



REPUBLIC OF SINGAPORE

GOVERNMENT GAZETTE

ACTS SUPPLEMENT

Published by Authority

NO. 20]

FRIDAY, OCTOBER 17

[2008

First published in the *Government Gazette*, Electronic Edition, on 13th October 2008 at 5:00 pm.

The following Act was passed by Parliament on 16th September 2008 and assented to by the President on 2nd October 2008:—

MERCHANT SHIPPING (CIVIL LIABILITY AND COMPENSATION FOR BUNKER OIL POLLUTION) ACT 2008

(No. 24 of 2008)

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

Section

1. Short title and commencement
2. Interpretation

PART II

CIVIL LIABILITY FOR BUNKER OIL POLLUTION

Division 1 — Liability

Section

3. Liability for bunker oil pollution
4. Exceptions from liability under section 3
5. Restriction of liability for bunker 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. Extinguishment of claims

Division 2 — Compulsory Insurance

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

Division 3 — Supplementary

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

PART III

MISCELLANEOUS

22. Director may authorise person to exercise powers and duties
23. Power to board and search ship
24. Offences by bodies corporate, etc.
25. Protection from personal liability
26. Jurisdiction of court
27. Composition of offences

Section

- 28. All moneys recovered to be paid to Authority
 - 29. Regulations
 - 30. Related amendments to other written laws
-

REPUBLIC OF SINGAPORE

No. 24 of 2008.

I assent.



S R NATHAN,
President.
2nd October 2008.

An Act to give effect to the International Convention on Civil Liability for Bunker Oil Pollution Damage 2001 and to make provisions generally for matters connected therewith, and to make related amendments to the Merchant Shipping (Civil Liability and Compensation for Oil Pollution) Act (Chapter 180 of the 1999 Revised Edition) and the Prevention of Pollution of the Sea Act (Chapter 243 of the 1999 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

PART I
PRELIMINARY

Short title and commencement

1. This Act may be cited as the Merchant Shipping (Civil Liability and Compensation for Bunker Oil Pollution) Act 2008 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

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 (Cap. 170A);

“Bunker Convention” means the International Convention on Civil Liability for Bunker Oil Pollution Damage 2001;

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

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

“bunker oil” means any hydrocarbon mineral oil, including lubricating oil, used or intended to be used for the operation or propulsion of a ship, and any residues of such oil;

“Court” means the High Court;

“damage” includes loss;

“Director” means the Director of Marine appointed under section 4 of the Merchant Shipping Act (Cap. 179) and includes the Deputy Director of Marine appointed thereunder;

“gross tonnage”, in relation to a ship, means its gross tonnage calculated in accordance with the regulations in Annex 1 of the International Convention on Tonnage Measurement of Ships 1969;

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