



INTERNATIONAL  
OIL POLLUTION  
COMPENSATION  
FUND

EXECUTIVE COMMITTEE  
47th session  
Agenda item 3

FUND/EXC.47/9  
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## INCIDENTS INVOLVING THE IOPC FUND

### TOKO MARU

Note by the Director

#### **1**     Introduction

1.1     On 23 January 1996, while the Japanese tanker *Toko Maru* (699 GRT) was at anchor off Anegasaki, Chiba prefecture (Japan), a gravel carrier struck the port side of the ship, which was carrying 2 000 tonnes of heavy fuel oil. One of the *Toko Maru*'s port side tanks was damaged and four tonnes of oil spilled into the sea.

1.2     Both vessels were entered in the Japan Ship Owners' Mutual Protection & Indemnity Association (JPIA).

1.3     The limitation amount applicable to the *Toko Maru* is estimated at ¥18 592 875 (£137 700).

#### **2**     Clean-up operations

2.1     The clean-up operations at sea were carried out by contractors engaged by the shipowner. Fourteen vessels were deployed.

2.2     The biggest concentration of seaweed farms in Tokyo Bay is situated near the site of the collision, and part of the spilled oil affected some of these seaweed farms. Some 290 fishing boats and some 600 fishermen were engaged in the clean-up of these farms.

### **3 Claims for compensation**

3.1 Claims for clean-up operations and damage caused to the seaweed farms are expected. The total amount of the claims is estimated at ¥420 million (£3.1 million).

3.2 It is possible that the total amount of the established claims will fall below 37.5 million (gold) francs or 2.5 million SDR (£2.4 million), and the Director would then be authorised to make final settlement of all claims, pursuant to Internal Regulation 8.4.1. However, in order that settlements should not be delayed if that limit were to be exceeded, the Director submits to the Executive Committee for consideration whether the Committee might be prepared to authorise him to make final settlement of all claims arising out of the *Toko Maru* incident, except to the extent that these claims give rise to questions of principle which have not yet been decided by the Committee.

### **4 Investigation into the cause of the incident**

The Japanese authorities are carrying out an investigation into the cause of the incident. The Director is following this investigation through the IOPC Fund's Japanese lawyer.

### **5 Action to be taken by the Executive Committee**

The Executive Committee is invited to:

- (a) take note of the information contained in this document;
  - (b) give the Director such instructions as it may deem appropriate in respect of the handling of the claims arising out of this incident; and
  - (c) authorise the Director to settle the claims arising out of this incident to the extent that the Committee deems appropriate.
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