



Tuvalu

# OIL POLLUTION (COMPULSORY INSURANCE) REGULATIONS 1976

L.N.21/76

## OIL POLLUTION

Commencement [1st May 1976]

### 1 Citation, Commencement and interpretation

(1) These Regulations may be cited as the Oil Pollution (Compulsory Insurance) Regulations 1976 and shall come into operation on 1<sup>st</sup> May 1976.

(2) In these Regulations, unless the context otherwise requires —

“**certificate**” means a document showing that there is in force in respect of a ship to which section 10 (2) of the Act applies a contract of insurance or other security such as is mentioned in that paragraph;

“**Convention country**” has the meaning assigned to it in section 19 (1) of the Act.

### 2 Definition of “persistent oil”

For the purposes of section 10 (1) of the Act (requirements as to compulsory insurance against liability for oil pollution) “persistent oil” means any of the following —

(a) hydrocarbon mineral oils whether crude or distilled, including crude coal tar and the oily residue of tank cleaning operations necessitated by the carriage of any such oils, but excluding those oils which consist wholly of distillate fractions of which more than 50 per cent

by volume distil at 3400 Centigrade when tested by the” American Society for Testing and Materials Specification D 86/67” in the case of oils derived from petroleum and at 3500 Centigrade in the case of oils derived from coal tar;

- (b) residual oil, consisting of mineral hydrocarbons comprising the residues of the process of distilling and/or refining crude petroleum, and any mixture containing such residual oil;
- (c) whale oil.

### 3 Recognition of certificates

- (1) Subject to paragraph (3) below, certificates for ships registered in any country which is not a Convention country shall be recognised for the purposes of section 10 (3) (c) of the Act (authorities by whom a certificate must be issued) if issued by or under the authority of the Government of any of the following countries, namely —

Denmark  
Federal Republic of Germany  
France  
Netherlands  
Norway  
Spain  
Sweden  
United Kingdom.

- (2) Subject to paragraph (3) below, a certificate for a ship registered in any of the following countries, namely —

Australia  
Austria  
Belgium  
Canada  
Finland  
Greece  
Iceland  
Italy  
Japan  
Luxembourg  
New Zealand

Portugal  
Republic of Ireland  
Switzerland  
Turkey  
United States of America,

shall be recognised for the purposes of the said section 10 (3 ) (c) if issued by or under the authority of the Government of the country specified above in which that ship is registered.

- (3) Where a ship such as is mentioned in paragraph (1) or (2) above is engaged on a Tuvalu voyage, a certificate relating to that ship shall not, by virtue of either of those paragraphs, be recognised for the purposes of section 10 (3) (c) of the Act unless the certificate has, and is expressed to have, as the period of its validity a period ending not earlier than the completion of that Tuvalu voyage.

For the purposes of this paragraph, “Tuvalu voyage” means any voyage by a ship —

- (a) from a port in Tuvalu or a terminal in the territorial waters of Tuvalu to another such port or terminal; or
- (b) from a place outside Tuvalu to a port in Tuvalu or a terminal in the territorial waters of Tuvalu; or
- (c) from a port in Tuvalu or a terminal in the territorial waters of Tuvalu to a place outside Tuvalu, and the reference to the duration of such a voyage shall be taken as comprising the whole of any period during which the ship is engaged in that voyage, including any time during which, in connection with the voyage, it is in a port in Tuvalu or at a terminal in the territorial waters of Tuvalu.

## ENDNOTES

### Table of Legislation History

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