



REPUBLIC OF SINGAPORE

GOVERNMENT GAZETTE

ACTS SUPPLEMENT

Published by Authority

NO. 15]

FRIDAY, AUGUST 14

[1981

First published in the *Government Gazette*, Electronic Edition, on 14th August 1981 at 5:00 pm.

The following Act was passed by Parliament on 21st July 1981 and assented to by the President on 4th August 1981:—

MERCHANT SHIPPING (OIL POLLUTION) ACT 1981

(No. 15 of 1981)

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REPUBLIC OF SINGAPORE

No. 15 of 1981.

I assent.

YEOH GHIM SENG,

 *Person appointed to exercise the functions of the President.*
4th August 1981.

An Act to make provisions with respect to civil liability for oil pollution by merchant ships and for matters connected therewith; and to repeal the Civil Liability (Oil Pollution) Act, 1973 (No. 43 of 1973).

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

Short title and commencement

1.—(1) This Act may be cited as the Merchant Shipping (Oil Pollution) Act, 1981, and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

(2) The Minister may appoint different dates for the coming into operation of the different provisions of this Act.

Interpretation

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

“Authority” means the Port of Singapore Authority established under the Port of Singapore Authority Act [Cap. 173];

“Convention” means the International Convention on Civil Liability for Oil Pollution Damage signed in Brussels in 1969;

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

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

“Court” means the High Court of Singapore;

“damage” includes loss;

“Director” means the Director of Marine appointed under the Merchant Shipping Act [Cap. 172] and includes the Deputy Director of Marine appointed thereunder;

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

“oil” means any persistent oil such as crude oil, fuel oil, heavy diesel oil, lubricating oil and whale oil, whether carried on board a ship as cargo or in the bunkers of such a ship;

“owner”, in relation to a ship, means the person registered as the owner of the ship, or, in the absence of registration, the person owning the ship, except that, in relation to a ship owned by a State which is operated by a person registered as the ship’s operator, it means the person registered as the operator;

“port” has the same meaning as is assigned to it in the Port of Singapore Authority Act [Cap. 173];

“ship” means any sea-going vessel and any seaborne craft of any type whatsoever carrying oil in bulk as cargo;

“Singapore ship” means a ship registered under Part XIII of the Merchant Shipping Act [Cap. 172].

(2) References in this Act to the area of Singapore include the territorial waters of Singapore and references to the area of any other Convention country include the territorial sea of that Convention country.

Liability for oil pollution

3.—(1) Where, as a result of any occurrence taking place while a ship is carrying a cargo of oil in bulk, any oil carried by the ship (whether as part of the cargo or otherwise) is discharged or escapes from the ship, the owner of the ship shall be liable, except as otherwise provided by this Act —

- (a) for any damage caused in the area of Singapore by contamination resulting from the discharge or escape;
- (b) for the cost of any measures reasonably taken after the discharge or escape for the purpose of preventing or reducing any such damage in the area of Singapore; and
- (c) for any damage caused in the area of Singapore by any measures so taken.

(2) Where a person incurs a liability under subsection (1), he shall also be liable for any damage or cost for which he would be liable under that subsection if the references therein to the area of Singapore included the area of any other Convention country.

(3) Where oil is discharged or escapes from two or more ships and —

- (a) a liability is incurred under this section by the owner of each of them; but