



INTERNATIONAL
OIL POLLUTION
COMPENSATION
FUND 1971

ASSEMBLY
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Agenda item 14

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AMENDMENT OF INTERNAL REGULATIONS

Note by the Director

Summary:	It is proposed that the date for the submission of oil reports and the normal due date for the payment of contributions should be amended to allow Member States and contributors more time to carry out these functions.
Action to be taken:	Amend Internal Regulations 4.1 and 4.3, and Internal Regulations 3.8 and 3.10.

1 Introduction

1.1 The Internal Regulations of the 1971 Fund were adopted by the Assembly at its 2nd session, held in April 1979 (document FUND/A.2/16/1, paragraph 7). In accordance with Regulation 13.1, these Regulations may be amended by the Assembly.

1.2 The Director proposes that certain amendments be made to the Internal Regulations, as set out below.

2 Date for the submission of oil reports

2.1 Internal Regulation 4.1 provides that the reports on contributing oil receipts which are submitted by Member States to the 1971 Fund "shall reach the Director not later than 31 March each year".

2.2 It is understood that in a number of Member States it is difficult for the competent authorities to submit the contributing oil receipts to the 1971 Fund by 31 March, as the necessary statistical data is not available so early in the year. Although some time is needed for the Secretariat to process the data provided in the oil reports, it is not essential that the reports are received by 31 March. The Director therefore proposes that the reference to 31 March in Internal Regulation 4.1 be amended to 30 April.

2.3 It is therefore proposed that the text of Internal Regulation 4.1 should be amended to read as follows (amendment underlined):

- 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 30 April 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.

2.4 It is further proposed that, if the above amendment were adopted, the following consequential amendment to Internal Regulation 4.3 should be made (amendment underlined):

- 4.3 Each State in respect of which the Convention enters into force after 30 April 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.

3 Date for the payment of contributions

3.1 Internal Regulation 3.8 provides that the "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".

3.2 In recent years the sessions of the Assembly have been held quite late in October. As a result, it has sometimes not been possible for the Secretariat to issue invoices to contributors until the end of November. The Director has been informed that in some Member States, it has been difficult for contributors to remit the amounts due by 1 February. The Director therefore proposes that the normal due date of payment referred to in Internal Regulation 3.8 should be amended from 1 February to 1 March.

3.3 It is therefore proposed that the text of Internal Regulation 3.8 should be amended to read as follows (amendment underlined):

- 3.8 Payment of annual contributions shall be due on 1 March of the year following that in which the Assembly decides on the levy of annual contributions, unless the Assembly decides otherwise.

3.4 It is further proposed that, if the above amendment were adopted, the following consequential amendment to Internal Regulation 3.10 should be made (amendment underlined):

- 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 March shall be 2% higher than the lowest London clearing bank base rate prevailing on 1 March.

Action to be taken by the Assembly

4 The Assembly is invited to consider the proposed amendments to Internal Regulations 4.1 and 4.3, and to Internal Regulations 3.8 and 3.10.
