
STATUTORY INSTRUMENTS

2016 No. 1061

The Merchant Shipping Act 1995 (Amendment) Order 2016

Amendment of the Merchant Shipping Act 1995

3. The text of the Convention as set out in Part 1 of Schedule 7 is amended as follows—
- (a) for paragraph 1 of Article 6 (the general limits) substitute—
- “1. The limits of liability for claims, other than those mentioned in Article 7, arising on any distinct occasion, shall be calculated as follows:
- (a) in respect of claims for loss of life or personal injury,
- (i) 3.02 million Units of Account for a ship with a tonnage not exceeding 2,000 tons,
- (ii) for a ship with a tonnage in excess thereof, the following amount in addition to that mentioned in (i):
- for each ton from 2,001 to 30,000 tons, 1,208 Units of Account;
- for each ton from 30,001 to 70,000 tons, 906 Units of Account; and
- for each ton in excess of 70,000 tons, 604 Units of Account,
- (b) in respect of any other claims,
- (i) 1.51 million Units of Account for a ship with a tonnage not exceeding 2,000 tons,
- (ii) for a ship with a tonnage in excess thereof the following amount in addition to that mentioned in (i):
- for each ton from 2,001 to 30,000 tons, 604 Units of Account;
- for each ton from 30,001 to 70,000 tons, 453 Units of Account; and
- for each ton in excess of 70,000 tons, 302 Units of Account.”;
- (b) after paragraph 4 of Article 6 add—
- “The references in paragraph 1 to relevant limits in this Convention have effect as follows—
- (a) the references to the relevant limits are to be construed as references to those limits as modified from time to time pursuant to Article 8 of the 1996 Protocol;
- (b) a modification of a reference to a relevant limit by virtue of paragraph (a) has effect at the time that the modification of that limit pursuant to Article 8 of the 1996 Protocol comes into force in accordance with paragraph 8 of that Article;
- (c) no modification of a reference to a relevant limit by virtue of paragraph (a) affects any rights or liabilities arising out of an occurrence which took place before the day on which the modification has effect;
- (d) paragraph (a) does not apply to a modification pursuant to Article 8 of the 1996 Protocol which reduces a relevant limit.”.