



THE STATUTES OF THE REPUBLIC OF SINGAPORE

**MERCHANT SHIPPING (CIVIL
LIABILITY AND COMPENSATION FOR
OIL POLLUTION) ACT 1998**

2020 REVISED EDITION

This revised edition incorporates all amendments up to and including 1 December 2021 and comes into operation on 31 December 2021.

Prepared and Published by

THE LAW REVISION COMMISSION
UNDER THE AUTHORITY OF
THE REVISED EDITION OF THE LAWS ACT 1983

Merchant Shipping (Civil Liability and Compensation for Oil Pollution) Act 1998

ARRANGEMENT OF SECTIONS

PART 1

PRELIMINARY

Section

1. Short title
2. Interpretation

PART 2

CIVIL LIABILITY FOR OIL POLLUTION

Division 1 — Liability

3. Liability for oil pollution
4. Exceptions from liability under section 3
5. Restriction of liability for oil pollution
6. Limitation of liability under section 3
7. Limitation actions
8. Restriction on enforcement of claims after establishment of limitation fund
9. Concurrent liabilities of owners and others
10. Establishment of limitation fund outside Singapore
11. *[Repealed]*
12. Extinguishment of claims

Division 2 — Compulsory Insurance

13. Compulsory insurance against liability for oil pollution
14. Issue of certificates
15. Rights of third parties against insurers

Division 3 — Supplementary

Section

16. Jurisdiction of Singapore courts and registration of foreign judgments
17. Restriction on enforcement of judgments given by court in country not party to Liability Convention
18. Government ship
19. Saving for recourse actions
20. Power to detain ship
21. Power of arrest
22. Sale of ship

PART 3

INTERNATIONAL OIL POLLUTION
COMPENSATION FUND

23. Interpretation of this Part
24. Legal capacity of Fund
25. Contributions by importers of oil and others
26. Power to obtain information
27. Liability of Fund
28. Limitation of Fund's liability under section 27
29. Jurisdiction and effect of judgments
30. Extinguishment of claims
31. Subrogation

PART 4

MISCELLANEOUS

32. Regulations
 33. Director may authorise person to exercise powers and duties
 34. Power to board and search ship
 35. Court for trial of offences
 36. Offences committed by body corporate
 37. Composition of offences
 38. Fines to be paid to Authority
 39. Protection from personal liability
-

An Act to give effect to the International Convention on Civil Liability for Oil Pollution Damage 1992 and to the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage 1992 and to make provisions generally for matters connected therewith.

[18 September 1998: Parts I, II and IV;
31 December 1998: Part III]

PART 1

PRELIMINARY

Short title

1. This Act is the Merchant Shipping (Civil Liability and Compensation for Oil Pollution) Act 1998.

Interpretation

2.—(1) In this Act, unless the context otherwise requires —

“Authority” means the Maritime and Port Authority of Singapore established under the Maritime and Port Authority of Singapore Act 1996;

“Court” means the General Division of the High Court;

“damage” includes loss;

“Director” means the Director of Marine appointed under section 4 of the Merchant Shipping Act 1995 and includes the Deputy Director of Marine appointed under that section;

“Liability Convention” means the International Convention on Civil Liability for Oil Pollution Damage 1992;

“Liability Convention country” means a country in respect of which the Liability Convention is in force;

“Liability Convention State” means a State which is a party to the Liability Convention;

“master” includes every person, except a pilot, having command or charge of a ship;