



DAILY INFORMATION BULLETIN

THURSDAY, FEBRUARY 12, 1976

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ADDITIONAL OIL POLLUTION LEGISLATION FOR HONG KONG

HONG KONG NOW HAS ADDITIONAL LEGISLATION AGAINST OIL POLLUTION.

THE MERCHANT SHIPPING (OIL POLLUTION) (HONG KONG) ORDER 1975 WAS LAID BEFORE PARLIAMENT ON JANUARY 14, 1976, AND CAME INTO OPERATION ON FEBRUARY 3, 1976.

THE ORDER EXTENDS TO HONG KONG THE PROVISIONS OF THE MERCHANT SHIPPING (OIL POLLUTION) ACT 1971, AND PART I, SECTIONS 22, 23 AND 24 AND SCHEDULE 1 TO THE MERCHANT SHIPPING ACT 1974.

THIS LEGISLATION NOW GIVES EFFECT IN HONG KONG TO THE TWO INTER-GOVERNMENTAL MARITIME CONSULTATIVE ORGANISATIONS (IMCO) CONVENTIONS - THE CIVIL LIABILITY CONVENTION AND THE FUND CONVENTION.

THE CIVIL LIABILITY CONVENTION SUBSTANTIALLY IMPROVES THE POSITION OF STATES SEEKING TO OBTAIN COMPENSATION FOR OIL POLLUTION DAMAGE.

IN PARTICULAR, IT REMOVES DOUBTS ABOUT THE ADMISSIBILITY FOR COMPENSATION OF GOVERNMENT EXPENDITURE FOLLOWING OIL POLLUTION DAMAGE. IT SETS SHIPOWNERS' LIABILITY IN RESPECT OF A SINGLE INCIDENT AT 2,000 FRANCS FOR EACH TON OF A SHIP'S TONNAGE UP TO A MAXIMUM OF 210 MILLION FRANCS (OR ABOUT 5.8 MILLION POUNDS STERLING AT THE OLD FIXED PARITY), AND IT PROVIDES FOR COMPULSORY INSURANCE BY SHIPOWNERS AGAINST OIL POLLUTION DAMAGE.

HOWEVER, THE CONVENTION DOES NOT AFFORD FULL PROTECTION IN ALL CIRCUMSTANCES. FOR EXAMPLE, NO LIABILITY FOR POLLUTION DAMAGE CAN BE ATTACHED TO A SHIPOWNER IF HE PROVES THAT THE DAMAGE WAS WHOLLY CAUSED BY THE INTENTIONAL ACT OF A THIRD PARTY, OR NEGLIGENCE BY THE AUTHORITY RESPONSIBLE FOR MAINTAINING NAVIGATIONAL AIDS.

THE OWNER OF A SHIP REGISTERED IN A MEMBER STATE AND CARRYING MORE THAN 2,000 TONS OF OIL IN BULK AS CARGO, IS REQUIRED TO MAINTAIN INSURANCE OR OTHER FINANCIAL SECURITY (SUCH AS A BANK GUARANTEE) UP TO THE LIMIT OF THIS LIABILITY UNDER THE CONVENTION. A CERTIFICATE CONFIRMING THAT INSURANCE OR OTHER FINANCIAL SECURITY IS IN EFFECT MUST BE ISSUED TO EACH SHIP. IN HONG KONG, SUCH CERTIFICATES WILL BE ISSUED BY THE DIRECTOR OF MARINE.

BECAUSE THE CIVIL LIABILITY CONVENTION DOES NOT AFFORD FULL PROTECTION TO VICTIMS OF POLLUTION DAMAGE IN ALL CIRCUMSTANCES, IT WAS RECOGNISED THAT SOME FORM OF SUPPLEMENTARY SCHEME WAS NEEDED.

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THIS RESULTED IN IMCO ADOPTING THE FUND CONVENTION, WHICH HAS THE FOLLOWING AIMS: -

- (A) TO PROVIDE COMPENSATION FOR OIL POLLUTION DAMAGE TO THE EXTENT THAT THE PROTECTION AFFORDED BY THE CIVIL LIABILITY CONVENTION IS INADEQUATE= AND
- (B) TO GIVE RELIEF TO SHIPOWNERS IN RESPECT OF THE ADDITIONAL FINANCIAL BURDEN IMPOSED ON THEM BY THE CIVIL LIABILITY CONVENTION.

THE FUND CONVENTION IS OPEN ONLY TO PARTICIPANTS IN THE CIVIL LIABILITY CONVENTION.

UNDER THIS CONVENTION, OIL IMPORTERS IN MEMBER STATES WHO RECEIVE NOT LESS THAN 150,000 TONS OF CRUDE AND HEAVY OILS BY SEA IN A PARTICULAR YEAR MUST CONTRIBUTE TO A FUND ADMINISTERED BY IMCO. CONTRIBUTIONS WILL BE APPROXIMATELY 20 CENTS PER TON.

IN RETURN, VICTIMS OF OIL POLLUTION DAMAGE ARE ABLE TO RECOVER UP TO 450 MILLION FRANCS IN AGGREGATE UNDER THE FUND CONVENTION AND THE CIVIL LIABILITY CONVENTION FOR ANY SINGLE INCIDENT (12.3 MILLION POUNDS STERLING AT THE OLD FIXED PARITY).

THE FUND ALSO PROVIDES SOME RELIEF TO THE SHIPOWNER, BY INDEMNIFYING HIM AND HIS GUARANTOR FOR THAT PORTION OF HIS AGGREGATE LIABILITY UNDER THE CIVIL LIABILITY CONVENTION WHICH IS IN EXCESS OF 125 MILLION FRANCS.

IN ADDITION, THE FUND CONVENTION PROVIDES FOR COMPENSATION IN CASE OF CERTAIN OIL POLLUTION INCIDENTS NOT COVERED BY THE CIVIL LIABILITY CONVENTION.

THESE INCLUDE ACTS OF GOD, INTENTIONAL ACTS OF THIRD PARTIES, AND THE NEGLIGENT OR WRONGFUL ACTS OF AUTHORITIES RESPONSIBLE FOR MAINTAINING NAVIGATIONAL AIDS.

THE ONLY CIRCUMSTANCES IN WHICH THE FUND CONVENTION WILL NOT APPLY, ONCE IT IS PROVED THAT THE DAMAGE WAS CAUSED BY A SHIP CARRYING BULK OIL AS CARGO, ARE WHERE THE SHIP WAS A WARSHIP OR OTHER GOVERNMENT-OWNED VESSEL OPERATING IN A NON-COMMERCIAL CAPACITY, OR WHERE THE SPILLAGE WAS CAUSED BY AN ACT OF WAR.

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NOTE TO EDITORS:

WHEN +FRANCS+ ARE MENTIONED, IT REFERS TO GOLD FRANCS, EACH OF WHICH IS TAKEN AS A UNIT OF 65-1/2 MILLIGRAMS OF GOLD OF MILLESIMAL FINENESS 900.

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ANTI-NARCOTICS CHIEF ATTENDS GENEVA CONFERENCE

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THE COMMISSIONER FOR NARCOTICS, MR. E. I. LEE, LEAVES HONG KONG TOMORROW (FRIDAY) TO ATTEND THE FOURTH SPECIAL SESSION OF THE UNITED NATIONS COMMISSION ON NARCOTIC DRUGS IN GENEVA.

THE SESSION WILL BE HELD FROM FEBRUARY 16 TO 27 AND MR. LEE WILL BE ATTENDING AS A MEMBER OF THE U.K. DELEGATION.

DURING THE SESSION, THERE WILL BE REPORTS AND DISCUSSIONS ON THE WORLDWIDE EFFORTS CURRENTLY BEING UNDERTAKEN TO DEAL WITH VARIOUS ASPECTS OF NARCOTIC PROBLEMS.

INCLUDED IN THE AGENDA WILL BE REPORTS BY VARIOUS SPECIALISED AGENCIES OF THE UNITED NATIONS AND OTHER INTERNATIONAL ORGANISATIONS CONCERNING NARCOTIC DRUGS AND PSYCHO-TROPIC SUBSTANCES, SUCH AS OPERATIONS FINANCED BY THE U.N. FUND FOR DRUG ABUSE CONTROL (INCLUDING THE CROP SUBSTITUTION PROGRAMME IN NORTHWEST THAILAND). THERE WILL ALSO BE A REVIEW OF THE INTERNATIONAL TRAFFIC IN ILLICIT DRUGS, OF DRUG ABUSE AND MEASURES TAKEN BY VARIOUS COUNTRIES TO REDUCE DEMAND, AND OF SCIENTIFIC RESEARCH.

THE U.N. COMMISSION OF NARCOTIC DRUGS, WHICH IS AN INTERGOVERNMENTAL BODY, MEETS REGULARLY EVERY ONE OR TWO YEARS TO CONSIDER INTERNATIONAL MATTERS AND PROGRAMMES DESIGNED TO CURB DRUG ABUSE AND ILLICIT DRUG TRAFFICKING. IT THEN MAKES RECOMMENDATIONS ON THESE ISSUES TO THE UNITED NATIONS ECONOMIC AND SOCIAL COUNCIL.

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LONDON CHAMBER OF COMMERCE AND INDUSTRY EXAMS

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APPLICATIONS ARE INVITED FROM CANDIDATES WISHING TO SIT FOR THE EXAMINATIONS OF THE LONDON CHAMBER OF COMMERCE AND INDUSTRY THIS SUMMER.

THE EXAMINATIONS WILL BE HELD BETWEEN JUNE 23 AND JUNE 30 AND COVER ACCOUNTING, BOOKKEEPING AND COSTING.

SCHOOL CANDIDATES SHOULD REGISTER THEIR ENTRIES THROUGH THEIR SCHOOLS.

PRIVATE CANDIDATES MAY OBTAIN THE ENTRY FORMS AT THE EXAMINATIONS DIVISION, EDUCATION DEPARTMENT, CANTON ROAD GOVERNMENT OFFICES, 393 CANTON ROAD, 10TH FLOOR, KOWLOON FROM FEBRUARY 16.

APPLICANTS SHOULD PRESENT THE COMPLETED FORMS IN PERSON TO THE DIVISION TOGETHER WITH THEIR PASSPORTS OR HONG KONG IDENTITY CARDS AND TWO RECENT PASSPORT-SIZE PHOTOGRAPHS BETWEEN 9 A.M. AND 4 P.M. FROM FEBRUARY 16 TO 20.

NO ENTRIES WILL BE ACCEPTED AFTER FEBRUARY 20.

THE ENTRY FEES MUST BE PAID NOT LATER THAN FEBRUARY 24 AT THE EXAMINATIONS DIVISION OR SENT BY POST BY CROSSED CHEQUE PAYABLE TO THE HONG KONG GOVERNMENT.

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INDUSTRIAL LAND AT SHA TIN UP FOR SALE

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LAND AT FO TAN, SHA TIN, TOTALLING 21,320 SQ. FT., IS TO BE AUCTIONED NEXT MONTH.

THE LAND, FOR INDUSTRIAL AND/OR GODOWN PURPOSES, IS WITHIN THE AREA NOW BEING DEVELOPED INDUSTRIALLY AT FO TAN.

THE AUCTION WILL BE HELD AT THE SHA TIN GOVERNMENT SECONDARY SCHOOL ON TUESDAY, MARCH 2.

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TAI PO DISTRICT OFFICER TO HOST NEW YEAR PARTY

NOTE TO EDITORS :

THE DISTRICT OFFICER, TAI PO, MR. CLIVE OXLEY, HAS INVITED 600 GUESTS TO A LUNAR NEW YEAR PARTY AT HIS HOME, +LOOK OUT+, TAI PO ROAD, TAI PO, TOMORROW BEGINNING AT 11.30 A.M. THEY INCLUDED OFFICIALS FROM THE RURAL COMMITTEES AND VILLAGE REPRESENTATIVES, AS WELL AS REPRESENTATIVES FROM THE LOCAL CHAMBER OF COMMERCE, CLANSMEN'S ASSOCIATIONS, AND HER MAJESTY'S ARMED FORCES AND CHAIRMEN OF MUTUAL AID COMMITTEES. MUSIC WILL BE PROVIDED BY A BAND FROM TAI KWANG MIDDLE SCHOOL, TAI PO. MRS. DAVID AKERS-JONES, WIFE OF THE SECRETARY FOR THE NEW TERRITORIES, WILL PRESENT CERTIFICATES TO PARTICIPANTS FROM TAI PO WHO RAISED MORE THAN \$45,000 IN THE NEW TERRITORIES WALK FOR A MILLION, HELD IN TSUEN WAN DISTRICT LAST MONTH. MR. OXLEY WILL MAKE A PRESENTATION TO A DEMARCATOR ON HIS STAFF, MR. CHENG WING YAN, FOR SAVING AN ELDERLY MAN WHO FELL INTO THE SEA FROM A PIER AT NGAU O ON DECEMBER 18, 1975.

YOU ARE CORDIALLY INVITED TO SEND MEMBERS OF YOUR STAFF TO COVER THE PARTY. THEY CAN EITHER MAKE USE OF A VEHICLE (NO. AM 3274) LEAVING FROM THE REAR OF TSIM SHA TSUI POST OFFICE AT 10.30 A.M. TOMORROW OR MAKE THEIR OWN WAY TO MR. OXLEY'S HOME WHERE MR. DONALD STRANGE, NEW TERRITORIES ADMINISTRATION PRO, WILL BE ON HAND TO ASSIST.

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MEDICAL AND HEALTH DEPARTMENT STAFF PARTY

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HUNDREDS OF CHILDREN OF STAFF MEMBERS OF THE MEDICAL AND HEALTH DEPARTMENT WILL ATTEND A PARTY IN THE SPORTS FIELD OF THE KOWLOON HOSPITAL ON SUNDAY (FEBRUARY 15).

THIS WILL BE THE FIFTH SUCH PARTY TO BE ORGANISED BY THE DEPARTMENT'S STAFF SOCIETY, BRINGING TOGETHER ALL STAFF AND THEIR FAMILIES FOR WHAT HAS NOW BECOME AN ANNUAL REUNION.

HIGHLIGHTS OF THE PROGRAMME INCLUDE A LION DANCE, MARTIAL ART PERFORMANCES, A MAGIC SHOW, GAMES AND A LUCKY DRAW.

DR. GERALD CHOA, DIRECTOR OF MEDICAL AND HEALTH SERVICES, WILL BE PRESENT TO DOT THE LION'S EYES AND TO DRAW THE LUCKY NUMBERS.

THERE WILL ALSO BE A DISPLAY OF FIRE ENGINES AND ARMoured CARS.

NOTE TO EDITORS :

THE PARTY WILL BE HELD ON THE LAWN BY THE ENTRANCE TO THE WEST WING, KOWLOON HOSPITAL, ARGYLE STREET BETWEEN 1 P.M. AND 5 P.M. YOU ARE WELCOME TO COVER IT.

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