



Merchant Shipping and Maritime Security Act 1997

1997 CHAPTER 28

Liability and compensation

15 Limitation of liability.

(1) In section 185 of the 1995 Act (limitation of liability for maritime claims), after subsection (2) there is inserted—

“(2A) Her Majesty may by Order in Council make such modifications of Parts I and II of Schedule 7 as She considers appropriate in consequence of the revision of the Convention by the Protocol of 1996 amending the Convention (in this section referred to as “the 1996 Protocol”).

(2B) If it appears to Her Majesty in Council that the Government of the United Kingdom has agreed to any further revision of the Convention or to any revision of article 8 of the 1996 Protocol, She may by Order in Council make such modifications of Parts I and II of Schedule 7 and subsections (2C) and (2D) below as She considers appropriate in consequence of the revision.

(2C) The Secretary of State may by order make such amendments of Parts I and II of Schedule 7 as appear to him to be appropriate for the purpose of giving effect to any amendment of a relevant limit which is adopted in accordance with article 8 of the 1996 Protocol.

(2D) In subsection (2C) above “a relevant limit” means any of the limits for the time being specified in either of the following provisions of the Convention—
(a) article 6, paragraph 1, and
(b) article 7, paragraph 1.

(2E) No modification made by virtue of subsection (2A), (2B) or (2C) above shall affect any rights or liabilities arising out of an occurrence which took place before the day on which the modification comes into force.”

(2) After subsection (4) of that section there is inserted—

Changes to legislation: *There are currently no known outstanding effects for the Merchant Shipping and Maritime Security Act 1997, Section 15. (See end of Document for details)*

“(5) A draft of an Order in Council proposed to be made by virtue of subsection (2A) or (2B) above shall not be submitted to Her Majesty in Council unless it has been approved by a resolution of each House of Parliament.”

Changes to legislation:

There are currently no known outstanding effects for the Merchant Shipping and Maritime Security Act 1997, Section 15.