

INTERNATIONAL OIL POLLUTION COMPENSATION FUND

FONDS INTERNATIONAL D'INDEMNISATION POUR LES DOMMAGES
DUS A LA POLLUTION PAR LES HYDROCARBURES

EXECUTIVE COMMITTEE -
8th session
Agenda item 7

FUND/EXC.8/2
8 October 1982

Original: ENGLISH

RECORD OF DECISIONS OF THE EXECUTIVE COMMITTEE

(held on 1 October 1982)

Chairman: Mr J Perrett (United Kingdom)

Vice-Chairman: Mr A J Kandakai (Liberia)

Opening of the Session

The session was opened by Mr J P Plantard (France) in accordance with Rule (v) of the Rules of Procedure for the Executive Committee.

1 Adoption of the Agenda (Agenda item 1)

The Executive Committee adopted the Agenda as contained in document FUND/EXC.8/1.

2 Election of the Chairman and Vice-Chairman (Agenda item 2)

The Executive Committee elected the following delegates to hold office until the next regular session of the Assembly:

Chairman: Mr J Perrett (United Kingdom)

Vice-Chairman: Mr A J Kandakai (Liberia).

3 Examination of Credentials (Agenda item 3)

The following members of the Executive Committee were present:

Algeria	Liberia
Bahamas	Norway
France	Spain
Japan	United Kingdom
	Yugoslavia

The Executive Committee agreed that the credentials submitted by these delegations to the IOPC Fund Assembly's fifth session should be understood as also covering the IOPC Fund Executive Committee's eighth session. The Executive Committee was informed that all members had submitted credentials and that these were in order.

The following States were represented as observers:

Brazil	Monaco
Canada	Netherlands
Denmark	Poland
Finland	Sweden
Gabon	Switzerland
Germany, Federal Republic of	USSR
Ireland	USA.
Italy	

The following inter-governmental and international non-governmental organisations participated as observers:

International Maritime Organization (IMO)
 European Economic Community (EEC)
 International Institute for the Unification of Private Law (UNIDROIT)
 Baltic and International Maritime Conference (BIMCO)
 International Chamber of Shipping (ICS)
 International Tanker Owners Pollution Federation Ltd (ITOPF)
 International Group of P & I Clubs
 Oil Companies Institute for Marine Pollution Compensation Ltd (CRISTAL)
 Oil Companies International Marine Forum (OCIMF)
 Permanent International Association of Navigation Congresses (PIANC).

4 Consideration of Questions Relating to the TANIO (Agenda item 4)

The Executive Committee heard the report from the IOPC Fund's legal advisers on the question of whether the IOPC Fund should try to break the limitation of the owner of the TANIO under the Civil Liability Convention. It took note of the lawyers' advice that it would be premature to decide now not to take legal action, and indeed that there were reasons to take a positive decision now with respect to such action. The Executive Committee agreed that the information available to date was in favour of action against the owner of the TANIO and other parties. It was left to the Director to decide on the taking of such actions on the understanding that

he would be guided by the discussions of the Executive Committee meetings. He would be expected to convene another meeting of the Executive Committee should he, in view of a changed situation, be of the opinion that no action against the owner should be taken.

5 Date of Next Session (Agenda item 5)

The Executive Committee agreed to hold its next session from 26 to 28 April 1983.

6 Any Other Business (Agenda item 6)

No items were raised under this Agenda item.

7 Adoption of Report to the Assembly (Agenda item 7)

The Executive Committee agreed to leave it to the Chairman and the Director to write the report on this session.
