

# **Merchant Shipping (Civil Liability and Compensation for Oil Pollution) Bill**

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**Bill No: 30/1998**

***Read the first time: 29th June 1998***

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## **Merchant Shipping (Civil Liability and Compensation for Oil Pollution) Bill**

### **Bill No. 30/1998**

*Read the first time on 29th June 1998.*

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, to repeal the Merchant Shipping (Oil Pollution) Act (Cap. 180 of the 1985 Revised Edition) and to make consequential amendments to other written law, and to make provisions generally for matters connected therewith.

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.—(1) This Act may be cited as the Merchant Shipping (Civil Liability and Compensation for Oil Pollution) Act 1998 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 Maritime and Port Authority of Singapore established under the Maritime and Port Authority of Singapore Act (Cap. 170A);

“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;

“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;

“oil” means any persistent hydrocarbon mineral oil such as crude oil, fuel oil, heavy diesel oil and lubricating 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 in that State as the ship’s operator, it means the person registered as its operator;

“port” has the same meaning as in the Maritime and Port Authority of Singapore Act (Cap. 170A);

“ship” means any sea-going vessel and seaborne craft of any type;

“Singapore ship” has the same meaning as in the Merchant Shipping Act (Cap. 179).

(2) If the Minister, by order published in the *Gazette*, declares that any State specified in the order is a party to the Liability Convention in respect of any country so specified, the order shall, while in force, be conclusive evidence that that State is a party to the Liability Convention in respect of that country.

(3) For the purposes of this Act —

- (a) references to the territory of Singapore include the territorial sea and exclusive economic zone of Singapore and references to the territory of any other country include the territorial sea and exclusive economic zone of that country;
- (b) references to the exclusive economic zone of a country are references to the exclusive economic zone of that country established in accordance with international law or, if such a zone has not been established, such area adjacent to the territorial sea of that country and extending not more than 200 nautical miles from the baselines from which the breadth of that sea is