

2003 No. 3135

MERCHANT SHIPPING

**The Merchant Shipping (Liability of Shipowners and Others)
(New Rate of Interest) Order 2003**

<i>Made</i> - - - -	<i>4th December 2003</i>
<i>Laid before Parliament</i>	<i>10th December 2003</i>
<i>Coming into force</i> - -	<i>31st December 2003</i>

The Secretary of State, in exercise of the powers conferred upon him by paragraph 8(1) of Part II of Schedule 7 to the Merchant Shipping Act 1995(a), with the concurrence of the Treasury, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Merchant Shipping (Liability of Shipowners and Others) (New Rate of Interest) Order 2003 and shall come into force on 31st December 2003.

(2) In this Order “the prescribed rate” means one per cent more than the base rate quoted from time to time by the Bank of England or the rate set by any body which may supersede it and where there is more than one such rate, the lowest of them.

Rate of interest

2. The rate of interest for the purposes of article 11(1) of the Convention on Limitation of Liability for Maritime Claims 1976 (b) shall be the prescribed rate—

- (a) where the occurrence takes place before 31st December 2003, but the fund is constituted on or after that date; and
- (b) where the occurrence takes place on or after 31st December 2003.

Signed by authority of the Secretary of State for Transport

4th December 2003

David Jamieson
Parliamentary Under Secretary of State
Department for Transport

We concur with the making of this Order.

1st December 2003

Nick Ainger
Derek Twigg
Two of the Lords Commissioners of Her Majesty’s Treasury

(a) 1995 c.21.

(b) Set out in Part I of Schedule 7 to the Merchant Shipping Act 1995 as amended by S.I.1998/1258.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides that the rate of interest to be included in the limitation fund constituted by a person seeking to limit his liability by virtue of the Convention on Limitation of Liability for Maritime Claims 1976 shall from 31st December 2003 be calculated by reference to a formula.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.

£1.50

© Crown copyright 2003

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of Her Majesty's
Stationery Office and Queen's Printer of Acts of Parliament.

E1675 12/2003 131675 19585

ISBN 0-11-048262-X



9 780110 482620