



INTERNATIONAL  
OIL POLLUTION  
COMPENSATION  
FUND

EXECUTIVE COMMITTEE  
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Agenda item 3

FUND/EXC.36/7/Add.1  
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## INCIDENTS INVOLVING THE IOPC FUND

Reports on Developments in respect of Certain Incidents of Particular Interest

PATMOS, RIO ORINOCO, VISTABELLA, AGIP ABRUZZO and SAMBO N°11

Note by the Director

### 1 Introduction

Since the issue of document FUND/EXC.36/7, the following developments have taken place in respect of the claims arising out of the SAMBO N°11 incident.

### 2 SAMBO N°11

(Republic of Korea, 12 April 1993)

2.1 As mentioned in paragraph 6.7 of document FUND/EXC.36/7, the Director had settled claims in respect of two clean-up contractors in the amounts of Won 41 245 500 (£34 027) and Won 7 922 500 (£6 536) respectively. The payments of these amounts were effected on 20 September 1993.

2.2 The Director has considered further, together with the IOPC Fund's Korean lawyer and surveyor, the claim submitted by the contractor which carried out the transshipment of part of the oil remaining on board. The Director has come to the conclusion that these operations were undertaken for the primary purpose of preventing pollution since the ship was a total loss and there was a great risk that the oil remaining on board would cause further pollution. It was necessary to remove part of the cargo so that the ship could be towed to a safe port and these operations should, therefore, in his view be considered as falling within the definition of preventive measures. He has taken the position that this claim should be accepted in principle, and is at present examining the reasonableness of the amount claimed.

2.3 Two salvage companies have submitted claims for Won 64 860 000 (£54 530) and Won 54 365 000 (£45 700) relating to operations, undertaken at the shipowner's request, for the purpose of lifting the SAMBO N°11 from the grounding so as to make it possible to transfer the remaining oil to another ship, and for the towage of the vessel to the port of Pusan. The Director is considering whether and to what extent these operations can be considered as preventive measures, as defined in the Civil Liability Convention.

**3 Action to be Taken by the Executive Committee**

The Executive Committee is invited to take note of the information contained in this document.

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