



STATUTORY INSTRUMENTS.

**S.I. No. 586 of 2007**



SEA POLLUTION (HAZARDOUS SUBSTANCES) (COMPENSATION)  
ACT 2005 (COMMENCEMENT) ORDER 2007

**(Prn. A7/1553)**

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SEA POLLUTION (HAZARDOUS SUBSTANCES) (COMPENSATION)  
ACT 2005 (COMMENCEMENT) ORDER 2007

I, NOEL DEMPSEY, Minister for Transport, in exercise of the powers conferred on me by section 1(4) of the Sea Pollution (Hazardous Substances) (Compensation) Act 2005 (No. 9 of 2005) and the Maritime Transport, Safety and Security (Transfer of Departmental Administration and Ministerial Functions) Order 2005 (S.I. No. 842 of 2005), hereby order as follows:

1. This Order may be cited as the Sea Pollution (Hazardous Substances) (Compensation) Act 2005 (Commencement) Order 2007.

2. The 9th day of August 2007 is appointed as the day upon which the following provisions of the Sea Pollution (Hazardous Substances) (Compensation) Act 2005 (No. 9 of 2005) shall come into operation:

- (a) sections 1, 2, 3, 4, and 5;
- (b) Part 3; and
- (c) Schedule 2.



GIVEN under my Official Seal,  
9 August 2007

NOEL DEMPSEY  
Minister for Transport

*Notice of the making of this Statutory Instrument was published in  
"Iris Oifigiúil" of 17th August, 2007.*

## EXPLANATORY NOTE.

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

This order provides for the commencement of sections 1 to 5, Part 3 and Schedule 2 of the Sea Pollution (Hazardous Substances) (Compensation) Act 2005.

Part 3, section 28, gives effect to the 1996 Protocol to the International Convention on Limitation of Liability for Maritime Claims, 1976 (LLMC 1976). The Merchant Shipping (Liability of Shipowners and Others) Act 1996 gives effect in the State to the Convention on Limitation of Liability for Maritime Claims 1976. This section provides for amendments to the Merchant Shipping (Liability of Shipowners and Others) Act 1996 to give effect to the 1996 Protocol, which provides for higher levels of compensation in individual cases.

Part 3, section 29, amends subsection (2) of section 8 of the Oil Pollution of the Sea (Civil Liability and Compensation) Act 1988. Section 8 of the 1988 Act, as amended by section 5 of the Oil Pollution of the Sea (Civil Liability and Compensation) (Amendment) Act 1998, lists the parties not liable for pollution damage caused by ships in the State. This is now being amended to include salvage operations undertaken by the Irish Coast Guard.

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