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**Name of the Clause :** IMO Protocol of 1976 to amend the International Convention on the establishment of an International Fund For Compensation for Oil Pollution Damage, 1971

**Subject of the Clause :** Self explanatory

**Category :** International Convention

**Number :** FUND PROT 1976      **Date :** 19 November 1992

**Country :**      **Issued by :** [OMI](#)

**Comments :**

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**PROTOCOL TO THE INTERNATIONAL CONVENTION ON THE ESTABLISHMENT OF AN  
INTERNATIONAL FUND FOR COMPENSATION FOR OIL POLLUTION DAMAGE, 1971**

**THE PARTIES TO THE PRESENT PROTOCOL,**

**HAVING CONSIDERED** the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, done at Brussels on 18 December 1971;

**HAVE AGREED as follows:**

**Article I**

For the purpose of the present Protocol:

1. "Convention" means the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971.
2. "Liability Convention" has the same meaning as in the Convention.
3. "Organization" has the same meaning as in the Convention.
4. "Secretary-General" means the Secretary-General of the Organization.

**Article II**

Article 1, paragraph 4 of the Convention is replaced by the following text:

"Unit of Account" or "Monetary Unit" means the unit of account or monetary unit as the case may be, referred to in Article V of the Liability Convention, as amended by the Protocol thereto adopted on 19 November 1976.

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**Article III**

The amounts referred to in the Convention shall wherever they appear be amended as follows:

(a) Article 4:

(i) "450 million francs" is replaced by "30 million units of account or 450 million monetary units";

(ii) "900 million francs" is replaced by "60 million units of account or 900 million monetary units".

(b) In Article 5:

(i) "1,500 francs" is replaced by "100 units of account or 1,500 monetary units";

(ii) "125 million francs" is replaced by "8,333,000 units of account or 125 million monetary units";

(iii) "2,000 francs" is replaced by "133 units of account or 2,000 monetary units";

(iv) "210 million francs" is replaced by "14 million units of account or 210 million monetary units".

(c) In Article 11, "75 million francs" is replaced by "5 million units of account or 75 million monetary units".

(d) In Article 12, "15 million francs" is replaced by "1 million units of account or 15 million monetary units".

**Article IV**

1. The present Protocol shall be open for signature by any State which has signed the Convention or acceded thereto and by any State invited to attend the Conference to Revise the Unit of Account Provisions in the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971, held in London from 17 to 19 November 1976. The Protocol shall be open for signature from 1 February 1977 to 31 December 1977 at the Headquarters of the Organization.

2. Subject to paragraph 4 of this Article, the present Protocol shall be subject to ratification, acceptance or approval by the States which have signed it.

3. Subject to paragraph 4 of this Article, this Protocol shall be open for accession by States which did not sign it.

4. The present Protocol may be ratified, accepted, approved or acceded to by States Parties to the Convention.

**Article V**

1. Ratification, acceptance, approval or accession shall be effected by the deposit of a formal instrument to that effect with the Secretary-General.

2. Any instrument of ratification, acceptance, approval or accession deposited after the entry into force of an amendment to the present Protocol with respect to all existing Parties or after the completion of all measures required for the entry into force of the amendment with respect to all existing Parties shall be deemed to apply to the Protocol as modified by the amendment.

**Article VI**

1. The present Protocol shall enter into force for the States which have ratified, accepted, approved or acceded to it on the ninetieth day following the date on which the following requirements are fulfilled:

(a) at least eight States have deposited instruments of ratification, acceptance, approval or accession with the Secretary-General, and

(b) the Secretary-General has received information in accordance with Article 39 of the Convention that those persons in such States who would be liable to contribute pursuant to Article 10 of the Convention have received during the preceding calendar year a total quantity of at least 750 million tons of contributing oil.

2. However, the present Protocol shall not enter into force before the Convention has entered into force.

3. For each State which subsequently ratifies, accepts, approves or accedes to it, the present Protocol shall enter into force on the ninetieth day after deposit by such State of the appropriate instrument.

**Article VII**

1. The present Protocol may be denounced by any Party at any time after the date on which the Protocol enters into force for that Party.
2. Denunciation shall be effected by the deposit of an instrument with the Secretary-General.
3. Denunciation shall take effect one year, or such longer period as may be specified in the instrument of denunciation, after its deposit with the Secretary-General.

**Article VIII**

1. A conference for the purpose of revising or amending the present Protocol may be convened by the Organization.
2. The Organization shall convene a Conference of Parties to the present Protocol for the purpose of revising or amending it at the request of not less than one-third of the Parties.

**Article IX**

1. The present Protocol shall be deposited with the Secretary-General.
2. The Secretary-General shall:
  - (a) inform all States which have signed the present Protocol or acceded thereto of:
    - (i) each new signature or deposit or an instrument together with the date thereof;
    - (ii) the date of entry into force of the present Protocol;
    - (iii) the deposit of any instrument of denunciation of the present Protocol together with the date on which the denunciation takes effect;
    - (iv) any amendments to the present Protocol;
  - (b) transmit certified true copies of the present Protocol to all States which have signed the present Protocol or acceded thereto.

**Article X**

As soon as this Protocol enters into force, a certified true copy thereof shall be transmitted by the Secretary-General to the Secretariat of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

**Article XI**

The present Protocol is established in a single original in the English and French languages, both texts being equally authentic. Official translations in the Russian and Spanish languages shall be prepared by the Secretariat of the Organization and deposited with the signed original.

**DONE AT LONDON** this nineteenth day of November one thousand nine hundred and seventy-six.

**IN WITNESS WHEREOF** the undersigned being duly authorized for that purpose have signed the present Protocol.

[Signatures not reproduced here.]