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STATUTORY INSTRUMENTS

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**1975 No. 2174**

**MERCHANT SHIPPING**

**The Merchant Shipping (Oil Pollution) (Tuvalu) Order 1975**

*Made - - - - 19th December 1975*

*Laid before Parliament 14th January 1976*

*Coming into Operation 3rd February 1976*

**THE MERCHANT SHIPPING (OIL  
POLLUTION) (TUVALU) ORDER 1975**

1. This Order may be cited as the Merchant Shipping (Oil...
2. The Interpretation Act 1889 shall apply, with the necessary adaptations,...
3. The provisions of the Merchant Shipping (Oil Pollution) Act 1971...
4. The provisions of Part I and sections 22, 23 and...
5. Save as is expressly provided otherwise therein, any reference in...  
Signature

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SCHEDULE 1 TO THE — THE MERCHANT SHIPPING (OIL POLLUTION) ACT, 1971  
ORDER

1. Liability for oil pollution
2. Exceptions from liability under s. 1
3. Restriction of liability for oil pollution
4. Limitation of liability under s. 1
5. Limitation actions
6. Restriction on enforcement of claims after establishment of limitation fund
7. Concurrent liabilities of owners and others
8. Establishment of limitation fund outside Solomon Islands
9. Extinguishment of claims
10. Compulsory insurance against liability for pollution
11. Issue of certificate by Governor
12. Rights of third parties against insurers
13. Jurisdiction of Tuvalu courts and registration of foreign judgments
14. Government ships
15. Liability for cost of preventive measures where s. 1 does not apply
16. Saving for recourse actions

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19. Meaning of “the Convention,” “Convention country” and “Convention State”
20. Interpretation of other expressions
21. Construction and commencement

SCHEDULE 2 TO THE — THE MERCHANT SHIPPING ACT 1974  
ORDER

PART I — THE INTERNATIONAL OIL POLLUTION COMPENSATION  
FUND

1. Interpretation of Part I

*Contributions to Fund*

2. Contributions by importers of oil and others
3. Power to obtain information

*Compensation for persons suffering pollution damage*

4. Liability of the Fund

*Indemnification of shipowners*

5. Indemnification where damage is caused by ship registered in Fund Convention country

*Supplemental*

6. Jurisdiction and effect of judgments
7. Extinguishment of claims
8. Subrogation and rights of recourse
9. Modification of limitation of liability under Act of 1971

PART V — SUPPLEMENTAL

22. Offences by bodies corporate
23. Construction and interpretation
24. Commencement

SCHEDULE 1 TO THE — OVERALL LIMIT ON LIABILITY OF FUND  
ACT

*Article 4—paragraphs 4, 5 and 6*

4. (a) Except as otherwise provided in sub-paragraph (b) of this...
5. Where the amount of established claims against the Fund exceeds...
6. The Assembly of the Fund may, having regard to the...

Explanatory Note