

# Merchant Shipping (Amendment) Act 2009

REPUBLIC OF KIRIBATI

## MERCHANT SHIPPING (AMENDMENT) ACT 2009 (No. 5 of 2009)

I assent,

Beretitenti

*Assented: 7th December 2009*

### AN ACT TO AMEND THE *MERCHANT SHIPPING ACT 1983*

Commencement: 2009

MADE by the Maneaba ni Maungatabu and assented to by the Beretitenti

#### 1. Short title

This Act may be cited as the *Merchant Shipping (Amendment) Act 2009*.

#### 2. Replacement of the Second Schedule to the Merchant Shipping Act 1983

The Second Schedule to the *Merchant Shipping Act 1983* (as amended by the *Merchant Shipping (Amendment) Act 2006*) is repealed and the following schedule substituted—

#### "SECOND SCHEDULE

(Sections 60 and 61(2))

#### INTERNATIONAL CONVENTIONS

The *International Convention on Load Lines* done at London on 5 April 1966, as modified by the 1988 Protocol relating thereto;

The *International Convention on Tonnage Measurement of Ships* done at London on 23 June 1969;

The *International Convention on Civil Liability for Oil Pollution Damage* done at London on 29 November 1969, as modified by the 1992 Protocol relating thereto;

The *International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage* done at London on 18 December 1971, as modified by the 1992 Protocol relating thereto;

The *Convention on the international Regulations for Preventing Collisions at Sea* done at London on 20 October 1972, together with the *International Regulations for Preventing*

*Collisions at Sea*, 1972, constituted by the rules and other annexes attached to that Convention, as corrected by Process – Verbal of Rectification dated 1 December 1973;

The *International Convention for Safe Containers* done at Geneva on 2 December 1972;

The *International Convention for the Prevention of Pollution from Ships* done at London on 2 November 1973, as modified by the 1978 and 1997 Protocols relating thereto;

The *International Convention for the Safety of Life at Sea* done at London on 1 November 1974, as modified by the 1978 and 1988 Protocols relating thereto;

The *Convention on Limitation of Liability for Maritime Claims* done at London on 19 November 1976;

The *International Convention for the Safety of Fishing Vessels* done at Torremolinos on 2 April 1977, as modified by the 1993 Protocol relating thereto;

The *International Convention on Maritime Search and Rescue* done at Hamburg on 27 April 1979;

The *International Convention on Salvage* done at London on 28 April 1989;

The *International Convention on Maritime Liens and Mortgages* done at Geneva on 6 May 1993;

The *International Convention on Civil Liability for Bunker Oil Pollution Damage* done at London on 23 March 2001;

The *International Convention on the Control of Harmful Anti-fouling Systems on Ships* done at London on 18 October 2001; and

The *International Convention For the Control and Management of Ships' Ballast Water and Sediments* done at London on 13 February 2004."

## **MERCHANT SHIPPING (AMENDMENT) ACT 2009**

### **EXPLANATORY MEMORANDUM**

This Act replaces the Second Schedule to the Merchant Shipping Act 1983, to include in the list a number of maritime conventions and protocols to which Kiribati has recently become a party. The additions are as follows:

- the 1988 Protocol to the *International Convention on Load Lines*;
  - the *International Convention on Civil Liability for Oil Pollution Damage* and the 1992 Protocol thereto;
  - the *International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage* and the 1992 Protocol thereto;
  - the 1997 *Protocol to the International Convention for the Prevention of Pollution from Ships*;
  - the 1978 and 1988 Protocols to the *International Convention for the Safety of Life at Sea*;
  - the *International Convention for the Safety of Fishing Vessels* and the 1993 Protocol thereto;
- and

- the *International Convention on Civil Liability for Bunker Oil Pollution Damage*.

Inclusion of a Convention in the Second Schedule enables regulations to be made under section 61(2) of the Act to implement our legislative obligations as a Party. In addition, under section 60, the Registrar may suspend the certificate of registry of any Kiribati—flagged vessel found to have contravened the provisions of any of the scheduled Conventions.

**Titabu Tabane**  
Attorney General  
July 2009