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STATUTORY INSTRUMENTS

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**2006 No. 1265**

**The Merchant Shipping (Oil Pollution)  
(Supplementary Fund Protocol) Order 2006**

**Amendment of the Merchant Shipping Act 1995**

**8.** In section 178 (extinguishment of claims), after subsection (2) insert—

“(3) Subsections (1) and (2) apply in relation to claims against the Supplementary Fund as they apply in relation to claims against the Fund (with the substitution for the reference to the Fund in subsection (1)(b) of a reference to the Supplementary Fund).

(4) For the purposes of this section—

- (a) a person who commences an action to enforce a claim against the Fund in relation to any damage shall be deemed to have also commenced an action to enforce any claim he may have against the Supplementary Fund in relation to that damage; and
- (b) a person who gives a third party notice to the Fund in relation to any damage as mentioned in subsection (1)(b) shall be deemed to have also given a notice to the Supplementary Fund in relation to that damage.”