

HONG KONG SPECIAL ADMINISTRATIVE REGION

ORDINANCE NO. 19 OF 2003

L.S.

TUNG Chee-hwa
Chief Executive
29 May 2003

An Ordinance to amend the Merchant Shipping (Liability and Compensation for Oil Pollution) Ordinance and certain regulations made under it to reflect changes in relevant international conventions and to make technical amendments.

[30 May 2003]

Enacted by the Legislative Council.

1. Short title and commencement

- (1) This Ordinance may be cited as the Merchant Shipping (Liability and Compensation for Oil Pollution) (Amendment) Ordinance 2003.
- (2) Sections 2 to 5 shall come into operation on 1 November 2003.

**Merchant Shipping (Liability and Compensation for
Oil Pollution) Ordinance**

2. Interpretation

Section 2(1) of the Merchant Shipping (Liability and Compensation for Oil Pollution) Ordinance (Cap. 414) is amended—

- (a) in the definition of “Fund Convention”—
 - (i) by repealing “establishment” and substituting “Establishment”;
 - (ii) by adding “, as modified by Resolution LEG. 2(82) adopted by the Legal Committee of the International Maritime Organization on 18 October 2000” after “1992”;
- (b) in the definition of “Liability Convention”, by adding “, as modified by Resolution LEG. 1(82) adopted by the Legal Committee of the International Maritime Organization on 18 October 2000” after “1992”;
- (c) by repealing the definition “the 1992 Protocols”.

3. Limitation of liability under section 6

(1) Section 9(2)(a) is amended by repealing “3 million” and substituting “4,510,000”.

(2) Section 9(2)(b) is amended—

- (a) by repealing “3 million” and substituting “4,510,000”;
- (b) by repealing “420” and substituting “631”;
- (c) by repealing “59.7 million” and substituting “89,770,000”.

4. Contributions to the Fund

Section 23(9) is amended—

- (a) in the definition of “燃油”, by repealing “試驗協會” and substituting “及試驗學會”;
- (b) in the definition of “美國材料試驗協會”, by repealing “試驗協會” and substituting “及試驗學會”.

5. Overall limit on liability of Fund

Schedule 1 is amended—

- (a) in paragraph 4(a) of Article 4 of the Fund Convention, by repealing “135 million” and substituting “203,000,000”;
- (b) in paragraph 4(b) of Article 4 of the Fund Convention, by repealing “135 million” and substituting “203,000,000”;
- (c) in paragraph 4(c) of Article 4 of the Fund Convention, by repealing “200 million” and substituting “300,740,000”.

Merchant Shipping (Liability and Compensation for Oil Pollution) (Compulsory Insurance) Regulations

6. Regulations repealed

Regulations 2, 3 and 4 of the Merchant Shipping (Liability and Compensation for Oil Pollution) (Compulsory Insurance) Regulations (Cap. 414 sub. leg. A) are repealed.