing oil have been reported to the 1992 Fund under Internal Regulation 4.1 by more than one State. Where any such double reporting is found, the Director shall amend the reports submitted by the Member States concerned accordingly and inform these States.</p>
<p>5.4 Where amendments are made to the quantities of contributing oil reported in accordance with Regulation 5.1, whether or not as a consequence of action on the part of the Director under Regulation 5.3, the Director shall recalculate the annual contributions for the contributors whose reported quantities have been amended in accordance with Article 12 of the Fund Convention utilising the amended quantities. If invoices have already been sent to the contributors concerned, corrected invoices shall be issued. Where the contributions have been paid on the basis of the original invoices, any differences between the contributions paid or invoiced and the recalculated contributions shall be taken into account in preparing the invoices for the persons concerned for the next year in respect of which annual contributions are raised.</p>	<p>4.8 Where amendments are made to the quantities of contributing oil reported in accordance with Internal Regulation 4.1, whether or not as a consequence of action on the part of the Director under Internal Regulation 4.7, the Director shall recalculate the annual contributions for the contributors whose reported quantities have been amended in accordance with Article 12 of the 1971 Fund Convention utilising the amended quantities. If invoices have already been sent to the contributors concerned, corrected invoices shall be issued. Where the contributions have been paid on the basis of the original invoices, any differences between the contributions paid or invoiced and the recalculated contributions shall be taken into account in preparing the invoices for the persons concerned for the next year in respect of which annual contributions are raised. If no contributions are due from that person in the following year, the Director shall inform the contributor of his right to reimbursement of the balance on his account.</p>	<p>4.8 Where amendments are made to the quantities of contributing oil reported in accordance with Internal Regulation 4.1, whether or not as a consequence of action on the part of the Director under Internal Regulation 4.7, the Director shall recalculate the annual contributions for the contributors whose reported quantities have been amended in accordance with Article 12 of the 1992 Fund Convention utilising the amended quantities. If invoices have already been sent to the contributors concerned, corrected invoices shall be issued. Where the contributions have been paid on the basis of the original invoices, any differences between the contributions paid or invoiced and the recalculated contributions shall be taken into account in preparing the invoices for the persons concerned for the next year in respect of which annual contributions are raised. If no contributions are due from that person in the following year, the Director shall inform the contributor of his right to reimbursement of the balance on his account.</p>

Existing Internal Regulations of the 1971 Fund	Proposed Revised Internal Regulations for the 1971 Fund	Proposed Internal Regulations for the 1992 Fund
<p>5.5 Where, pursuant to Article 14 of the Fund Convention, a Contracting State assumes itself the obligations of any person who is liable to contribute to the Fund in respect of oil received within the territory of that State, such State shall, when submitting its annual reports concerning contributing oil receipts, specify therein the names and addresses of the persons in respect of which the State assumes such obligation and the quantities of contributing oil received by such persons.</p>	<p>4.9 Where, pursuant to Article 14 of the 1971 Fund Convention, a Member State assumes itself the obligations of any person who is liable to contribute to the 1971 Fund in respect of oil received within the territory of that State, such a State shall, when submitting its reports on contributing oil received, specify therein the names and addresses of the persons in respect of which the State assumes such obligation and the quantities of contributing oil received by such persons.</p>	<p>4.9 Where, pursuant to Article 14 of the 1992 Fund Convention, a Member State assumes itself the obligations of any person who is liable to contribute to the 1992 Fund in respect of oil received within the territory of that State, such a State shall, when submitting its reports on contributing oil received, specify therein the names and addresses of the persons in respect of which the State assumes such obligation and the quantities of contributing oil received by such persons.</p>
<p style="text-align: center;"><u>Regulation 6</u></p> <p style="text-align: center;"><i>Filing of Claims</i></p> <p>6.1 Where a claim is presented to the Fund, the Director shall request the claimant to support his claim by a notice in writing containing, to the extent possible, the following particulars:</p> <p>(a) the name and address of the claimant and his representative, if any;</p> <p>(b) the identity of the ship involved in the incident;</p> <p>(c) the date, the place and specific details of the incident;</p> <p>(d) the type of pollution damage and the place where it was experienced;</p> <p>(e) the amount of the claim.</p> <p>6.2 The Director shall request any claimant to provide such further information and such documents as he deems necessary to determine the validity of the claim.</p>	<p style="text-align: center;"><u>Regulation 5</u></p> <p style="text-align: center;"><i>Filing of Claims</i></p> <p>5.1 A claim presented to the 1971 Fund shall be made in writing, containing the following particulars:</p> <p>(a) the name and address of the claimant and of any representative;</p> <p>(b) the identity of the ship involved in the incident;</p> <p>(c) the date, place and specific details of the incident;</p> <p>(d) the type of pollution damage sustained;</p> <p>(e) the amount of the compensation claimed.</p> <p>5.2 The Director shall request any claimant to provide such further information and such documents as he deems necessary to determine the admissibility of the claim.</p> <p>5.3 The Director shall periodically publish a Claims Manual containing information on claims presentation.</p>	<p style="text-align: center;"><u>Regulation 5</u></p> <p style="text-align: center;"><i>Filing of Claims</i></p> <p>5.1 A claim presented to the 1992 Fund shall be made in writing, containing the following particulars:</p> <p>(a) the name and address of the claimant and of any representative;</p> <p>(b) the identity of the ship involved in the incident;</p> <p>(c) the date, place and specific details of the incident;</p> <p>(d) the type of pollution damage sustained;</p> <p>(e) the amount of the compensation claimed.</p> <p>5.2 The Director shall request any claimant to provide such further information and such documents as he deems necessary to determine the admissibility of the claim.</p> <p>5.3 The Director shall periodically publish a Claims Manual containing information on claims presentation.</p>

Existing Internal Regulations of the 1971 Fund	Proposed Revised Internal Regulations for the 1971 Fund	Proposed Internal Regulations for the 1992 Fund
<p align="center"><u>Regulation 7</u></p> <p align="center"><i>Intervention in Legal Proceedings</i></p> <p>7.1 Where the Director considers that the Fund may be liable to meet claims arising out of a particular incident, he shall arrange to have the Fund intervene as a party in any legal proceedings against the owner or his guarantor or, to the extent permitted under the applicable national law, in any arbitration concerning any claim arising out of the incident, if the Director considers that such intervention is required to safeguard the interests of the Fund. In case he is satisfied that the interests of the Fund and those of the owner and/or his guarantor are not in conflict, he may arrange for the Fund to join the owner and/or his guarantor in any legal proceedings or arbitration.</p> <p>7.2 Where the Fund has joined the owner and/or his guarantor, the Fund may share the costs incurred in such proceedings or procedures on a basis agreed between the Director and the owner and/or his guarantor, unless a court or arbitration tribunal decides otherwise. In case of dispute the Director may agree with the other parties concerned to submit to arbitration the question of how the costs should be shared.</p>	<p align="center"><u>Regulation 6</u></p> <p align="center"><i>Intervention in Legal Proceedings</i></p> <p>6.1 Where the Director considers that the 1971 Fund may be liable to meet claims arising out of a particular incident, he shall arrange to have the 1971 Fund intervene as a party in any legal proceedings against the owner or his guarantor, if the Director considers that such intervention is required to safeguard the interests of the 1971 Fund. If he is satisfied that the interests of the 1971 Fund and those of the owner and/or his guarantor are not in conflict, he may arrange for the 1971 Fund to join the owner and/or his guarantor in any legal proceedings or arbitration.</p> <p>6.2 The provisions of Internal Regulation 6.1 shall apply to any arbitration concerning claims arising out of an incident, provided that the applicable national law permits intervention by the 1971 Fund.</p> <p>6.3 Where the 1971 Fund has joined the owner and/or his guarantor, the 1971 Fund may share the costs incurred in such proceedings or procedures on a basis agreed between the Director and the owner and/or his guarantor, unless a court or arbitration tribunal decides otherwise. In case of dispute, the Director may agree with the other parties concerned to submit to arbitration the question of how the costs should be shared.</p> <p>6.4 The provisions of Internal Regulations 6.1-6.3 shall also apply <i>mutatis mutandis</i> to joint intervention by the 1971 Fund and the 1992 Fund.</p>	<p align="center"><u>Regulation 6</u></p> <p align="center"><i>Intervention in Legal Proceedings</i></p> <p>6.1 Where the Director considers that the 1992 Fund may be liable to meet claims arising out of a particular incident, he shall arrange to have the 1992 Fund intervene as a party in any legal proceedings against the owner or his guarantor, if the Director considers that such intervention is required to safeguard the interests of the 1992 Fund. If he is satisfied that the interests of the 1992 Fund and those of the owner and/or his guarantor are not in conflict, he may arrange for the 1992 Fund to join the owner and/or his guarantor in any legal proceedings or arbitration.</p> <p>6.2 The provisions of Internal Regulation 6.1 shall apply to any arbitration concerning claims arising out of an incident, provided that the applicable national law permits intervention by the 1992 Fund.</p> <p>6.3 Where the 1992 Fund has joined the owner and/or his guarantor, the 1992 Fund may share the costs incurred in such proceedings or procedures on a basis agreed between the Director and the owner and/or his guarantor, unless a court or arbitration tribunal decides otherwise. In case of dispute, the Director may agree with the other parties concerned to submit to arbitration the question of how the costs should be shared.</p> <p>6.4 The provisions of Internal Regulations 6.1-6.3 shall also apply <i>mutatis mutandis</i> to joint intervention by the 1971 Fund and the 1992 Fund.</p>
<p align="center"><u>Regulation 8</u></p> <p align="center"><i>Settlement of Claims</i></p> <p>8.1 The Director shall promptly take all appropriate and necessary measures for dealing with claims.</p>	<p align="center"><u>Regulation 7</u></p> <p align="center"><i>Settlement of Claims</i></p> <p>7.1 The Director shall promptly take all appropriate and necessary measures for dealing with claims.</p>	<p align="center"><u>Regulation 7</u></p> <p align="center"><i>Settlement of Claims</i></p> <p>7.1 The Director shall promptly take all appropriate and necessary measures for dealing with claims.</p>

Existing Internal Regulations of the 1971 Fund	Proposed Revised Internal Regulations for the 1971 Fund	Proposed Internal Regulations for the 1992 Fund
8.2 The Director shall promptly satisfy any claims for pollution damage under Article 4 of the Fund Convention which have been established by judgement against the Fund enforceable under Article 8 of the Fund Convention.	7.2 The Director shall promptly satisfy any claims for pollution damage under Article 4 of the 1971 Fund Convention which have been established by judgement against the 1971 Fund enforceable under Article 8 of the 1971 Fund Convention.	7.2 The Director shall promptly satisfy any claims for pollution damage under Article 4 of the 1992 Fund Convention which have been established by judgement against the 1992 Fund enforceable under Article 8 of the 1992 Fund Convention.
8.3 The Director may agree with any claimant to submit a claim to binding arbitration. Claims established by such arbitration shall be promptly satisfied by the Director.	7.3 The Director may agree with any claimant to submit a claim to binding arbitration. Claims established by such arbitration shall be promptly satisfied by the Director.	7.3 The Director may agree with any claimant to submit a claim to binding arbitration. Claims established by such arbitration shall be promptly satisfied by the Director.
8.4.1 Where the Director is satisfied that the Fund is liable under the Fund Convention to pay compensation for pollution damage, he may, without the prior approval of the Assembly, make final settlement of any claim, if he estimates that the total cost to the Fund of satisfying all claims arising out of the relevant incident is not likely to exceed 37.5 million francs. The Director may in any case make final settlement of claims from individuals and small businesses up to an aggregate amount of 10 million francs in respect of any one incident. The relevant date for conversion shall be the date of the incident in question.	7.4 Where the Director is satisfied that the 1971 Fund is liable under the 1971 Fund Convention to pay compensation for pollution damage, he may, without the prior approval of the Assembly, make final settlement of any claim, if he estimates that the total cost to the 1971 Fund of satisfying all claims arising out of the relevant incident is not likely to exceed 2.5 million SDRs. The Director may in any case make final settlement of claims from individuals and small businesses up to an aggregate amount of 666 667 SDRs in respect of any one incident. The relevant date for conversion shall be the date of the incident in question. <i>[Note: The 1971 Fund Assembly may wish to reassess the limits of the Director's authority to settle claims as contained in Internal Regulations 7.4]</i>	7.4 Where the Director is satisfied that the 1992 Fund is liable under the 1992 Fund Convention to pay compensation for pollution damage, he may, without the prior approval of the Assembly, make final settlement of any claim, if he estimates that the total cost to the 1992 Fund of satisfying all claims arising out of the relevant incident is not likely to exceed 2.5 million SDRs. The Director may in any case make final settlement of claims from individuals and small businesses up to an aggregate amount of 666 667 SDRs in respect of any one incident. The relevant date for conversion shall be the date of the incident in question.] <i>[Note: The contents of Internal Regulation 7.4 cannot be determined until the Assembly has decided on the procedures for the handling of claims by the 1992 Fund]</i>
8.4.2 Furthermore, where an incident has occurred, the Assembly may authorise the Director to settle claims in respect of that incident beyond the limit established in Regulation 8.4.1.	7.5 The Assembly may authorise the Director to settle claims in respect of a particular incident beyond the limit established in Internal Regulation 7.4. <i>[Note: The 1971 Fund Assembly may wish to reassess the limits of the Director's authority to settle claims as contained in Internal Regulations 7.5]</i>	7.5 The Assembly may authorise the Director to settle claims in respect of a particular incident beyond the limit established in Regulation 7.4.] <i>[Note: The contents of Internal Regulation 7.5 cannot be determined until the Assembly has decided on the procedures for the handling of claims by the 1992 Fund]</i>
8.4.3 As a condition for making a final settlement to any claimant under Regulation 8.4.1 or 8.4.2, the Director shall obtain a full and final release in favour of the Fund from the claimant in respect of all claims of that claimant arising from that incident.	7.6 As a condition for making a final settlement of any claim under Internal Regulation 7.4 or 7.5, the Director shall obtain a full and final release in favour of the 1971 Fund from the claimant in respect of the claim in question.	7.6 As a condition for making a final settlement of any claim under Internal Regulation 7.4 or 7.5, the Director shall obtain a full and final release in favour of the 1992 Fund from the claimant in respect of the claims in question.

Existing Internal Regulations of the 1971 Fund	Proposed Revised Internal Regulations for the 1971 Fund	Proposed Internal Regulations for the 1992 Fund
<p>8.4.4 Subject to 8.4.1, where a claim has been submitted to the Fund and agreement has been reached between the Fund and the claimant as to the value of the majority of items of the claim, but further investigation is considered necessary with respect to the remaining items, the Director may make payment in respect of the agreed items. Regulation 8.4.3 applies correspondingly.</p>	<p>7.7 Subject to Internal Regulation 7.4, where a claim has been submitted to the 1971 Fund and agreement has been reached between the 1971 Fund and the claimant as to the value of the majority of items of the claim, but further investigation is considered necessary with respect to the remaining items, the Director may make payment in respect of the agreed items. Internal Regulation 7.6 applies correspondingly.</p>	<p>7.7 Subject to Internal Regulation 7.4, where a claim has been submitted to the 1992 Fund and agreement has been reached between the 1992 Fund and the claimant as to the value of the majority of items of the claim, but further investigation is considered necessary with respect to the remaining items, the Director may make payment in respect of the agreed items. Internal Regulation 7.6 applies correspondingly.</p>
<p>8.5 All agreements to submit claims to arbitration under Regulation 8.3 and all claims settled under Regulation 8.4.1 or 8.4.2 shall be reported by the Director at the next session of the Assembly.</p>	<p>7.8 All agreements to submit claims to arbitration under Internal Regulation 7.3 and all claims settled under Internal Regulation 7.4 or 7.5 shall be reported by the Director at the next session of the Assembly.</p>	<p>[7.8 All agreements to submit claims to arbitration under Internal Regulation 7.3 and all claims settled under Internal Regulation 7.4 or 7.5 shall be reported by the Director at the next session of the Assembly.]</p> <p><i>[Note: The contents of Internal Regulation 7.8 cannot be determined until the Assembly has decided on the procedures for the handling of claims by the 1992 Fund]</i></p>
<p>8.6 Where the Director is satisfied in respect of an incident that the owner is entitled to limit his liability under the Liability Convention or has no liability under the said Convention and that the Fund will be liable under the Fund Convention to pay compensation to victims of pollution damage arising from the incident, the Director shall make provisional payment to such victims if in his view this is necessary in order to mitigate undue financial hardships to them. These payments shall be at the discretion of the Director who shall endeavour to ensure that no person receiving such payment receives more than 60% of the amount which he is likely to receive from the Fund in the event of claims being abated pro rata. Total payments under this paragraph shall not exceed 90 million francs in respect of any one Total payments under this paragraph shall not exceed 90 million francs in respect of any one incident. The relevant date for conversion shall be the date of the incident in question. Such provisional payments may be made before the shipowner has established the limitation fund in accordance with Article V.3 of the Liability Convention.</p>	<p>7.9 Where the Director is satisfied in respect of an incident that the 1971 Fund will be liable under the 1971 Fund Convention to pay compensation to victims of pollution damage arising from the incident, the Director may make provisional payments to such victims. Provisional payments, which shall be at the discretion of the Director, may be made if this is necessary in the Director's view to mitigate undue financial hardship to them. The Director shall endeavour to ensure that no person receiving such payment receives more than 60% of the amount which he is likely to receive from the 1971 Fund in the event of claims being abated pro rata. Total payments under this paragraph shall not exceed 6 million SDRs in respect of any one incident. The relevant date for conversion shall be the date of the incident in question.</p>	<p>7.9 Where the Director is satisfied in respect of an incident that the 1992 Fund will be liable under the 1992 Fund Convention to pay compensation to victims of pollution damage arising from the incident, the Director may make provisional payments to such victims. Provisional payments, which shall be at the discretion of the Director, may be made if this is necessary in the Director's view to mitigate undue financial hardship to them. The Director shall endeavour to ensure that no person receiving such payment receives more than 60% of the amount which he is likely to receive from the 1992 Fund in the event of claims being abated pro rata. Total payments under this paragraph shall not exceed 6 million SDRs in respect of any one incident. The relevant date for conversion shall be the date of the incident in question.</p>

Existing Internal Regulations of the 1971 Fund	Proposed Revised Internal Regulations for the 1971 Fund	Proposed Internal Regulations for the 1992 Fund
8.7 Where, in respect of a particular incident, the Director considers the level of provisional payments permitted under Regulation 8.6 is insufficient to mitigate undue financial hardships to victims, he may bring the matter to the attention of the Assembly. The Assembly may decide, in respect of such incident, that provisional payments may be made beyond the limit of 90 million francs as laid down in Regulation 8.6.	7.10 Where, in respect of a particular incident, the Director considers the level of provisional payments permitted under Internal Regulation 7.9 is insufficient to mitigate undue financial hardships to victims, he may bring the matter to the attention of the Assembly. The Assembly may decide, in respect of such incident, that provisional payments may be made beyond the limit of 6 million SDRs laid down in Internal Regulation 7.9.	7.10 Where, in respect of a particular incident, the Director considers the level of provisional payments permitted under Internal Regulation 7.9 is insufficient to mitigate undue financial hardships to victims, he may bring the matter to the attention of the Assembly. The Assembly may decide, in respect of such incident, that provisional payments may be made beyond the limit of 6 million SDRs laid down in Internal Regulation 7.9.
8.8 As a condition of making a provisional payment in respect of a claim, the Director shall obtain from the claimant concerned a transfer to the Fund of any right that such a claimant may enjoy under the Liability Convention against the owner or his guarantor, up to the amount of the provisional payment to be made by the Fund to that claimant.	7.11 As a condition of making a provisional payment in respect of a claim, the Director shall obtain from the claimant concerned a transfer to the 1971 Fund of any right that such a claimant may enjoy under the 1969 Civil Liability Convention against the owner or his guarantor, up to the amount of the provisional payment to be made by the 1971 Fund to that claimant.	7.11 As a condition of making a provisional payment in respect of a claim, the Director shall obtain from the claimant concerned a transfer to the 1992 Fund of any right that such a claimant may enjoy under the 1992 Civil Liability Convention against the owner or his guarantor, up to the amount of the provisional payment to be made by the 1992 Fund to that claimant.
8.9 Where a person who is in arrears in respect of any payment due to the Fund is entitled to receive payment from the Fund for the satisfaction of a claim, the Director shall, unless this is not permitted under the applicable national law, deduct the amount of the arrears from the amount of the payment to be made to such person by the Fund.	7.12 Where a person who is in arrears in respect of any payment due to the 1971 Fund is entitled to receive payment from the 1971 Fund for the satisfaction of a claim, the Director shall, unless this is not permitted under the applicable national law, deduct the amount of the arrears from the amount of the payment to be made to such person by the 1971 Fund.	7.12 Where a person who is in arrears in respect of any payment due to the 1992 Fund is entitled to receive payment from the 1992 Fund for the satisfaction of a claim, the Director shall, unless this is not permitted under the applicable national law, deduct the amount of the arrears from the amount of the payment to be made to such person by the 1992 Fund.
<p style="text-align: center;"><u>Regulation 9</u></p> <p style="text-align: center;"><i>Indemnification of Shipowner</i></p>	<p style="text-align: center;"><u>Regulation 8</u></p> <p style="text-align: center;"><i>Indemnification of the Shipowner</i></p>	[No corresponding provision required]
9.1 The Director shall promptly take all appropriate and necessary measures for dealing with applications by an owner or his guarantor for indemnification under Article 5 of the Fund Convention.	8.1 The Director shall promptly take all appropriate and necessary measures for dealing with applications by an owner or his guarantor for indemnification under Article 5 of the 1971 Fund Convention.	
9.2 The Director shall promptly indemnify an owner or his guarantor to the extent provided in Article 5, paragraph 1 of the Fund Convention in respect of any amount which has been established by a judgement against the Fund enforceable under Article 8 of the Fund Convention.	8.2 The Director shall promptly indemnify an owner or his guarantor to the extent provided in Article 5.1 of the 1971 Fund Convention in respect of any amount which has been established by a judgement against the 1971 Fund enforceable under Article 8 of the 1971 Fund Convention.	

Existing Internal Regulations of the 1971 Fund	Proposed Revised Internal Regulations for the 1971 Fund	Proposed Internal Regulations for the 1992 Fund
<p>9.3 Where, in respect of any incident referred to in Article 3, paragraph 2 of the Fund Convention, an owner or his guarantor has paid compensation for pollution damage to satisfy a judgement enforceable under Article 10 of the Liability Convention, the Director shall promptly indemnify the owner or his guarantor to the extent that the aggregate amount of such compensation thus paid falls within the limits laid down in Article 5, paragraph 1 of the Fund Convention unless he considers that the Fund may be exonerated, under Article 5, paragraph 3 of that Convention, from its obligations.</p>	<p>8.3 Where, in respect of any incident referred to in <u>Article 3.2</u> of the <u>1971</u> Fund Convention, an owner or his guarantor has paid compensation for pollution damage to satisfy a judgement enforceable under Article 10 of the <u>1969 Civil Liability Convention</u>, the Director shall promptly indemnify the owner or his guarantor to the extent that the aggregate amount of such compensation thus paid falls within the limits laid down in <u>Article 5.1</u> of the <u>1971</u> Fund Convention. However, the Director shall not indemnify the shipowner if he considers that the <u>1971</u> Fund may be exonerated, under <u>Article 5.3</u> of that Convention, from its obligation in this respect.</p>	
<p>9.4 The Director may agree with an owner or his guarantor to submit to binding arbitration the question whether and to what extent the Fund is under an obligation to indemnify such owner or his guarantor under Article 5, paragraph 1 of the Fund Convention. Any amount established by such arbitration to be payable by the Fund shall be promptly satisfied by the Director.</p>	<p>8.4 The Director may agree with an owner or his guarantor to submit to binding arbitration the question of whether and to what extent the 1971 Fund is under an obligation to indemnify such an owner or his guarantor under Article 5.1 of the 1971 Fund Convention. Any amount established by such arbitration to be payable by the 1971 Fund shall be promptly satisfied by the Director.</p>	
<p>9.5 Where the Director is satisfied that the Fund is liable under the Fund Convention to indemnify an owner or his guarantor for compensation for pollution damage paid to victims or for such expenses or sacrifices as are referred to in Article 5, paragraph 7 of the Fund Convention, he may, without the prior approval of the Assembly, indemnify such person within the limits laid down in Article 5, paragraph 1 of the Fund Convention, if the total amount of indemnification to be paid in respect of the incident in question does not exceed 25 million francs. The relevant date for conversion shall be the date of the incident in question.</p>	<p>8.5 Where the Director is satisfied that the 1971 Fund is liable under the 1971 Fund Convention to indemnify an owner or his guarantor for compensation for pollution damage paid to victims or for such expenses or sacrifices as are referred to in Article 5.7 of the 1971 Fund Convention, he may, without the prior approval of the Assembly, indemnify such a person within the limits laid down in <u>Article 5.1</u> of the <u>1971</u> Fund Convention, if the total amount of indemnification to be paid in respect of the incident in question does not exceed 1 666 667 SDRs. The relevant date for conversion shall be the date of the incident in question.</p>	
<p>9.6 Where an incident has occurred, the Assembly may authorise the Director to indemnify an owner or his guarantor beyond the limit established in Regulation 9.5, in respect of that incident.</p>	<p>8.6 The Assembly may authorise the Director to indemnify an owner or his guarantor beyond the limit established in Internal Regulation 8.5, in respect of a <u>particular</u> incident.</p>	
<p>9.7 As a condition of indemnifying an owner or his guarantor under Regulation 9.5 or 9.6, the Director shall obtain a full and final release in favour of the Fund from such owner or his guarantor in respect of the Fund's liability in relation to that incident.</p>	<p>8.7 As a condition of indemnifying an owner or his guarantor under Internal Regulation 8.5 or 8.6, the Director shall obtain a full and final release in favour of the <u>1971</u> Fund from such an owner or his guarantor in respect of the <u>1971</u> Fund's liability in relation to that incident.</p>	

Existing Internal Regulations of the 1971 Fund	Proposed Revised Internal Regulations for the 1971 Fund	Proposed Internal Regulations for the 1992 Fund
<p>9.8 All agreements to submit disputes to arbitration under Regulation 9.4 and all indemnification payments made under Regulation 9.5 or 9.6 shall be reported by the Director at the next session of the Assembly.</p>	<p>8.8 All agreements to submit disputes to arbitration under Internal Regulation 8.4 and all indemnification payments made under Internal Regulation 8.5 or 8.6 shall be reported by the Director at the next session of the Assembly.</p>	
<p>9.9 Where a person who is in arrears in respect of any payment due to the Fund is entitled to receive indemnification payment from the Fund, the Director shall, unless this is not permitted under the applicable national law, deduct the amount of the arrears from the amount of the payment to be made to such person by the Fund.</p>	<p>8.9 Where a person who is in arrears in respect of any payment due to the 1971 Fund is entitled to receive indemnification payment from the 1971 Fund, the Director shall, unless this is not permitted under the applicable national law, deduct the amount of the arrears from the amount of the payment to be made to such person by the 1971 Fund.</p>	
<p style="text-align: center;"><u>Regulation 10</u></p> <p style="text-align: center;"><i>Loans and Investments</i></p> <p>10.1 Where annual contributions determined by the Assembly do not in fact produce sufficient and timely funds for the payments to be made by the Fund for the satisfaction of claims, provisional payments or other expenses incurred in the operation of the Fund, the Director may make arrangements for obtaining short-term credit facilities or loans meeting the cash-flow requirements of the Fund. If the Director is unable to arrange the required credit facilities or loans on terms which he feels are reasonable, he shall refer the matter to the Assembly.</p> <p>10.2 With a view to securing the assets of the Fund, the Director may invest any funds which are not required for the short-term operation of the Fund. In making any investments all necessary steps shall be taken to ensure the maintenance of sufficient liquid funds for the operation of the Fund, to avoid undue currency risks and generally to obtain a reasonable return on the investments of the Fund.</p> <p>10.3 The Director shall submit to each session of the Assembly particulars of the current investments of the Fund and of any changes which have taken place since his previous report.</p>	<p><i>['Loans and Investments' transferred to Financial Regulations]</i></p>	

Existing Internal Regulations of the 1971 Fund	Proposed Revised Internal Regulations for the 1971 Fund	Proposed Internal Regulations for the 1992 Fund
<p align="center"><u>Regulation 11</u></p> <p align="center"><i>Assistance to States in Emergency Situations</i></p> <p>11.1 At the request of a Contracting State the Director shall, to the extent that he deems it practicable and reasonable, endeavour to assist that State in obtaining the materials, equipment, services or personnel required for preventing or mitigating pollution damage if he is satisfied that the Fund may be called upon to pay compensation under the Fund Convention in respect of pollution damage arising from the incident in question.</p> <p>11.2 In particular, the Director shall, as appropriate, assist such a Contracting State to identify specialist organisations and to enlist their services for these purposes.</p>	<p align="center"><u>Regulation 9</u></p> <p align="center"><i>Assistance to States in Emergency Situations</i></p> <p>9.1 At the request of a Member State the Director shall, to the extent that he deems it practicable and reasonable, endeavour to assist that State in obtaining the materials, equipment, services or personnel required for preventing or mitigating pollution damage if he is satisfied that the 1971 Fund may be called upon to pay compensation under the 1971 Fund Convention in respect of pollution damage arising from the incident in question.</p> <p>9.2 The Director shall, as appropriate, assist such a Member State to identify specialist organisations and to enlist their services for these purposes.</p>	<p align="center"><u>Regulation 8</u></p> <p align="center"><i>Assistance to States in Emergency Situations</i></p> <p>8.1 At the request of a Member State the Director shall, to the extent that he deems it practicable and reasonable, endeavour to assist that State in obtaining the materials, equipment, services or personnel required for preventing or mitigating pollution damage if he is satisfied that the 1992 Fund may be called upon to pay compensation under the 1992 Fund Convention in respect of pollution damage arising from the incident in question.</p> <p>8.2 The Director shall, as appropriate, assist such a Member State to identify specialist organisations and to enlist their services for these purposes.</p>
<p align="center"><u>Regulation 12</u></p> <p align="center"><i>Extension of Credit Facilities in Respect of Preventive Measures</i></p> <p>12.1 On the application of a Contracting State which is in imminent danger of substantial pollution damage arising from a particular incident, the Director may, if he estimates that the Fund will be called upon to pay compensation under the Fund Convention in respect of that incident, provide that State with reasonable credit facilities to enable it to initiate or continue with the taking of adequate preventive measures.</p> <p>12.2 Subject to conditions specified by the Assembly regarding, <i>inter alia</i>, the data and supporting justifications to be provided by a State requesting credit facilities, the Director shall determine whether in the light of all the circumstances of the case the provision of credit facilities by the Fund in respect of a particular incident is justified.</p>	<p align="center"><u>Regulation 10</u></p> <p align="center"><i>Extension of Credit Facilities in Respect of Preventive Measures</i></p> <p>10.1 On the application of a Member State which is in imminent danger of substantial pollution damage arising from a particular incident, the Director may, if he estimates that the 1971 Fund will be called upon to pay compensation under the 1971 Fund Convention in respect of that incident, provide that State with reasonable credit facilities to enable it to initiate or continue with the taking of adequate preventive measures.</p> <p>10.2 Subject to conditions specified by the Assembly regarding, <i>inter alia</i>, the data and supporting justifications to be provided by a State requesting credit facilities, the Director shall determine whether in the light of all the circumstances of the case the provision of credit facilities by the 1971 Fund in respect of a particular incident is justified.</p>	<p align="center"><u>Regulation 9</u></p> <p align="center"><i>Extension of Credit Facilities in Respect of Preventive Measures</i></p> <p>9.1 On the application of a Member State which is in imminent danger of substantial pollution damage arising from a particular incident, the Director may, if he estimates that the 1992 Fund will be called upon to pay compensation under the 1992 Fund Convention in respect of that incident, provide that State with reasonable credit facilities to enable it to initiate or continue with the taking of adequate preventive measures.</p> <p>9.2 Subject to conditions specified by the Assembly regarding, <i>inter alia</i>, the data and supporting justifications to be provided by a State requesting credit facilities, the Director shall determine whether in the light of all the circumstances of the case the provision of credit facilities by the 1992 Fund in respect of a particular incident is justified.</p>

Existing Internal Regulations of the 1971 Fund	Proposed Revised Internal Regulations for the 1971 Fund	Proposed Internal Regulations for the 1992 Fund
<p>12.3 An application for credit facilities under this Regulation shall include:</p> <p>(a) full particulars of the incident;</p> <p>(b) the nature and extent of pollution damage which has already occurred, including preventive measures already taken;</p> <p>(c) the preventive measures envisaged as well as the estimated costs thereof.</p> <p>Particulars in respect of preventive measures taken or envisaged shall be presented in a manner which will enable the Director to determine the measures which can be taken with personnel, material and equipment available locally and which measures should, in the interest of speed and efficiency, involve personnel, material or equipment to be procured from elsewhere.</p>	<p>10.3 An application for credit facilities under this Regulation shall include:</p> <p>(a) full particulars of the incident;</p> <p>(b) the nature and extent of pollution damage which has already occurred, including preventive measures already taken;</p> <p>(c) the preventive measures envisaged as well as the estimated cost thereof.</p> <p>Particulars in respect of preventive measures taken or envisaged shall be presented in a manner which will enable the Director to determine the measures which can be taken with personnel, material and equipment available locally and which measures should, in the interest of speed and efficiency, involve personnel, material or equipment to be procured from elsewhere.</p>	<p>9.3 An application for credit facilities under this Regulation shall include:</p> <p>(a) full particulars of the incident;</p> <p>(b) the nature and extent of pollution damage which has already occurred, including preventive measures already taken;</p> <p>(c) the preventive measures envisaged as well as the estimated cost thereof.</p> <p>Particulars in respect of preventive measures taken or envisaged shall be presented in a manner which will enable the Director to determine the measures which can be taken with personnel, material and equipment available locally and which measures should, in the interest of speed and efficiency, involve personnel, material or equipment to be procured from elsewhere.</p>
<p>12.4 Credit facilities provided by the Fund to a State may be given in the form of:</p> <p>(i) guarantee by the Fund in respect of an advance to that State from a specified person, whose principal place of business is outside such State, or</p> <p>(ii) guarantee by the Fund to make payment of the cost of preventive measures in respect of which the State concerned has entered into a contract with a specified person whose principal place of business is outside such State.</p>	<p>10.4 Credit facilities provided by the 1971 Fund to a State may be given in the form of:</p> <p>(a) a guarantee by the 1971 Fund in respect of an advance to that State from a specified person, whose principal place of business is outside such a State; or</p> <p>(b) a guarantee by the 1971 Fund to make payment of the cost of preventive measures in respect of which the State concerned has entered into a contract with a specified person whose principal place of business is outside such a State.</p>	<p>9.4 Credit facilities provided by the 1992 Fund to a State may be given in the form of:</p> <p>(a) a guarantee by the 1992 Fund in respect of an advance to that State from a specified person, whose principal place of business is outside such a State; or</p> <p>(b) a guarantee by the 1992 Fund to make payment of the cost of preventive measures in respect of which the State concerned has entered into a contract with a specified person whose principal place of business is outside such a State.</p>
<p>12.5 Credit facilities provided by the Fund with respect to any one incident may not exceed 60% of the total amount which the Director estimates the Fund will ultimately be liable to pay in respect of the cost of preventive measures under the Fund Convention in respect of such incident, or 45 million francs, whichever is the less. The relevant date for conversion shall be the date of the incident in question.</p>	<p>10.5 Credit facilities provided by the 1971 Fund with respect to any one incident may not exceed 60% of the total amount which the Director estimates the 1971 Fund will ultimately be liable to pay in respect of the cost of preventive measures under the Fund Convention in respect of such incident, or 3 million SDRs, whichever is the less. The relevant date for conversion shall be the date of the incident in question.</p>	<p>9.5 Credit facilities provided by the 1992 Fund with respect to any one incident may not exceed 60% of the total amount which the Director estimates the 1992 Fund will ultimately be liable to pay in respect of the cost of preventive measures under the Fund Convention in respect of such incident, or 3 million SDRs, whichever is the less. The relevant date for conversion shall be the date of the incident in question.</p>
<p>12.6 All expenses incurred by the Fund as a consequence of providing credit facilities to a State shall be reimbursable to the Fund by such State. The Director shall, in consultation with the State concerned, stipulate the manner in and the time within which such reimbursement shall be made.</p>	<p>10.6 All expenses incurred by the 1971 Fund as a consequence of providing credit facilities to a State shall be reimbursable to the 1971 Fund by such a State. The Director shall, in consultation with the State concerned, stipulate the manner in and the time within which such reimbursement shall be made.</p>	<p>9.6 All expenses incurred by the 1992 Fund as a consequence of providing credit facilities to a State shall be reimbursable to the 1992 Fund by such a State. The Director shall, in consultation with the State concerned, stipulate the manner in and the time within which such reimbursement shall be made.</p>

Existing Internal Regulations of the 1971 Fund	Proposed Revised Internal Regulations for the 1971 Fund	Proposed Internal Regulations for the 1992 Fund
12.7 Before providing credit facilities to any State under Article 4, paragraph 8 of the Fund Convention, the Director shall require such State to agree in writing that the expenses incurred by the Fund in providing such credit facilities, including any amount which the Fund has paid in consequence of a guarantee referred to in Regulation 12.4, may be deducted from any sums which that State may be entitled to receive from the Fund for the satisfaction of claims under the Convention.	10.7 Before providing credit facilities to any State under Article 4.8 of the 1971 Fund Convention, the Director shall require such a State to agree in writing that the expenses incurred by the 1971 Fund in providing such credit facilities, including any amount which the 1971 Fund has paid in consequence of a guarantee referred to in Internal Regulation 10.4 , may be deducted from any sums which that State may be entitled to receive from the 1971 Fund for the satisfaction of claims under the 1971 Fund Convention.	9.7 Before providing credit facilities to any State under Article 4.8 of the 1992 Fund Convention, the Director shall require such a State to agree in writing that the expenses incurred by the 1992 Fund in providing such credit facilities, including any amount which the 1992 Fund has paid in consequence of a guarantee referred to in Internal Regulation 9.4 , may be deducted from any sums which that State may be entitled to receive from the 1992 Fund for the satisfaction of claims under the 1992 Fund Convention.
<u>Regulation 13</u> <i>Right to Direct Correspondence</i> The Director and other members of the Secretariat acting under his instructions may correspond or otherwise communicate directly with any person in the performance of their functions.	<u>Regulation 11</u> <i>Right to Direct Correspondence</i> The Director and other members of the Secretariat acting under his instructions may correspond or otherwise communicate directly with any person in the performance of their functions.	<u>Regulation 10</u> <i>Right to Direct Correspondence</i> The Director and other members of the Secretariat acting under his instructions may correspond or otherwise communicate directly with any person in the performance of their functions.
<u>Regulation 14</u> <i>Designation of Competent Authority</i> Any Contracting State may designate an authority to act on behalf of that State with regard to a particular aspect of the Fund's activities. Any Contracting State having made such designation shall notify the Director of that designation.	<u>Regulation 12</u> <i>Designation of Competent Authority</i> Any Member State may designate an authority to act on behalf of that State with regard to a particular aspect of the 1971 Fund's activities. Any Member State having made such designation shall notify the Director of that designation.	<u>Regulation 11</u> <i>Designation of Competent Authority</i> Any Member State may designate an authority to act on behalf of that State with regard to a particular aspect of the 1992 Fund's activities. Any Member State having made such designation shall notify the Director of that designation.
<u>Regulation 15</u> <i>Amendments</i> 15.1 These Internal Regulations may be amended by the Assembly. 15.2 Any amendment adopted in accordance with Regulation 15.1 shall enter into force one month after its adoption, unless the Assembly decides, in a particular case, that it shall enter into force immediately or after a period of time other than the aforementioned period. 15.3 Amendments adopted in accordance with Regulation 15.1 shall be communicated by the Director to all Contracting States.	<u>Regulation 13</u> <i>Amendments</i> 13.1 These Internal Regulations may be amended by the Assembly. 13.2 Any amendment adopted in accordance with Internal Regulation 13.1 shall enter into force one month after its adoption, unless the Assembly decides, in a particular case, that it shall enter into force immediately or after a period of time other than the aforementioned period. 13.3 Amendments adopted in accordance with Internal Regulation 13.1 shall be communicated by the Director to all Member States.	<u>Regulation 12</u> <i>Amendments</i> 12.1 These Internal Regulations may be amended by the Assembly. 12.2 Any amendment adopted in accordance with Internal Regulation 12.1 shall enter into force one month after its adoption, unless the Assembly decides, in a particular case, that it shall enter into force immediately or after a period of time other than the aforementioned period. 12.3 Amendments adopted in accordance with Internal Regulation 12.1 shall be communicated by the Director to all Member States.

Explanatory Notes	Explanatory Notes	Explanatory Notes
1 This report shall be submitted to the Director of the Fund to reach him not later than 31 March of each year.	1 This report shall be submitted to the Director of the 1971 Fund to reach him not later than 31 March of each year.	1 This report shall be submitted to the Director of the 1992 Fund to reach him not later than 31 March of each year.
2 Quantities of contributing oil shall be given in metric tons and rounded out to the nearest ton.	2 Quantities of contributing oil shall be given in metric tonnes and rounded out to the nearest tonne.	2 Quantities of contributing oil shall be given in metric tonnes and rounded out to the nearest tonne.
3 "Person" means any individual or partnership or any public or private body, whether corporate or not, including a State or any of its constituent subdivisions.	3 "Person" means any individual or partnership or any public or private body, whether corporate or not, including a State or any of its constituent subdivisions.	3 "Person" means any individual or partnership or any public or private body, whether corporate or not, including a State or any of its constituent subdivisions.
<p data-bbox="267 523 766 579">4 Article 1, paragraph 3 of the Fund Convention defines "contributing oil" as follows:</p> <p data-bbox="267 603 777 659">"Contributing oil" means crude oil and fuel oil as defined under (a) and (b) below:</p> <p data-bbox="210 683 823 866">(a) "Crude Oil" means any liquid hydrocarbon mixture occurring naturally in the earth, whether or not treated to render it suitable for transportation. It also includes crude oils from which certain distillate fractions have been removed (sometimes referred to as "topped crudes") or to which certain distillate fractions have been added (sometimes referred to as "spiked" or "reconstituted" crudes),</p> <p data-bbox="210 890 823 1026">(b) "Fuel Oil" means heavy distillates or residues from crude oil or blends of such materials intended for use as a fuel for the production of heat or power of a quality equivalent to the "American Society for Testing and Materials' Specification for Number Four Fuel Oil (Designation D396-69)", or heavier.</p>	<p data-bbox="902 523 1333 579">4 Article 1.3 of the 1971 Fund Convention defines "contributing oil" as follows:</p> <p data-bbox="902 603 1412 659">"Contributing oil" means crude oil and fuel oil as defined under (a) and (b) below:</p> <p data-bbox="845 683 1458 866">(a) "Crude Oil" means any liquid hydrocarbon mixture occurring naturally in the earth, whether or not treated to render it suitable for transportation. It also includes crude oils from which certain distillate fractions have been removed (sometimes referred to as "topped crudes") or to which certain distillate fractions have been added (sometimes referred to as "spiked" or "reconstituted" crudes),</p> <p data-bbox="845 890 1458 1050">(b) "Fuel Oil" means heavy distillates or residues from crude oil or blends of such materials intended for use as a fuel for the production of heat or power of a quality equivalent to the "American Society for Testing and Materials' Specification for Number Four Fuel Oil (Designation D396-69)", or heavier.</p>	<p data-bbox="1537 523 1968 579">4 Article 1.3 of the 1992 Fund Convention defines "contributing oil" as follows:</p> <p data-bbox="1537 603 2048 659">"Contributing oil" means crude oil and fuel oil as defined under (a) and (b) below:</p> <p data-bbox="1481 683 2093 866">(a) "Crude Oil" means any liquid hydrocarbon mixture occurring naturally in the earth, whether or not treated to render it suitable for transportation. It also includes crude oils from which certain distillate fractions have been removed (sometimes referred to as "topped crudes") or to which certain distillate fractions have been added (sometimes referred to as "spiked" or "reconstituted" crudes),</p> <p data-bbox="1481 890 2093 1050">(b) "Fuel Oil" means heavy distillates or residues from crude oil or blends of such materials intended for use as a fuel for the production of heat or power of a quality equivalent to the "American Society for Testing and Materials' Specification for Number Four Fuel Oil (Designation D396-69)", or heavier.</p>

5	<p>"Contributing oil received" includes all contributing oil received during the relevant calendar year:</p> <p>(a) in the ports or terminal installations in the territory of the reporting State if such oil was carried by sea to such ports or terminal installations; and</p> <p>(b) in any installation situated in the territory of the reporting State if such oil has been carried by sea and discharged in a port or terminal installation of a non-Contracting State and has thereafter been carried to the reporting State from the Contracting State by modes of transport other than carriage by sea (eg transport by pipeline, non-sea-going barge, road, rail etc), provided, however, that in such case oil receipts shall only be taken into account on first receipt in a Contracting State.</p>	5	<p>"Contributing oil received" includes all contributing oil received during the relevant calendar year:</p> <p>(a) in the ports or terminal installations in the territory of the reporting State if such oil was carried by sea to such ports or terminal installations; and</p> <p>(b) in any installation situated in the territory of the reporting State if such oil has been carried by sea and discharged in a port or terminal installation of a non-Member State and has thereafter been carried to the reporting State from the non-Member State by modes of transport other than carriage by sea (eg transport by pipeline, non-sea-going barge, road, rail etc), provided, however, that in such case oil receipts shall only be taken into account on first receipt in a Member State.</p>	5	<p>"Contributing oil received" includes all contributing oil received during the relevant calendar year:</p> <p>(a) in the ports or terminal installations in the territory of the reporting State if such oil was carried by sea to such ports or terminal installations; and</p> <p>(b) in any installation situated in the territory of the reporting State if such oil has been carried by sea and discharged in a port or terminal installation of a non-Member State and has thereafter been carried to the reporting State from the non-Member State by modes of transport other than carriage by sea (eg transport by pipeline, non-sea-going barge, road, rail etc), provided, however, that in such case oil receipts shall only be taken into account on first receipt in a Member State.</p>
6	"Contracting State" means a State for which the Fund Convention is in force. When completing the report only those States for which the Convention is in force on 31 March shall be considered Contracting States.	6	"Member State" means a State for which the 1971 Fund Convention is in force. When completing the report only those States for which the 1971 Fund Convention is in force on 31 March shall be considered Member States.	6	"Member State" means a State for which the 1992 Fund Convention is in force. When completing the report only those States for which the 1992 Fund Convention is in force on 31 March shall be considered Member States.
7	A report shall be made in respect of a person only if the total quantities of receipts of contributing oil received by such person during the relevant calendar year exceeds 150 000 tons.	7	A report shall be made in respect of a person only if the total quantities of receipts of contributing oil received by such a person during the relevant calendar year exceeds 150 000 tonnes.	7	A report shall be made in respect of a person only if the total quantities of receipts of contributing oil received by such a person during the relevant calendar year exceeds 150 000 tonnes.
8	Notwithstanding explanatory note 7, a report shall be made also in respect of any person who, in the relevant calendar year, has received contributing oil in a quantity not exceeding 150 000 tons if the quantity of contributing oil received in that year by that person, when aggregated with quantities received in the reporting State in that same calendar year by a person or persons associated with that person, exceeds 150 000 tons.	8	Notwithstanding explanatory note 7, a report shall be made also in respect of any person who, in the relevant calendar year, has received contributing oil in a quantity not exceeding 150 000 tonnes if the quantity of contributing oil received in that year by that person, when aggregated with quantities received in the reporting State in that same calendar year by a person or persons associated with that person, exceeds 150 000 tonnes.	8	Notwithstanding explanatory note 7, a report shall be made also in respect of any person who, in the relevant calendar year, has received contributing oil in a quantity not exceeding 150 000 tonnes if the quantity of contributing oil received in that year by that person, when aggregated with quantities received in the reporting State in that same calendar year by a person or persons associated with that person, exceeds 150 000 tonnes.
9	"Associated person" as used in explanatory note 8 means any subsidiary or commonly controlled entity.	9	"Associated person" as used in explanatory note 8 means any subsidiary or commonly controlled entity.	9	"Associated person" as used in explanatory note 8 means any subsidiary or commonly controlled entity.
10	With respect to oil received from non-Contracting States and carried into the reporting State by modes other than carriage by sea as described in explanatory note 5(b), for each receipt, specify the State from which the oil was received and the mode of transport involved, it being understood that only such oil is to be considered contributing oil which at some stage has been carried by sea.	10	With respect to oil received from non-Member States and carried into the reporting State by modes other than carriage by sea as described in explanatory note 5(b), for each receipt, specify the State from which the oil was received and the mode of transport involved, it being understood that only such oil is to be considered contributing oil which at some stage has been carried by sea.	10	With respect to oil received from non-Member States and carried into the reporting State by modes other than carriage by sea as described in explanatory note 5(b), for each receipt, specify the State from which the oil was received and the mode of transport involved, it being understood that only such oil is to be considered contributing oil which at some stage has been carried by sea.