Merchant Shipping Act 1995 (c. 21)
SCHEDULE 4 – Prevention of Oil Pollution: Transitory Provisions
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1

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Changes to legislation: Merchant Shipping Act 1995, Paragraph 178 is up to date with all changes known to be
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that have been made appear in the content and are referenced with annotations. (See end of Document for details)

S C H E D U L E S

SCHEDULE 4

PREVENTION OF OIL POLLUTION: TRANSITORY PROVISIONS

COMPENSATION FUND

Supplemental

Extinguishment of claims.

178   (1) No action to enforce a claim against the Fund under this Chapter shall be entertained by a court in the United Kingdom unless—

    (a)   the action is commenced, or

    (b)   a third party notice of an action to enforce a claim against the owner or his guarantor in respect of the same damage is given to the Fund,

not later than three years after the claim against the Fund arose.

In this subsection "third party notice" means a notice of the kind described in section 177(2) and (3).

    (2) No action to enforce a claim against the Fund under this Chapter shall be entertained by a court in the United Kingdom unless the action is commenced not later than six years after the occurrence, or first of the occurrences, resulting in the discharge or escape by reason of which the claim against the Fund arose.

    (3) Notwithstanding the preceding provisions of this section, a person's right to bring an action under the section 176A shall not be extinguished before six months from the date when that person first acquired knowledge of the bringing of an action against him under Chapter III of this Part, or under the corresponding provisions of the law of any country outside the United Kingdom giving effect to the Liability Convention.

2

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