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INCIDENTS INVOLVING THE 1971 FUND

SEA EMPRESS

Note by the Director

1 The Incident

1.1 At about 2000 hours on 15 February 1996, the Liberian registered tanker *Sea Empress* (77 356 GRT), laden with more than 130 000 tonnes of crude oil intended for the Texaco refinery, ran aground in the entrance to Milford Haven in South Wales (United Kingdom). There was a pilot on board who had joined the tanker at about 1930 hours outside the harbour entrance.

1.2 It was established immediately after the grounding that four cargo tanks and several ballast tanks had been ruptured. The captain reported an initial loss of around 6 000 tonnes of crude oil. Although quickly refloated, the tanker listed badly and was anchored to await another tanker into which oil could be transferred.

1.3 On 16 February the shipowner entered into a salvage contract with Smit Tak Bv, Cory Towage Ltd and Klyne Tugs Ltd under Lloyds Open Form 1995. Harbour tugs were on site almost immediately after the grounding, and larger tugs arrived on 16 February.

1.4 During strong winds in the night of 16 February, the *Sea Empress* grounded again with further leakage of oil. The ship was refloated at high tide on 17 February but went aground that evening off St Ann's Head, causing a fresh release of oil. In continuing strong winds, the tanker went aground again in the morning of 18 February, but with no reported loss of oil at that time. Oil was lost at each subsequent low tide, however, with the largest releases occurring probably around midday and midnight on 19 February (the latter being estimated at 30 000 tonnes). By the afternoon of 19 February it was believed that only three tanks remained intact.

1.5 The *Sea Empress* was finally refloated on the high tide in the evening of 21 February and moved to a jetty in Milford Haven. The greatest release of heavy fuel oil occurred that evening while the tanker

was alongside the jetty. Steps were taken to remove fuel oil from ruptured tanks, and 500 tonnes of bunkers were transferred to another vessel at the jetty. Between 24 February and 3 March the remaining cargo, some 58 000 tonnes, was discharged and delivered to the Texaco refinery.

1.6 An underwater survey showed that the *Sea Empress* had suffered extensive structural damage.

1.7 The *Sea Empress* was towed out of Milford Haven on 27 March and on 2 April was placed in a dry dock in Belfast. A further small quantity of fuel oil was lost at the start of and during the voyage.

1.8 It is estimated that approximately 72 000 tonnes of crude oil and 360 tonnes of heavy fuel oil were released as a result of the incident.

1.9 The *Sea Empress* was entered with Assuranceforeningen Skuld (Skuld Club).

2 Impact of the spill

2.1 South West Wales has a coastline of great scenic interest and scientific importance. Around 200 kilometres of coastline were affected by the spill. A large part of the affected coast falls within the Pembrokeshire Coast National Park. The area includes one of the United Kingdom's three Marine Nature Reserves.

2.2 The coastline within Milford Haven was heavily oiled, and outside the Haven much of the oil moved south and then eastwards parallel to the south coast of Pembrokeshire, affecting this coastline as far as Pendine Sands in Carmarthen Bay. Some oil reached Skomer Island north-west of the Haven, but no oil was observed north of St David's Head. Lundy Island in the Bristol Channel received light oiling, and some pellets of oil reached the Irish coast. No oiling of the coast of mainland Devon and Cornwall was reported.

3 Clean-up operations

3.1 Salvage operations were co-ordinated jointly by the Milford Haven Port Authority and the Marine Pollution Control Unit (MPCU) of the Department of Transport. MPCU was also responsible for directing offshore pollution response operations. A Joint Response Centre (JRC) was opened in Milford Haven on 16 February 1996 by MPCU and Dyfed County Council for the purpose of co-ordinating shoreline clean-up. The JRC used the facilities of the Milford Haven Port Authority and was managed by a team consisting of representatives of central and local authorities, conservation agencies and the oil industry. The management team was chaired by the Milford Haven Port Authority.

3.2 The response to oil pollution at sea included the aerial application of dispersants as well as oil containment and recovery operations using booms and skimmers deployed from various vessels. Two vessels from France and two from the Netherlands also took part in offshore recovery operations. Close to the shore fishing boats, working in pairs with oil containment booms, assisted in the oil recovery operations. In all some 7 300m³ of oil and water mixtures were recovered at sea.

3.3 Between 17 and 25 February 1996, 445 tonnes of chemical dispersants were used to break up the oil into dispersed droplets in order to reduce the risk to the coastline and to birds at sea. Dispersants were not used within one kilometre of the shoreline so as to avoid shallow water where the dispersed oil would be less readily diluted.

3.4 The quantities of floating oil gradually diminished during ten days of calm weather in early March and the offshore oil recovery operations ceased in mid-March. A period of bad weather with a south-easterly gale and rough seas had the effect of scouring beaches and providing some natural cleaning along rocky sections of the oiled coastline.

3.5 The oil affected an area consisting of a wide variety of shoreline types including sand, shingle and cobble beaches, rocky shorelines and cliffs. Clean-up of the contaminated beaches involved the collection of liquid oil using vacuum trucks and the manual removal of oiled beach material. Dispersants were used to remove weathered oil from rocks next to selected beaches where amenity value was judged to take priority.

3.6 The work on beaches and accessible rocky shorelines to remove major accumulations of oil was completed by the middle of March 1996. The main recreational beaches were cleaned by early April, although minor re-oiling occurred throughout the summer, and some cleaning operations were continued through the winter. At the height of the clean-up activity about 600 people were employed.

3.7 While the clean-up of sandy beaches was completed very promptly, small teams of clean-up workers were held in readiness throughout the holiday season of 1996 to ensure that amenity beaches were kept thoroughly clean and that any re-oiling was dealt with rapidly. The re-appearance of oil on these beaches through the summer was the result of sand movement exposing oil which had not previously been removed or the release of oil from inaccessible shorelines from which the oil could not be removed. Manpower levels were maintained at about 200 from April to June, falling to less than 150 during July. Operations to clean rocky and cobble shorelines have required a greater effort. These operations were made difficult by the movement of sand alternately exposing and obscuring oiled rocks. During August some 50 people were involved in the clean-up operations, and during September only about 20 persons were retained for the rapid response teams to remove tar balls from amenity beaches. From September onwards a work force of between five and ten men has been maintained to continue this work on amenity beaches and to clean two specific work sites. One of these is Tenby Harbour, and the other is a site within the Haven itself which was sheltered from the weather and so did not experience any degree of natural cleaning.

3.8 Severe storms occurred in the region at the end of October 1996 which resulted in oil being re-exposed at a number of sites and released from others. Clean-up work was initiated immediately. There were a substantial number of boats moored in Tenby Harbour at that time and almost all of these, together with mooring lines, were re-oiled. As a consequence there was a request from the Tenby Harbour Users Association for the complete removal of the remaining oil by dredging the harbour. An alternative approach of flushing the harbour floor at low tide was adopted and this method proved successful in removing the oil from the sediment in the areas treated. The work is expected to continue during February 1997.

3.9 A survey of the affected coastline is being conducted during February 1997 to establish whether any further clean-up work is required on amenity beaches and to establish where any remaining oil may threaten sensitive environmental resources.

3.10 The JRC has been maintained to manage the remaining clean-up work. From the end of July 1996 the number of people involved was reduced and meetings were held only three times a week rather than daily. In mid-October the JRC moved from the Milford Haven Port Authority to Pembrokeshire County Council premises. A small staff was maintained to run the JRC on a daily basis, and meetings of all the agencies involved were held on a weekly basis from October onwards.

3.11 Approximately 18 000 tonnes of oil/water mixture and 13 200 tonnes of oily beach material and other waste were collected during the clean-up operations. The liquid waste was transported to the Texaco refinery at Milford Haven where some 2 150 tonnes of oil were separated from the oil/water mixture. Of the solid waste, 7 500 tonnes of oily sand were disposed of at the Texaco refinery by land farming, and a further 5 700 tonnes at landfill sites in Wales and England. In addition, the processing of the oil/water mixture received by the Texaco refinery has generated an estimated 3 500 tonnes of oily sludge which will also require disposal, most probably by land farming at the refinery.

3.12 On 1 April 1996 the responsibility for shoreline clean-up was transferred from Dyfed County Council and the district councils affected to the newly formed local authorities of Pembrokeshire County Council and Carmarthenshire County Council, following a reorganisation of local government.

3.13 It is estimated that the clean-up costs incurred by MPCU, the local authorities, Texaco and various contractors had reached £22 million by early February 1997.

3.14 On 14 and 15 March 1996 reports were received from the Republic of Ireland of tar balls stranding on many beaches along 100 kilometres of the south east coast. Results of chemical analysis, together with other evidence, established that the source of the tar balls was the *Sea Empress* spill. Clean-up of the contaminated beaches, which was carried out by the local authorities, involved the manual removal of oiled beach material and the disposal in licensed landfill sites. This clean-up was completed by the end of March 1996, but some further limited cleaning was undertaken in April 1996 following minor re-oiling.

4 Effects on fisheries

4.1 Initially the two main concerns of the authorities were to establish the size of the area affected by the oil and to determine whether fish and shellfish had been contaminated and, if so, to what extent. Research vessels were used to map concentrations of oil in water and sediment, and over 500 samples of fish and shellfish have been analysed for hydrocarbon content.

4.2 There is diverse inshore fishing activity carried out from several ports in Milford Haven and the surrounding area by small vessels of up to 15 metres in length. Many fishermen operating these vessels were affected by the incident. There is also hand-gathering of shellfish in the intertidal zone. The total value of annual landings from inshore fishery and shellfish gathering in south west Wales in 1995 has been estimated at £6 million.

4.3 There are also offshore fishing activities based in Milford Haven, involving much larger vessels. Since the majority of these vessels operate in areas remote from the oil spill and sell their catches in distant European markets, it is unlikely that they have been affected by the spill.

4.4 Inshore fishermen in the affected area decided to impose a voluntary ban on fishing between St David's Head and West Helwick Buoy from 21 February 1996.

4.5 On 28 February 1996, the Welsh Office imposed an Order under the Food Environmental Protection Act prohibiting the landing of fishery and aquaculture products taken from a designated zone from St David's Head to the Gower Peninsula, and extending 10 - 30 kilometres offshore. On 20 March a statutory ban was also imposed by the Welsh Office on salmon and migratory trout in all freshwater rivers and streams which flow into the sea between the Gower Peninsula and St David's Head. The Ministry of Agriculture, Fisheries and Food continuously monitored the levels of oil contamination in coastal waters and in animal tissues within the designated zone.

4.6 Fin fish were found to have little or no contamination, and the ban on salmon and migratory trout was lifted on 3 May 1996 and on other fin fish species on 21 May. Certain shellfish, notably bivalve molluscs (such as cockles and mussels) which live in the intertidal zone and were directly oiled in some locations, were more heavily contaminated and are recovering more slowly. Other shellfish living on the sea bottom, notably crustaceans (such as lobsters and crabs) and whelks, showed only slightly elevated hydrocarbon levels in some locations shortly after the spill. These hydrocarbon levels have since then declined. The ban on the exploitation of shellfish in the intertidal zone was lifted in two areas (for the Burry Inlet on 3 July and for the Three Rivers area on 12 September 1996). The ban on fishing whelks and crustaceans was lifted on 30 August for the whole of the designated zone, with the exception of Milford Haven itself. The ban was lifted in respect of all crustaceans in the Milford Haven estuary on 17 October 1996 and in respect of whelks on 7 February 1997. Restrictions remain in place for intertidal species in the remaining part of the designated zone.

5 Effects on the tourism industry

5.1 Tourism is an important industry in Pembrokeshire, with the total tourism expenditure estimated at between £150 and £175 million in 1995. The tourism industry in Pembrokeshire consists of a range of small hotels, guest houses, caravan parks and cottages as well as restaurants, shops, visitor attractions and activities such as boat trips.

5.2 The Pembrokeshire Coast National Park, the only coastal National Park in Britain, includes some 400 kilometres of coastline. Many of the tourist resorts and villages are linked by the 300 kilometres long Pembrokeshire Coastal Path, which is designated as a National Trail.

5.3 The incident has had an impact on the tourism economy, although it is too early to estimate the magnitude of the losses. Many operators reported a sharp drop in levels of accommodation enquiries and bookings for the period immediately following the incident. It appears, however, that the impact of the incident was less during the peak tourism season of July and August 1996.

6 Effects on wildlife

6.1 More than 6 900 oiled birds of at least 28 species were recovered. Of these, a little more than half were recovered dead. Most of the birds were found along the south coast of Pembrokeshire and Carmarthenshire. The Royal Society for the Prevention of Cruelty to Animals set up an emergency facility for live oiled birds. This facility handled more than 3 100 birds. More than 2 000 birds (60%) were cleaned and released. Released birds were ringed for future identification.

6.2 Monitoring of the oil lost at sea and its effects on the shoreline and marine environment began almost immediately the tanker went aground. In addition, studies are being carried out to evaluate the effectiveness and environmental consequences of the techniques which were used in the various clean-up operations. Much of this activity has been supported financially by the United Kingdom Government which established the Sea Empress Environmental Evaluation Committee (SEEEC) to co-ordinate this work. This Committee published an initial report in July 1996.

7 Claims handling

7.1 The Skuld Club and the 1971 Fund have together established a Claims Handling Office in Milford Haven. The purpose of that office is to receive and assess claims and forward them to the Skuld Club and the Fund for examination and approval. That office also assists claimants in the presentation of their claims.

7.2 A number of experts are assisting the 1971 Fund and the Skuld Club to examine various groups of claims, viz those relating to clean-up operations, salvage, fishing, tourism and property damage. This work is co-ordinated by the Claims Handling Office.

8 Decisions by the Executive Committee at its 47th, 48th, 49th and 50th sessions

8.1 At its 47th session, the Executive Committee authorised the Director to make final settlements as to the quantum of all claims arising out of this incident, to the extent that the claims did not give rise to questions of principle which had not previously been decided by the Committee. The Committee expressed its concern that the total amount of the established claims arising out of this incident might exceed the total amount of compensation available under the 1969 Civil Liability Convention and the 1971 Fund Convention. For this reason, the Committee considered it necessary for the 1971 Fund to exercise caution in the payment of claims. In view of the uncertainty as to the total amount of the claims, the Committee decided that the Director was not authorised at that stage to make any payments (document FUND/EXC.47/14, paragraphs 3.10.2 and 3.10.5).

8.2 The Executive Committee noted at its 48th session that the total amount of the claims arising out of the *Sea Empress* incident might exceed the total amount of compensation available under the 1969 Civil Liability Convention and the 1971 Fund Convention. The Committee maintained its position that it was necessary, in such cases, to exercise caution in the payment of claims, since under Article 4.5 of the Fund Convention all claimants had to be given equal treatment. In the Committee's view it was necessary to strike a balance between the need to prevent an overpayment situation from arising and the importance of the Fund's paying compensation as promptly as possible to victims of oil pollution damage. In view of these considerations, the Committee decided to authorise the Director to make payments for 75% of the quantum of the damage actually suffered by the respective claimants on the basis of the advice of the 1971 Fund's experts at the time when a payment was made (document FUND/EXC.48/6, paragraph 3.4.7).

8.3 At its 49th and 50th sessions, the Executive Committee decided that the level of the 1971 Fund's payments should remain at 75% of the damage actually suffered by the respective claimants (documents FUND/EXC.49/12, paragraph 3.8.21 and 71FUND/EXC.50/17, paragraph 3.2.16).

9 Claims for compensation

9.1 General situation

9.1.1 As at 31 January 1997, 661 claimants had presented claims for compensation to the Claims Handling Office.

9.1.2 Claims have been approved for a total of £8 221 224. The Skuld Club has made payments to 363 claimants, totalling £6 035 277. Cheques for a further £112 515 are awaiting collection by the claimants. Most of these payments correspond to 75% of the amounts approved by the Club and the Fund. However, payments of up to 100% of the approved amounts have been made by the Club in a number of cases where the amount of compensation was small or where the claimant has been able to demonstrate that a payment of more than 75% was necessary to avoid immediate financial hardship.

9.2 Claims for clean-up operations

9.2.1 Pembrokeshire County Council has submitted an interim claim for £1 094 094 in respect of costs incurred by Preseli Pembrokeshire District Council and South Pembrokeshire District Council for expenses prior to local authority reorganisation on 1 April 1996. On the basis of the documentation submitted so far, this claim has been assessed by the experts engaged by the Skuld Club and the 1971 Fund at £918 373 for the substantiated items, of which 75% (£677 188) has been paid. Responses to some queries are still outstanding, and a further assessment will be made in the light of any additional information provided by the claimant. A further claim has been submitted by Pembrokeshire County Council for the period April-June 1996 for £2 711 246. Documentation presented in support of this new claim is being examined by the experts of the Skuld Club and the 1971 Fund.

9.2.2 Devon County Council and two Devon District Councils (North Devon and Torrington) have submitted claims for £8 979, £2 232 and £1 459, respectively. The Devon County Council claim has been assessed at £4 922, and an interim payment of 75% of the assessed amount has been made. This claim will be re-examined in the light of further information requested from the claimant. The two District Council claims have been assessed at £1 899 and £1 459, respectively, and 75% of the assessed amounts have been paid.

9.2.3 The Environment Agency has submitted a claim for £401 868 for costs incurred by the National Rivers Authority in respect of staff costs, transport and equipment hire. This claim is being examined by the experts engaged by the Skuld Club and the 1971 Fund.

9.2.4 The Milford Haven Standing Conference on Anti-Oil Pollution has presented a claim for £1 245 773 in respect of costs incurred for the provision of booms, skimmers and spill response craft in the clean-up operations. Texaco Limited, Gulf Oil Refining Ltd, Elf Oil (UK) Ltd and the Milford Haven

Port Authority are represented on the Standing Conference, which was set up for the purpose of providing a spill response capability within Milford Haven. Queries raised by the experts engaged by the Skuld Club and the 1971 Fund have been forwarded to the claimant, and a response to those queries is awaited.

9.2.5 Two charities, Care for the Wild and the South Devon Seabird Trust, have claimed compensation of £4 962 and £704, respectively for cleaning birds. While the latter claim has been approved for the amount claimed, the former claim is still being examined.

9.2.6 The Joint Nature Conservation Committee, a government funded body set up to ensure a co-ordinated approach by the nature conservation bodies in England, Scotland, Wales and Northern Ireland, has submitted a claim for the cost of advisory personnel and for the cost of a diving survey which was undertaken to establish potential damage to marine species in the vicinity of the casualty. The Dyfed Wildlife Trust has presented a claim for £70 859 for the cost of wildlife surveys in the affected area, for cleaning oiled birds and for property damage. These claims are being examined.

9.2.7 The National Trust has presented a claim for £37 135 in respect of the cost of monitoring contamination of, and co-ordinating access to, sections of the shoreline within its area of responsibility. A number of queries have been raised in respect of this claim, which will be re-examined in the light of clarifications provided by the claimant.

9.2.8 The French Government has claimed compensation for FFr1 491 337 (£161 000) in respect of the provision of two vessels which assisted in pollution response operations offshore. This claim is being examined.

9.2.9 Carmarthen County Council has claimed of £900 094 in respect of costs incurred by five local authorities for clean-up operations carried out up until 31 March 1996 (ie before the local government re-organisation). No documents have yet been submitted in support of this claim. A further claim of about £250 000 is anticipated for clean-up operations conducted by that County Council after 1 April 1996.

9.2.10 Four County Councils in Ireland have indicated their intention to submit claims totalling approximately Irish pounds 73 000 (£71 000).

9.3 Property claims

9.3.1 As a result of the incident, boats and moorings in the Milford Haven area became contaminated. Eighty-four claimants have submitted claims for compensation for cleaning costs. These claims have been approved for £128 314, and most of them have been paid in full by the Skuld Club.

9.3.2 A number of buildings located close to the affected beaches were contaminated by wind-blown oil. Thirty-six claims relating to such damage have been approved for a total of £22 016. The Skuld Club has paid a total of £15 320 in compensation in respect of these claims.

9.3.3 Claims have been received for damage to the carpets of shops and homes located on the seafront of the most severely polluted areas, for damage to clothing worn and equipment used by personnel involved in the clean-up operations and for the replacement of trees and shrubs damaged by wind-blown oil. In addition, claims have been submitted by the owners of private roads which have been damaged by the passage of heavy vehicles and equipment involved in the clean-up operations. Forty-two claims in these categories have been approved for a total of £41 068. The Skuld Club has paid a total of £34 088 in respect of these claims.

9.4 Fishery claims

9.4.1 Claims have been presented by 148 fishermen for loss of income as a result of the fishing bans. Some of these fishermen are involved in catching white fish, but the majority are catching whelk and crustaceans. Some of the claims relate also to damage to nets and the loss of pots. In this category

claims from 114 fishermen have been approved for a total of £4 917 101. The Skuld Club has paid a total of £3 572 276 in respect of these claims.

9.4.2 Claims from nine fishermen for lost fishing gear have been approved at £39 050. The Skuld Club has paid a total of £27 940 in respect of these claims.

9.4.3 A claim has been presented by one oyster farmer whose stock was contaminated as a result of the spill and who has been prevented from selling oysters due to the fishing ban. Payments totalling £72 968 have been made by the Skuld Club to this claimant corresponding to 75% of the losses resulting from the destruction of the part of the stock that would normally have been harvested and sold every month since the incident.

9.4.4 Fourteen fish and shellfish processing companies and merchants have claimed compensation for losses suffered as a result of having been deprived of raw material due to the fishing ban. Of these, two companies trade in white fish, three in whelks, five in crustaceans and four companies trade in cockles/whelks/mussels from the Burry Inlet area. So far interim payments totalling £1 060 124 have been made to ten of these companies.

9.5 Claims from the tourism industry

Claims have been received from 258 operators in the tourism industry, such as hotels, bed and breakfast businesses, caravan parks, shops and restaurants, as well as from a sailing school, a water sports centre, a diving school and angling shops. Claims in this category have been approved for a total of £590 638 and payments for a total of £438 180 have been made to 90 claimants. The remaining claims are being examined.

10 Level of payment of claims

10.1 At the Committee's 48th session, the Director presented an assessment of the level of potential claims (document FUND/EXC.48/2/Add.1, paragraphs 3.2 - 3.16). The United Kingdom delegation submitted a document to that session (document FUND/EXC.48/2/1) containing information in this respect, and a document on the same subject to the 49th session (document FUND/EXC.49/9/1).

10.2 As mentioned in paragraph 8.2 above, the Executive Committee decided at its 48th session to limit the Director's authority to make payments to 75% of the damage actually suffered by the respective claimant, since the total amount of the claims arising out of the *Sea Empress* incident might exceed the total amount of compensation available under the 1969 Civil Liability Convention and the 1971 Fund Convention. At its 49th and 50th sessions the Executive Committee decided that the 1971 Fund's payments should, for the time being, remain limited to 75% of the damage actually suffered by the claimant.

10.3 It is estimated that the total cost of the clean-up operations and preventive measures incurred on behalf of the United Kingdom authorities, the local authorities, other public bodies and Texaco reached £22 million by early February 1997. So far claims have been approved for £8.2 million for fishery claims and £600 000 for losses in the tourism sector. A number of claims in the fishery sector are pending, and further claims may be submitted. It has been suggested that fishermen may claim compensation for alleged loss of income in waters further away from the area affected by the oil spill and in respect of damage to stocks. In fact, three claims have recently been submitted for losses resulting from an alleged reduction in catches of squid and whitefish in the Bristol Channel. It would be prudent, therefore, to recognise the risk that further claims in the fishery sector will be presented for significant amounts. It is not possible at this stage to estimate the total of the admissible claims within the tourism sector, since so far claims have been received from only a relatively small proportion of those businesses in that sector who have requested claims forms, and the claims received have been for relatively small amounts. It is possible that the shipowner will present a claim for costs relating to the salvage operations.

10.4 The Executive Committee has expressed the view that the 1971 Fund should strike a balance between the importance of victims receiving compensation as promptly as possible and the need to prevent an overpayment situation from arising. In the Director's view, it is likely that the total amount of the accepted claims will not exceed the total amount of compensation available under the 1969 Civil Liability Convention and the 1971 Fund Convention as implemented by the Merchant Shipping Act 1995, ie 60 million SDR (which at the rate of exchange on 10 February 1997 corresponded to £51 million). However, it is not possible to say with certainty that this amount will not be exceeded.

10.5 In the light of these considerations, the Director considers that it would be prudent to retain, for the time being, the payment limit of 75% of proven losses as assessed by the experts engaged by the 1971 Fund and the Skuld Club. He suggests that the matter should be reviewed at the Committee's 53rd session, to be held in April 1997.

11 Action to be taken by the Executive Committee

The Executive Committee is invited:

- (a) to take note of the information contained in this document;
 - (b) to give the Director such instructions as it may deem appropriate in respect of the handling of the claims arising out of this incident;
 - (c) to take a decision on the level of the 1971 Fund's payments; and
 - (d) to give the Director such instructions in relation to other aspects of this incident as it may deem appropriate.
-