



THE STATUTES OF THE REPUBLIC OF SINGAPORE

MARITIME CONVENTIONS ACT 1911

2020 REVISED EDITION

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Maritime Conventions Act 1911

ARRANGEMENT OF SECTIONS

PART 1

PROVISIONS AS TO COLLISIONS, ETC.

Section

1. Rule as to division of loss
2. Damages for personal injuries
3. Right of contribution
4. [*Omitted*]
5. Jurisdiction in cases of loss of life or personal injury

PART 2

PROVISIONS AS TO SALVAGE

6. General duty to render assistance to persons in danger at sea
7. [*Repealed*]

PART 3

GENERAL PROVISIONS

8. Limitation of actions
9. Application of Act
10. Short title and construction

An Act to amend the law relating to merchant shipping with a view to enabling certain conventions to be carried into effect.

[16 December 1911]

Whereas at the Conference held at Brussels in 1910 two conventions, dealing respectively with collisions between vessels and with salvage, were signed on behalf of His Majesty, and it is desirable that such amendments should be made in the law relating to merchant shipping as will enable effect to be given to the conventions:

PART 1

PROVISIONS AS TO COLLISIONS, ETC.

Rule as to division of loss

1.—(1) Where, by the fault of 2 or more ships, damage or loss is caused to one or more of those ships, to their cargoes or freight, or to any property on board, the liability to make good the damage or loss shall be in proportion to the degree in which each ship was in fault, except that if, having regard to all the circumstances of the case, it is not possible to establish different degrees of fault, the liability shall be apportioned equally.

(2) Nothing in this section shall operate so as to render any ship liable for any loss or damage to which her fault has not contributed.

(3) Nothing in this section shall affect the liability of any person under a contract of carriage or any contract, or shall be construed as imposing any liability upon any person from which he is exempted by any contract or by any provision of law, or as affecting the right of any person to limit his liability in the manner provided by law.

(4) For the purposes of this Act, “freight” includes passage money and hire, and references to damage or loss caused by the fault of a ship shall be construed as including references to any salvage or other expenses, consequent upon that fault, recoverable at law by way of damages.

Damages for personal injuries

2.—(1) Where loss of life or personal injuries are suffered by any person on board a ship owing to the fault of that ship and of any other ship or ships, the liability of the owners of the ships shall be joint and several.

(2) Nothing in this section —

- (a) shall be construed as depriving any person of any right of defence on which, independently of this section, he might have relied in an action brought against him by the person injured, or any person or persons entitled to sue in respect of such loss of life; or

- (b) shall affect the right of any person to limit his liability in cases to which this section relates in the manner provided by law.

Right of contribution

3.—(1) Where loss of life or personal injuries are suffered by any person on board a ship owing to the fault of that ship and any other ship or ships, and a proportion of the damages is recovered against the owners of one of the ships which exceeds the proportion in which she was in fault, they may recover by way of contribution the amount of the excess from the owners of the other ship or ships to the extent to which those ships were respectively in fault.

(2) No amount shall be recovered under subsection (1) which could not, by reason of any statutory or contractual limitation of, or exemption from, liability, or which could not for any other reason, have been recovered in the first instance as damages by the persons entitled to sue therefor.

(3) In addition to any other remedy provided by law, the persons entitled to any such contribution as aforesaid shall, for the purpose of recovering the same, have, subject to the provisions of this Act, the same rights and powers as the persons entitled to sue for damages in the first instance.

4. [*Omitted in 2004 Revised Edition*]

Jurisdiction in cases of loss of life or personal injury

5. Any enactment which confers on any court admiralty jurisdiction in respect of damage shall have effect as though references to such damage included references to damages for loss of life or personal injury, and accordingly proceedings in respect of such damages may be brought in rem (against the thing) or in personam (against the person).