

S.I. No. 402/2000 — Oil Pollution of the Sea (Civil Liability and Compensation) (Insurance of Ships) Regulations, 2000

STATUTORY INSTRUMENTS

S.I. No. 402 of 2000

Oil Pollution Of The Sea (Civil Liability And Compensation) (Insurance Of Ships) Regulations, 2000

I, Frank Fahey, Minister for the Marine and Natural Resources, in exercise of the powers conferred on me by sections 16 and 45 of the Oil Pollution of the Sea (Civil Liability and Compensation) Act, 1988 (No. 11 of 1988) (as amended by the Oil Pollution of the Sea (Civil Liability and Compensation) (Amendment) Act, 1998 (No. 13 of 1998) and as adapted by the Marine (Alteration of Name of Department and Title of Minister) Order, 1997 (S.I. No. 301 of 1997)), hereby make the following Regulations:

1. (1) These Regulations may be cited as the Oil Pollution of the Sea (Civil Liability and Compensation) (Insurance of Ships) Regulations, 2000.

 (2) These Regulations shall come into operation on the *11th* day of *October 2000*.
2. In these Regulations -

 “the Act of 1998” means the Oil Pollution of the Sea (Civil Liability and Compensation) (Amendment) Act, 1998 (No. 13 of 1998) ; and

 “the Principal Act” means the Oil Pollution of the Sea (Civil Liability and Compensation) Act, 1988 (No. 11 of 1988) .
3. A contract of insurance or other financial security to which section 16(1) of the Principal Act applies shall contain a provision indemnifying the owner of a ship registered in the State for an amount being not less than the amount that the owner of the ship concerned would be liable to pay in respect of any single incident involving such ship if he limited his liability in respect thereof in accordance with section 10 of the Principal Act as amended by section 6 of the Act of 1998.

4. There shall be in force in respect of a ship to which subparagraph (ii) of section 16(3)(b) applies, a contract of insurance or other financial security containing a provision indemnifying the owner of the ship concerned for an amount being not less than the amount that the said owner would be liable to pay in respect of any single incident involving such ship if he limited his liability in respect thereof in accordance with section 10 of the Principal Act as amended by section 6 of the Act of 1998.
5. The owner of a ship shall, on the issuing under section 16(2) of the Principal Act of a certificate in respect thereof, pay to the Minister a fee of £30.
6. The Oil Pollution of the Sea (Civil Liability and Compensation) Act, 1988 (Insurance of Ships) Regulations, 1992 (S.I. No. 403 of 1992) are hereby revoked.

GIVEN under my Official Seal,

this *10th* day of *October 2000*.

Mr Frank Fahey, TD

Minister for the Marine and Natural Resources

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation).

These regulations provide that ships specified in section 16 of the 1988 Act i.e. those which carry 2,000 tonnes or more of crude or fuel oil shall have insurance against pollution damage which will meet the requirements of the Minister in accordance with section 10 of the 1988 Act as amended by section 6 of the Act of 1998 (i.e. the revised levels set out in the 1992 Protocol to the Civil Liability Convention)

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