



Maritime Transport (Limitation of Liability for Maritime Claims) Order 2015

Rt Hon Dame Sian Elias, Administrator of the Government

Order in Council

At Wellington this 25th day of May 2015

Present:

Her Excellency the Administrator of the Government in Council

Pursuant to section 87A of the Maritime Transport Act 1994, Her Excellency the Administrator of the Government, acting on the advice and with the consent of the Executive Council, makes the following order.

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Order

1 Title

This order is the Maritime Transport (Limitation of Liability for Maritime Claims) Order 2015.

2 Commencement

This order comes into force on 8 June 2015.

3 Interpretation

In this order,—

Act means the Maritime Transport Act 1994

LLMC Convention has the meaning given in section 84(1) of the Act

LLMC Protocol has the meaning given in section 84(1) of the Act.

4 Notification of new general limits of liability for maritime claims

- (1) For the purpose of calculating the limits of liability for maritime claims, this clause notifies amendments to the amounts specified in Article 6, paragraph 1 of the LLMC Convention—
- (a) as set out in Schedule 8 of the Act; and
 - (b) as amended by Article 3 of the LLMC Protocol as set out in Schedule 9 of the Act.
- (2) In the paragraph of Article 6 of the LLMC convention specified in the first column of the table below, the amount specified in the second column must be read as the amount specified in the third column:

Paragraph of Article 6 of LLMC Convention	Existing amount (Units of account)	New amount (Units of account)
1(a)(i)	2 million	3.02 million
1(a)(ii)	800	1,208
1(a)(ii)	600	906
1(a)(ii)	400	604
1(b)(i)	1 million	1.51 million
1(b)(ii)	400	604
1(b)(ii)	300	453
1(b)(ii)	200	302

Michael Webster,
Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force on 8 June 2015, notifies new limits of liability for maritime claims that are to apply instead of the limits specified in the Maritime Transport Act 1994 (the **Act**).

Schedule 8 of the Act sets out the Convention on the Limitation of Liability for Maritime Claims (1976) (the **Convention**) and Schedule 9 of the Act sets out the Protocol of 1996 to Amend the Convention on the Limitation of Liability for Maritime Claims (1976) (the **Protocol**). Article 9 of the Protocol provides that the Convention and the

Protocol are to be read and interpreted together as a single instrument. Section 84A of the Act gives the Convention as amended by the Protocol the force of law in New Zealand.

Article 6 of the Convention sets out the general limits of liability for maritime claims that are subject to limitation. The limits were amended by Article 3 of the Protocol in 2004 and have now been further amended in accordance with the process set out in Article 8 of the Protocol. The further amendments will enter into force on 8 June 2015. More information can be found at [http://www.imo.org/About/Conventions/ListOfConventions/Pages/Convention-on-Limitation-of-Liability-for-Maritime-Claims-\(LLMC\).aspx](http://www.imo.org/About/Conventions/ListOfConventions/Pages/Convention-on-Limitation-of-Liability-for-Maritime-Claims-(LLMC).aspx)

This order notifies the new limits of liability that will have effect on and from 8 June 2015 instead of the limits specified in Schedules 8 and 9 of the Act.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 28 May 2015.

This order is administered by the Ministry of Transport.