

1976 No. 1440

**MERCHANT SHIPPING
OIL POLLUTION**
**The Oil Pollution (Compulsory Insurance)
(Amendment No. 4) Regulations 1976**

<i>Made</i> - - - - -	<i>3rd September 1976</i>
<i>Laid before Parliament</i> -	<i>6th September 1976</i>
<i>Coming into Operation—</i>	
<i>Regulations 1 and 2(1)(a)</i>	<i>27th September 1976</i>
<i>The Remainder</i> - - -	<i>20th February 1977</i>

The Secretary of State, in exercise of his powers under section 10(4) of the Merchant Shipping (Oil Pollution) Act 1971(a) and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

1. These Regulations may be cited as the Oil Pollution (Compulsory Insurance) (Amendment No. 4) Regulations 1976 and shall come into operation on 27th September 1976, save for Regulations 2(1)(b) and 2(2) which shall come into operation on 20th February 1977.

2.—(1) Regulation 3 (recognition of certificates of insurance) of the Oil Pollution (Compulsory Insurance) Regulations 1975(b), as amended(c) (hereinafter referred to as “the 1975 Regulations”)—

(a) shall have effect as though—

- (i) in paragraph (1), after the reference to France there were inserted a reference to Greece; and
- (ii) in paragraph (2), the reference to Greece were omitted; and

(b) shall further have effect as though—

- (i) paragraph (2) were omitted;
- (ii) paragraph (3) were renumbered as paragraph (2);
- (iii) in paragraph (1), the reference to paragraph (3) were a reference to paragraph (2); and
- (iv) in paragraph (2), the words “or (2)” were omitted, and for the words “either of those paragraphs” there were substituted the words “that paragraph”.

(2) In Regulations 2(1)(b)(iii) and (iv) above, references to paragraph (2) of Regulation 3 of the 1975 Regulations shall be construed as references to paragraph (3) renumbered as paragraph (2) in accordance with Regulation 2(1)(b)(ii) above.

Stanley Clinton Davis,
Parliamentary Under-Secretary of State,
Department of Trade.

3rd September 1976.

(a) 1971 c. 59. (b) S.I. 1975/869 (1975 II, p. 3081).
(c) S.I. 1975/1234, 1759, 2002; 1976/154, 857, 1177 (1975 II, p. 4229; III, pp. 6695, 7405; 1976 I, p. 434; II, pp. 2209, 3321).

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

The Oil Pollution (Compulsory Insurance) Regulations 1975 provide, inter alia, for the recognition of certificates of insurance against liability for oil pollution damage caused by ships. The certificates which are now recognised under the 1975 Regulations are those issued by or under the authority of the governments of the countries specified in Regulations 3(1) and 3(2) as amended. Recognition is given for the purposes of the Merchant Shipping (Oil Pollution) Act 1971, which gives effect to the International Convention on Civil Liability for Oil Pollution Damage signed in Brussels in 1969 (Cmnd. 4403).

Regulation 2(1)(a) of these Regulations amends the 1975 Regulations in this regard. The effect is that a certificate for a ship registered in a country which is not a party to the Convention is recognised for the purposes mentioned above if it is issued by or under the authority of the government of Greece.

Regulations 2(1)(b) and 2(2) of these Regulations further provide that, with effect from 20th February 1977, Regulation 3(2) of the 1975 Regulations is to be deleted, and they also make certain consequential changes. The effect is that from this date recognition of certificates issued by or under the authority of the governments of the countries listed in Regulation 3(2) of the 1975 Regulations, being certain countries which are not parties to the Convention, to ships registered in those countries, will be withdrawn, and that recognition will thereafter be restricted to certificates issued by or under the authority of the governments of the Convention countries specified in Regulation 3(1) of the 1975 Regulations.

SI 1976/1440
ISBN 0-11-061440-2



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