



INTERNATIONAL  
OIL POLLUTION  
COMPENSATION  
FUND

EXECUTIVE COMMITTEE  
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Agenda item 3

FUND/EXC.18/3  
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INFORMATION ON AND APPROVAL OF SETTLEMENT OF CLAIMS  
(PATMOS INCIDENT)

Note by the Director

1 Introduction

1.1 On 21 March 1985, the Greek tanker PATMOS (51 627 GRT), carrying 83 689 tonnes of crude oil, collided with the Spanish tanker CASTILLO DE MONTEARAGON (92 289 GRT), which was in ballast, off the coast of Calabria in the Straits of Messina, Italy. Details of the incident were given in document FUND/EXC.16/4, paragraphs 1.1 and 1.2.

1.2 As a result of the incident, large claims were lodged in the Court of Messina against the owner of the PATMOS and the IOPC Fund. The shipowner and the owner's insurer, the United Kingdom Mutual Steamship Assurance Association (Bermuda) Ltd (UK Club), established a limitation fund with the Court of Messina. The Court fixed the limitation amount at Lit13 263 703 650 (£6.2 million). The IOPC Fund was notified of the limitation proceedings in accordance with Article 7.6 of the Fund Convention.

1.3 This document gives a summary of the facts as reported to the Executive Committee at its 16th session, ie the claims, the negotiations with the claimants and the decisions by the Court of first instance. For details of these matters, reference is made to document FUND/EXC.16/4, paragraphs 2.4 - 2.41 and 3.1 - 3.7. The present document also sets out the developments since that session, in particular the appeals proceedings and other court proceedings in Italy.

2 Claims and Negotiations with the Claimants

The Claims

2.1 Claims were lodged against the limitation fund totalling Lit76 112 040 216 (£36 million). A list of the 42 claims as submitted is at the Annex.

### Clean-up Operations and Preventive Measures

2.2 There were 29 claims that clearly related to costs of clean-up operations or to preventive measures as defined in the Civil Liability Convention, totalling approximately LIt14 000 million (£6.6 million); part of the claim submitted by the Italian Government also belonged to this category. In many cases, the amounts claimed were unreasonable. In February 1986, all but two claims in this category had, after very difficult negotiations, been reduced by the plaintiffs to amounts which were considered by both the UK Club and the Director as reasonable (cf document FUND/EXC.16/4, paragraphs 2.26-2.41).

2.3 In view of the high amounts involved, the Director did not have the authority to make binding settlements on behalf of the IOPC Fund without prior approval of the Executive Committee. He declared, however, that he considered as reasonable the reduced amounts of the claims referred to in paragraphs 2.2 above and would, if necessary, submit the claims in these amounts to the Executive Committee with his recommendation that they be approved. On the basis of the Director's declaration, the UK Club agreed, in February 1986, to settle the claims at the amounts as reduced. These claims as settled (including part of the claim submitted by the Italian Government) totalled LIt4 140 189 659 (£2 million). The settlements were reported to the Executive Committee at its 16th session.

### Salvage Operations

2.4 Twelve claims totalling about LIt40 000 million (£19 million) related to costs of operations which, in the Director's view, would normally be considered as salvage operations and related measures. The question arose as to whether and to what extent the costs of such operations fell within the definition of "pollution damage" laid down in the Civil Liability Convention, ie whether these operations could be considered as "preventive measures" as defined in that Convention. An analysis of this question was given in document FUND/EXC.16/4, paragraphs 2.9-2.18.

2.5 After very careful consideration of this issue, the Director took the position that operations could be considered as falling within the definition of "preventive measures" only if the primary purpose was to prevent pollution damage; if the operations primarily had another purpose, such as salvaging hull or cargo, the operations would not be covered by that definition. The Director came to the conclusion that these 12 claims did not relate to operations which had the prevention of pollution as their primary purpose. For this reason, he rejected these claims. As a result of the discussions with the claimants, two of the claims belonging to this category were withdrawn.

2.6 The Director also made clear his position regarding the criteria to be applied in the assessment of compensation in respect of operations whose primary purpose was to prevent pollution damage, ie that compensation under the Civil Liability Convention and the Fund Convention should be limited to costs

(including a reasonable element of profit); the assessment should not be made on the basis of the criteria applied for the assessment of salvage awards (cf document FUND/EXC.16/4, paragraph 2.18).

2.7 At its 16th session, the Executive Committee endorsed the position taken by the Director on the issues referred to in paragraphs 2.5 and 2.6 (document FUND/EXC.16/8, paragraph 3.3.2).

#### Damage to the Environment

2.8 A claim of LIt20 000 million (£9.4 million), later reduced to LIt5 000 million (£2.4 million), was submitted by the Italian Government for damage to the marine environment. The claim document did not set out the kind of damage that had allegedly been caused, nor did it indicate the basis on which the amount claimed had been calculated.

2.9 In 1980 the IOPC Fund's Assembly took the position that claims for non-economic environmental damage should not be accepted, and unanimously adopted a Resolution (IOPC Fund Resolution N°3) stating that "the assessment of compensation to be paid by the IOPC Fund is not to be made on the basis of an abstract quantification of damage calculated in accordance with theoretical models" (document FUND/A/ES.1/13, paragraph 11(a) and Annex I).

2.10 In view of the position taken by the IOPC Fund's Assembly, the Director rejected the claim submitted by the Italian Government relating to damage to the environment. The Director's analysis of this issue was set out in document FUND/EXC.16/4, paragraphs 2.19-2.25. The Director's position was endorsed by the Executive Committee at its 16th session (document FUND/EXC.16/8, paragraph 3.3.3).

### 3 Decision by the Court of First Instance

#### First Decision by the Court

3.1 By decision of 18 February 1986, the Court of Messina (composed of a single judge) included in the list of admissible claims ("stato passivo") the claims in respect of which agreement had been reached between the claimants and the UK Club (ie 27 claims and part of the claim submitted by the Italian Government), in the amounts thus agreed. With regard to the two claims relating to clean-up operations in respect of which no agreement had been reached on the quantum, the Court admitted them in amounts very much lower than those claimed. The total amount accepted by the Court was LIt4 267 312 659 (£2 million).

3.2 The Court rejected ten claims as well as the parts of the claim submitted by the Italian Government which had been opposed by the IOPC Fund and the UK Club. The reasons for the rejection were mainly those advanced by the IOPC Fund and the UK Club, ie that they did not fall within the definition of "preventive

measures", since the measures had not been taken for the purpose of preventing or minimising pollution damage. As for the claim by the Italian Government in respect of damage to the marine environment, the Court stated that no evidence had been given that ecological damage had been caused to the coast or that there was any damage to the marine fauna.

#### Opposition Proceedings

3.3 In Italy, oppositions to the decision of a court on the admissibility of claims in limitation proceedings may be lodged with the same court.

3.4 Oppositions to the decision of the Court of Messina were lodged by seven of the ten claimants whose claims had been rejected on the grounds that the measures had not been taken for the purpose of preventing pollution. The Italian Government also lodged an opposition in respect of the parts of its claim which had been rejected. The positions of the parties in the opposition proceedings were summarised in paragraph 3.4 of document FUND/EXC.16/4.

3.5 The Court (composed of three judges) rendered its judgement in respect of the oppositions on 30 July 1986. The position of the Court in respect of the oppositions is set out in paragraph 3.5 of document FUND/EXC.16/4 (cf also the Annex to the present document, right hand column).

3.6 With regard to the claims relating to salvage operations, the Court made a general statement to the effect that salvage operations could not be considered as preventive measures, since the primary purpose of such operations was that of rescuing ship and cargo; this applied even if the operations had the further effect of preventing pollution. The Court also stated that, to the extent that operations were considered as preventive measures, only costs and losses could be compensated under the Civil Liability Convention. The Court held that on 22 March 1985, when a state of emergency was declared by the Harbour Master of Messina, there was a serious danger of explosion and consequent pollution since the structure of the PATMOS had been severely damaged. The Court noted that on 1 April 1985, the state of emergency was declared to have ceased. The Court then applied these findings to the claims in this category. Four of them, those submitted by Esso, the Pilot Corporation, Dr Ciotto and Neptunia (claims n°6, 20, 26 and 28 B9), were rejected. The claim of the General National Maritime Transport Co (claim n°31) was accepted with a small reduction in amount. The claim submitted by Mr Mellina (claim n°5) was accepted in principle but with a considerable reduction of the amount claimed, and the claim submitted by the SMEB shipyard (claim n°9) was accepted in respect of the operations carried out up to 1 April 1985 but was rejected in respect of the operations carried out after that date.

3.7 As regards the claim by the Italian Government relating to damage to the marine environment, the Italian Government had maintained that the damage was a violation of the right of

sovereignty over the territorial sea of the State of Italy. The Court stated that this right was not one of ownership and could not be violated by acts committed by private subjects. In addition, the Court declared that the State had not suffered any loss of profit nor incurred any costs as a result of the alleged damage to the territorial waters, or the fauna or flora. The State had therefore not suffered any economic loss. The Court also drew attention to the above-mentioned Resolution N°3 of the IOPC Fund's Assembly. For these reasons the Court rejected this claim. The Court also rejected the other part of the claim submitted by the Italian Government which had been opposed by the IOPC Fund and the UK Club.

3.8 The reasons given by the Court were set out in detail in paragraph 3.6 of document FUND/EXC.16/4.

3.9 The aggregate amount of the claims as accepted by the Court is LIt5 797 263 479 (£2.7 million). This amount falls well below the limitation amount applicable to the owner of the PATMOS, viz LIt13 263 703 650 (£6.2 million).

#### Payments by the UK Club

3.10 In April and May 1986, after the time limit for the lodging of oppositions to the decision of 18 February 1986 had expired, the UK Club paid the claims which had been accepted by the Court in that decision (cf paragraph 3.1). In May 1985, during the opposition proceedings, the UK Club made a further payment to the Italian Government, after a contested item in the Government's claim had been settled. Finally, in October 1986, the UK Club paid one of the claims, that submitted by Mr Mellina (claim n°5), which had been accepted by the Court in its judgement of 30 July 1986 with a considerable reduction of the amount claimed. The total amount paid by the UK Club is LIt4 331 576 479 (£2 million).

#### 4 Appeal Proceedings

4.1 Appeals against the judgement of the Court of Messina were lodged by six claimants whose claims had been wholly or partly rejected in opposition, namely: Esso (claim n°6), SMEB (claim n°9), the Pilot Corporation (claim n°20), Dr Ciotto (claim n°26), the Italian Government (claim n°28 A) and Neptunia (claim n°28 B9).

4.2 The IOPC Fund and the UK Club have lodged their appeals against the judgement concerning the claims submitted by SMEB (claim n°9) and the General National Maritime Transport Co (claim n°31).

4.3 As mentioned in paragraph 4.3 of document FUND/EXC.16/4, the IOPC Fund and the UK Club decided not to appeal against the judgement with regard to the claim submitted by Mr Mellina (claim n°5), in view of the low amount admitted by the Court (cf paragraph 3.10 above).

4.4 The claims of the parties in the appeals proceedings can be summarised as follows.

(a) Esso Italiana SpA (claim n°6)

In its appeal, Esso - whose claim was totally rejected by the Court of first instances - claims a total of LIt22 628 039 202 (£10.7 million) under the following items:

- (i) LIt1 870 733 591 (£880 000) for the costs of anti-pollution operations;
- (ii) LIt13 280 million (£6.3 million) as salvage reward due by Esso to the salvors in subrogation of the latter;
- (iii) LIt5 712 835 847 (£2.7 million) - equal to 90% of the sum paid by Esso to SMEB - in subrogation of SMEB, of which an amount of LIt1 485 000 000 had already been paid by Esso to SEMB; this item related to the mooring of the PATMOS at SMEB's pier at Messina; and
- (iv) LIt1 764 469 764 (£830 000), being the freight of the charter of two vessels for the trans-shipment of the cargo of the PATMOS and carriage thereof from Messina to another port.

With regard to item (ii) of Esso's claim, it should be mentioned that in separate legal proceedings before the Court of Messina concerning the granting of salvage awards in connection with the PATMOS incident, in which the IOPC Fund is not involved, the Court surveyors assessed the salvage award at LIt6 564 980 000 (£3 million); the amount of the award will be determined by the Court at its discretion.

(b) SMEB (claim n°9)

SMEB originally claimed LIt1 406 872 000 (£660 000) for the services rendered during the period 22 March to 1 April 1985. In respect of the balance of its claim of LIt4 940 723 386 (£2.3 million) for services rendered after 1 April, SMEB stated that this amount should be paid directly to Esso and the Patmos Shipping Corporation, as the payment of this amount to SMEB had been guaranteed by them.

The Court of first instance accepted the claim of SMEB in respect of the services rendered until 1 April 1985, amounting to LIt1 406 872 000, subject only to the deduction of an amount of 123 185 000 relating to services which in fact were rendered after that date; the amount accepted was thus LIt1 283 687 000. The

claim in respect of services rendered after 1 April 1985 was not admitted as there was then no state of emergency and the vessel was no longer in danger.

The IOPC Fund and the UK Club lodged appeals against the partial acceptance of this claim. SMEB appealed in its turn and requested acceptance also of the rejected parts of its claim. In addition, SMEB requested that the balance of its claim should be acknowledged in favour of Esso in subrogation. SMEB also claimed damages for losses suffered due to inflation and for interest.

During the appeals proceedings, the UK Club and the IOPC Fund informed the Court of Appeal that, on 29 October 1986, Esso had paid LIt4 050 000 000 (£212 000) to SMEB as indemnification in a compromise settlement, including damages for losses suffered due to inflation and for interest up to the date of payment.

(c) Corporazione dei Piloti dello Stretto di Messina (claim n°20)

The Pilot Corporation, whose claim was totally rejected, claims LIt157 533 284 (£74 000) (plus 15% interest and devaluation) for alleged anti-pollution measures, consisting of constant checking of the mooring of the PATMOS during the discharge of the cargo and of identifying the areas of the sea where oil existed.

(d) Salvatore Ciotto (claim n°26)

Mr Ciotto, a port chemist, allegedly qualified in anti-pollution services, whose claim was also totally rejected, has maintained his claim for LIt522 700 000 (£250 000) for his assistance as a chemist in advising the port authorities in Messina in respect of the unloading of the PATMOS.

(e) Italian Government (claim n°28A)

The Italian Government has maintained the rejected parts of its claim, viz:

(i) LIt46 980 000 (£22 000) for services rendered by firemen which had not been accepted as "preventive measures"; and

(ii) LIt5 000 million (£2.4 million) for ecological damage.

(f) Neptunia srl (claim n°28B9)

This company requests the acceptance of its rejected claim of LIt8 055 600 (£3 800) for the services of private firemen after 1 June 1985.

(g) General National Maritime Transport Co (claim n°31)

This company, which is the Libyan owners of the vessel INTISAR, originally claimed \$84 074.88 (£53 000) plus LIt68 233 563 (£32 000) for costs and damage resulting from the vessel having to be moved from SMEB's shipyard to a yard in Palermo, in compliance with an order that the INTISAR should leave room for the PATMOS at SMEB's jetty; the total amount claimed was LIt227 964 163 (£107 000). The Court of first instance upheld this claim in principle, but with a small reduction in amount; the Court thus accepted LIt200 million (£94 000).

After the IOPC Fund and the UK Club had appealed against the decision of the Court which had accepted this claim with a small reduction in amount, the Company lodged a counter-appeal for damages for losses caused by inflation and for interest.

4.5 The position of the IOPC Fund and the UK Club in the appeals proceedings in respect of the various claims is basically the same as that taken in the opposition proceedings, as set out in paragraph 3.4 of document FUND/EXC.16/4.

4.6 As mentioned above, the aggregate amount of the claims accepted by the Court of first instance is LIt5 797 263 479 (£2.7 million). The claims maintained in the appeals proceedings amount to a further LIt33 172 357 517 (£15.7 million). The total amount of the claims against the limitation fund thus stands at LIt38 969 620 996 (£18.4 million).

4.7 The main hearing in the Court of Appeal is scheduled to take place early in 1988 and the judgement would then be expected in June 1988.

5 Provisional Enforcement

5.1 The Court of Messina decided that the judgement of 30 July 1986 was immediately enforceable.

5.2 SMEB lodged a petition to the President of the Court requesting the immediate apportionment of the limitation fund. On 29 September 1986, the President issued a court order stating that the stato passivo was enforceable and that the accepted claims could therefore be paid.

5.3 In the view of the IOPC Fund and the UK Club, this order was not correct since, under Italian law (bankruptcy law and code of navigation), payments may not be authorised until a final judgement has been issued in respect of the oppositions. In addition, the bank guarantee which had been deposited with the Court when the limitation fund was set up was explicitly limited to a final judgement.



5.4 An enforcement of the above-mentioned order could prejudice the position of not only the UK Club but also of the IOPC Fund. If the Court of Appeal were to reject SMEB's claim, or a major part of it, and that claim as accepted by the Court of first instance had already been paid, a part of the limitation amount would thus have been used for the payment of a non-admissible claim. Assuming that some of the other claims which had been rejected by the Court of first instance were accepted by the Court of Appeal, the IOPC Fund could risk having to pay more than it would have done had the enforcement of the order not taken place.

5.5 Since it was likely that SMEB would seek payment from the bank guarantee, the IOPC Fund and the UK Club lodged an appeal to the Court of first instance against the order of its President. On 30 December 1986, the Court rejected the appeal against this order, confirming that the judgement was enforceable and that the accepted claims should be paid.

5.6 An order of provisional enforcement of a judgement is not suspended when appeals are lodged. For this reason, on 2 October 1986, the IOPC Fund and the UK Club made a petition to a judge at the City Court in Genoa (Praetor) for an injunction suspending any payment by the bank, the Genoa Court being competent as the bank guarantee had been issued in Genoa. A hearing on the petition was held on 6 October 1986. In a decision of 9 October 1986, the judge provisionally upheld the petition by the IOPC Fund and the UK Club, and ordered the bank to suspend all payments based on the bank guarantee until final judgement is rendered by the Court of Genoa. No further decision has been taken by the Court.

5.7 The IOPC Fund and the UK Club also appealed to the Court of Appeal in Messina against the order contained in the judgement of 30 July 1986 that this judgement was provisionally enforceable. On 24 November 1986, the President of the Court of Appeal lifted the provisional enforceability of this judgement. The decision of the President was confirmed by the Court of Appeal on 16 March 1987.

5.8 Finally, the IOPC Fund and the UK Club appealed to the Supreme Court of Cassation on the grounds that the President of the Court of first instance had exceeded his authority in issuing his order of 29 September 1986 on provisional enforceability. It may take several years before the Supreme Court of Cassation renders its decision.

5.9 The reason for the lodging of appeals on this issue to both the Court of Appeal and the Supreme Court of Cassation is the uncertainty that exists under Italian law as to which of them is competent in respect of an appeal against such an order.

## 6 Appeal Concerning the Establishment of the Limitation Fund

6.1 As reported in paragraph 2.3 of document FUND/EXC.16/4, the IOPC Fund has lodged an appeal against the acceptance by the Court of first instance of a bank guarantee covering the limitation

amount which was submitted for the constitution of the limitation fund. The reason for the appeal is that no interest accrues on a bank guarantee, whereas if the limitation amount had been paid in cash, it would have been invested by the Court and would earn interest to the benefit of third parties and the IOPC Fund. The IOPC Fund has maintained that the bank guarantee should also cover interest for a period of time, say five years, before the end of which no final judgement could be expected; thus the guarantee should be increased so as to cover interest at a rate of 15% pa over that period. For this reason, the IOPC Fund has asked the Court either to declare that the guarantee was insufficient and that no limitation fund had been validly established, or to order that the amount covered by the guarantee be increased to Lit20 000 million. No developments have taken place with regard to this appeal, since the court proceedings concerning the claims are still in progress.

6.2 Esso has intervened in these proceedings supporting the position of the IOPC Fund. The IOPC Fund and the UK Club have maintained that Esso has no legitimate interest in these proceedings, since the amount available under the Fund Convention would, in any case, be sufficient to cover any claims accepted by the Court in the limitation proceedings. They have therefore argued that Esso's claim should be rejected on procedural grounds.

## 7 Recourse Action

7.1 Legal proceedings concerning liability and compensation for damage arising out of the collision between the PATMOS and the CASTILLO DE MONTEARAGON were initiated in the Court of Genoa. After a settlement had been reached between the two shipowners and related interests, the legal actions were withdrawn.

7.2 The question as to whether the IOPC Fund should institute recourse proceedings against the owner of the CASTILLO DE MONTEARAGON will be examined when it is established whether the IOPC Fund will be called upon to pay any compensation under the Fund Convention. The Director has taken the necessary measures to prevent any claim against the owner of that ship being time-barred.

7.3 A formal enquiry into the cause of the collision is being carried out by the port authorities in Catania.

## 8 Action to be taken by the Executive Committee

The Executive Committee is invited to take note of the information contained in this document and to give such instructions concerning the IOPC Fund's position in the court proceedings as it considers appropriate.

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ANNEX

S U M M A R Y   O F   C L A I M S  
(figures in Lit)

N°	Claimant	Main Subject of Claim	Amount Claimed	Court Admission (stato passivo) 18.2.86 <1>	Court Decision after Opposition 31.7.86
1	Ciane Anapo	Clean-up operations at sea	74 877 000	72 000 000	
2	Rimorchiatori Napoletani srl	Clean-up operations at sea	130 121 575	131 810 000	
3	Maresud srl	Clean-up operations at sea	228 085 000	122 000 000	
4	Somat srl	Clean-up operations at sea	105 839 000	83 000 000	
5	Francesco Mellina	Diving services	200 000 000	rejected	10 000 000
6	Esso Italiana SpA	Various	22 381 235 847	rejected	rejected
7	Ditta A Previti	Transport services	30 841 719	21 000 000	
8	Mare Pulito srl	Clean-up operations at sea	198 793 324	147 000 000	
9	SMEB Cantieri Navali SpA	Salvage operations & measures to remove gas from PATMOS	6 347 595 386	rejected	1 283 687 000
10	Lorefice & Ponzio sdf	Clean-up operations at sea	150 172 500	62 000 000	
11	SNAD	Clean-up operations at sea	1 350 000 000	320 000 000	
12	Ditta Carmelo Picciotto fu Gius	Towage	4 493 129 500	withdrawn	
13	Augustea SpA	Clean-up operations at sea	395 348 000	260 000 000	
14	Carmelo Picciotto fu Gius	Fire fighting operations	2 857 132 980	rejected	
15	Augustea SpA	Salvage of PATMOS	1 447 969 770	rejected	
16	Capieci SpA	Salvage of PATMOS	1 785 910 230	rejected	
17	Medit SpA	Clean-up operations at sea	292 438 800	200 000 000	
18	Silmar snc	Clean-up operations at sea	88 150 000	45 000 000	

N°	Claimant	Main Subject of Claim	Amount Claimed	Court Admission (stato passivo) 18.2.86	Court Decision after Opposition 31.7.86
19	Compagnia Portuale "Italia"	Supply of labour	22 651 109	28 000 000	
20	Corporazione dei Piloti dello Stretto Messina	Pilot Services	157 533 284	rejected	rejected
21	IMCO Services Italian SpA	Supply of dispersants	24 297 600	25 000 000	
22	ANIC Stabilimento di Gela	Supply of dispersants	33 069 736	33 069 736	
23	Ternullo Cristoforo & C	Clean-up operations at sea	737 150 000	120 000 000	
24	Giuseppe Patania	Clean-up operations at sea	750 000 000	110 000 000	
25	Ecolmare SpA	Clean-up operations at sea	3 800 000 000	560 000 000	
26	Dr Salvatore Ciotto	Adviser for operations to remove gas from PATMOS	522 700 000	rejected	rejected
27	LaReSub sas	Fire fighting operations	482 000 000	withdrawn	
28 A	Italian Government (i)	Clean-up operations and stand-by of fire brigade	385 773 163	302 529 343	36 263 820 accepted <2> 46 980 000 rejected
	(ii)	Damage to the marine environment <3>	20 000 000 000	rejected	rejected (5 000 000 000)
28 B1	Gruppo Ormeggiatori	Salvage and preventive measures	301 222 000	100 000 000	
28 B2	Chemimar	Hire of booms	287 730 000	225 000 000	
28 B3	Girone Cristoforo	Transport services	35 960 000	34 640 000	
28 B4	ISAB Priolo	Dispersants	6 720 000	6 720 000	
28 B5	Enichem Prodeco	Dispersants	13 734 400	13 734 400	
28 B6	Montedipe Priolo	Dispersants	19 302 400	19 302 400	
28 B7	Giorgio Barcaiouli	Clean-up operations in harbour	262 243 500	110 000 000	

N°	Claimant	Main Subject of Claim	Amount Claimed	Court Admission (stato passivo) 18.2.86	Court Decision after Opposition 31.7.86
28 B8	SELM	Dispersants	231 000 000	115 000 000	
28 B9	Neptunia srl	Salvage	8 055 600	rejected	rejected
28 B11	LaReSub	Clean-up operations	182 434 000	135 000 000	
28 B13	ENEL	Clean-up operations	5 461 200	5 461 200	
29	Nol Italia SpA	Pollution prevention	556 000 000	200 000 000	
30	Patmos Shipping Corporation	Clean-up operations and preventive measures	4 501 397 430	660 045 580	
31	General National Maritime Transport Co	Costs consequential to salvage of PATMOS	227 964 163	rejected	200 000 000
TOTAL			76 112 040 216	4 267 312 659	1 529 950 820
			(@ 2 123 - rate as at 29.6.87: £35 851 173	£2 010 039	£720 655)

Total amount accepted: Lit4 267 312 659  
+ Lit1 529 950 820  
Lit5 797 263 479 (£2 730 694)

- Note <1> The amounts admitted by the Court were inclusive of interest and costs, whereas the amounts claimed in most cases were exclusive of these items.
- <2> This amount was accepted by the IOPC Fund and the UK Club during opposition proceedings. In this connection, the UK Club paid Lit18 million in respect of costs.
- <3> In February 1986 the claim for damage to the environment was reduced to Lit5 000 million.