



Merchant Shipping Act 1974

1974 CHAPTER 43

PART I

THE INTERNATIONAL OIL POLLUTION COMPENSATION FUND

1 Interpretation of Part I.

- (1) In this Part of this Act—
- (a) the “Liability Convention” means the International Convention on Civil Liability for Oil Pollution Damage opened for signature in Brussels on 29th November 1969;
 - (b) the “Fund Convention” means the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage opened for signature in Brussels on 18th December 1971;
 - (c) “the Fund” means the International Fund established by the Fund Convention; and
 - (d) “Fund Convention country” means a country in respect of which the Fund Convention is in force.
- (2) If Her Majesty by Order in Council declares that any State specified in the Order is a party to the Fund Convention in respect of any country so specified the Order shall, while in force, be conclusive evidence that that State is a party to the Convention in respect of that country.
- (3) In this Part of this Act, unless the context otherwise requires—
- the “Act of 1971” means the ^{M1}Merchant Shipping (Oil Pollution) Act 1971,
 - “damage” includes loss,
 - “discharge or escape”, in relation to pollution damage, means the discharge or escape of oil carried by the ship,
 - “guarantor” means any person providing insurance or other financial security to cover the owner’s liability of the kind described in section 10 of the Act of 1971,

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping Act 1974, Section 1. (See end of Document for details)

“oil”, except in sections 2 and 3, means persistent hydrocarbon mineral oil,

“owner” means the person or persons registered as the owner of the ship or, in the absence of registration, the person or persons owning the ship, except that in relation to a ship owned by a State which is operated by a person registered as the ship’s operator, it means the person registered as its operator,

“pollution damage” means damage caused outside the ship carrying oil by contamination resulting from the escape or discharge of oil from the ship, wherever the escape or discharge may occur, and includes the cost of preventive measures and further damage caused by preventive measures,

“preventive measures” means any reasonable measures taken by any person after the occurrence to prevent or minimise pollution damage,

“ship” means any sea-going vessel and any seaborne craft of any type whatsoever carrying oil in bulk as cargo.

- (4) For the purposes of this Part of this Act a ship’s tonnage shall be the net tonnage of the ship with the addition of the amount deducted from the gross tonnage on account of engine room space for the purpose of ascertaining the net tonnage.

If the ship cannot be measured in accordance with the normal rules, its tonnage shall be deemed to be 40 per cent. of the weight in tons (of 2,240 lbs.) of oil which the ship is capable of carrying.

- (5) For the purposes of this Part of this Act, where more than one discharge or escape results from the same occurrence or from a series of occurrences having the same origin, they shall be treated as one.

[^{F1}(6) In this Part of this Act a franc shall be taken to be a unit of 65½ milligrammes of gold of millesimal fineness 900.

- (7) The Secretary of State may from time to time by order made by statutory instrument specify the amounts which for the purposes of this Part of this Act are to be taken as equivalent to any specified number of francs.]

Textual Amendments

F1 S. 1(6)(7) repealed (*prosp.*) by Merchant Shipping Act 1979 (c. 39), s. 52(2), **Sch. 7 Pt. II**

Marginal Citations

M1 1971 c. 59.

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