

---

STATUTORY INSTRUMENTS

---

**1998 No. 1258**

**The Merchant Shipping (Convention on Limitation of Liability for Maritime Claims) (Amendment) Order 1998**

**Amendments to provisions which have effect in connection with the Convention**

7. In Part II of Schedule 7 to the Act (provisions having effect in connection with the Convention)

- (a) at the beginning of paragraph 2 there shall be inserted “Subject to paragraph 6 below,”;
- (b) before paragraph 3 there shall be inserted—

“**2A.** Paragraph 1(a) of article 2 shall have effect as if the reference to “loss of life or personal injury” did not include a reference to loss of life or personal injury to passengers of seagoing ships.”;

- (c) in paragraph 4, for sub-paragraph (1) there shall be substituted—

“**4.**—(1) Claims for damage within the meaning of the International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea 1996(1), or any amendment of or Protocol to that Convention, which arise from occurrences which take place after the coming into force of the first Order in Council made by Her Majesty under section 182B of this Act shall be excluded from the Convention.”;

- (d) in paragraph 5, in sub-paragraph (1)(a) for “166,667” there shall be substituted “1,000,000” and in sub-paragraph (1)(b) for “83,333” there shall be substituted “500,000”;
- (e) in paragraph 6, for sub-paragraph (1) there shall be substituted—

“**6.**—(1) Article 7 shall not apply in respect of any seagoing ship; and shall have effect in respect of any ship which is not seagoing as if, in paragraph 1 of that article—

- (a) after “thereof” there were inserted “in respect of each passenger,”;
- (b) the words from “multiplied” onwards were omitted.”.

- (f) for paragraph 13 there shall be substituted—

“**13.** An Order in Council made for the purposes of this paragraph and declaring that any State specified in the Order is a party to the Convention as amended by the 1996 Protocol shall, subject to the provisions of any subsequent Order made for those purposes, be conclusive evidence that the State is a party to the Convention as amended by the 1996 Protocol.”.