

NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
41ST CONSTITUTION REGULAR SESSION, 2020



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

**LIMITATION OF LIABILITY FOR MARITIME CLAIMS
(AMENDMENT) ACT, 2020**

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**LIMITATION OF LIABILITY FOR MARITIME CLAIMS
(AMENDMENT) ACT, 2020**

AN ACT to amend Title 47, Chapter 5 of the Marshall Islands Revised Code (MIRC) of the general limitation for claims arising of any distinct occasion and for matters related thereto.

BE IT ENACTED BY THE NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS

§101. Short title.

This Act may be cited as the Limitation of Liability for Maritime Claims (Amendment) Act, 2020.

§102. Amendment.

Section 510 of the Limitation of Liability for Maritime Claims is hereby amended to read as follows:

§510. The general limits.

- (1) The limits of liability for claims other than those mentioned in Section 511 of this Chapter, arising on any distinct occasion, shall be calculated as follows:
 - (a) in respect of claims for loss of life or personal injury,
 - (i) 2 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):

- (A) for each ton from 2,001 to 30,000 tons, 800 Units of Account;
 - (B) for each ton from 30,001 to 70,000 tons, 600 Units of Account; and
 - (C) for each ton in excess of 70,000 tons, 400 Units of Account;
- (b) in respect of any other claims,
- (i) 1 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 Clause (i) of this Paragraph:
 - (A) for each ton from 2,001 to 30,000 tons, 400 Units of Account;
 - (B) for each ton from 30,001 to 70,000 tons, 300 Units of Account; and
 - (C) for each ton in excess of 70,000 tons, 200 Units of Account.
- (c) In respect of claims relating to the territory or waters of the Republic, the limits of liability shall be as set forth in the 2012 Amendments to the Protocol of 1996 to Amend the Convention on Limitation of Liability for Maritime Claims, 1976. Such limits of liability under this subsection (c) shall be retroactive to June 8, 2015, the date that the 2012 Amendments to the Protocol of 1996 to Amend the Convention on Limitation of Liability for Maritime Claims, 1976, went into effect under the tacit acceptance procedure.
- (2) Where the amount calculated in accordance with Subsection (1)(a) of this Section, is insufficient to pay the claims mentioned therein in full, the amount calculated in accordance with Subsection (1)(b) of this Section, shall be available for payment of the unpaid balance of claims under Subsection (1)(a) of this Section, and such unpaid balance shall rank rateably with claims mentioned under subsection (1)(b) of this Section.
- (3) The limits of liability for any salvor not operating from any ship or for any salvor operating solely on the ship to, or in respect of which

he is rendering salvage services, shall be calculated according to a tonnage of 1,500 tons.

- (4) For the purpose of this Chapter the ship’s tonnage shall be the gross tonnage calculated in accordance with the tonnage measurement rules contained in Annex I of the International Convention on Tonnage Measurement of Ships, 1969, as amended.

§103. Effective Date.

This Act shall take effect on the date of certification in accordance with the Constitution and the Rules of Procedures for the Nitijela.


CERTIFICATE

I hereby certify:

1. That Nitijela Bill No: 07ND1 was passed by the Nitijela of the Republic of the Marshall Islands on the 20th day of March 2020; and

2. That I am satisfied that Nitijela Bill No: 07ND1 was passed in accordance with the relevant provisions of the Constitution of the Republic of the Marshall Islands and the Rules of Procedures of the Nitijela.


I hereby place my signature before the Clerk this 09th day of April 2020.



Hon. Kenneth A. Kedi
 Speaker
 Nitijela of the Marshall Islands



Attest:



Morean S. Watak
 Clerk
 Nitijela of the Marshall Islands