The International Oil Pollution Compensation Funds are two intergovernmental organisations (the 1992 Fund and the Supplementary Fund) which provide compensation for oil pollution damage resulting from spills of persistent oil from tankers.

### Who Are We?

The International Oil Pollution Compensation Funds are managed by governments. The governing bodies of the Funds are intergovernmental organisations, consisting of each Fund’s Member States, and are managed by governments. The governing bodies of the Funds, which are responsible for deciding on the compensation and budgetary matters, are the IOPC Funds meetings, deciding on compensation.

The 1992 Civil Liability Convention provides a first tier of compensation which is paid by the owner of a ship which has caused the pollution damage.

Under the 1992 CLC, the shipowner has strict liability for any pollution damage caused by the ship, or the owner is liable even if there was no fault on the part of the ship or its master. However, the amount of the financial liability is not uncertain but is determined by the tonnage of the ship. This amount is the shipowner’s liability.

The 1992 Fund Convention provides a second tier of compensation which is financed by the IOPC Funds, providing the second tier of compensation.

Under the 1992 CLC, the shipowner/insurer is liable to pay compensation for pollution damage caused by oil, provided that the damage resulted from the operation of the ship.

The 1992 Fund Convention establishes the 1992 Fund, providing the second tier of compensation.

Oil Receivers

- Oil receivers finance the 1992 Fund.
- Oil Receivers are responsible for the collection of the contribution from oil importers.

*Figures as at 01.06.22 provided by Clarkson Research*

### How does the system work?

The 1992 Civil Liability Convention provides a first tier of compensation which is paid by the owner of a ship which causes pollution damage.

Claims against the 1992 Fund are assessed according to criteria established by governments of Member States. These criteria, which apply to both Fund Members and Supplementary Fund Member States, are set out in the Claims Manual, which is a practical guide on how to present claims for compensation.

### What claims do we pay?

Any Member State of the 1992 Fund who has suffered pollution damage caused by oil transported by tankers may claim compensation from the 1992 Fund (also referred to as the “1992 Fund”) and, if applicable, the Supplementary Fund.

The Supplementary Fund Protocol applies to individuals, businesses, local authorities and States.

To be entitled to compensation, the damage must result from pollution and must exceed a quantifiable cost or economic loss. Claimants must also be able to show the amount of the losses and the extent of their damage by producing accounting records or other appropriate evidence.

An oil pollution incident can generally give rise to claims for five types of damage:

- **Property damage** to fishing or aquaculture vessels, their equipment, or other cargo on board the vessel.
- **Economic losses** for individuals, businesses, local authorities and States.
- **Property damage** to property, other than fishing or aquaculture vessels or their equipment, which is owner-operated by individuals, businesses, local authorities and States.
- **Reimbursement of costs for clean-up**.
- **Property damage** to property, other than fishing or aquaculture vessels or their equipment, which is not owner-operated by individuals, businesses, local authorities and States.

### How much can we pay?

Claims against the 1992 Fund are assessed according to criteria established by governments of Member States. These criteria, which apply to both Fund Members and Supplementary Fund Member States, are set out in the Claims Manual, which is a practical guide on how to present claims for compensation.

1. **Claims Information Pack** can be downloaded from the publications section of the Funds’ website which contains the Claims Manual and a number of sector-specific guidelines.

For current exchange rates please visit [www.imf.org](http://www.imf.org)
Other services does the Secretariat provide?

Delivery of annual Short Course for participants nominated by Member States

Assistance with correct implementation of the Conventions.

Delivery of lectures, presentations and papers at conferences, exhibitions and educational institutions.

HNS

In addition to its work compensating victims of oil pollution, the IOPC Funds has been tasked to work together with IMO to facilitate the entry into force of the 2010 Protocol to the International Convention on the Carriage of Hazardous and Noxious Substances by Sea, 1996 (2010 HNS Protocol) and to carry out preparatory activities for the setting up of the HNS Fund.

To assist States preparing for ratification of the HNS Protocol, the IOPC Funds has developed a number of tools, including a searchable online consolidated list of substances covered by the Convention (the HNS Finder) and the HNS website itself. Other resources have been made available by IMO in cooperation with the IOPC Funds, including a brochure focusing on why the Convention is needed and a presentation on HNS incidents.

For further information please consult www.hnsconvention.org.

Other resources
Publications
The following publications are available to download from the website or in hard copy upon request.

General

Documents relevant to the Convention and the Funds

Overview Brochure

HNS Convention

1992 Fund

1992 Fund

Guidelines for presenting claims for environmental damage

Supplementary Fund

Financial Review

Guidelines for presenting claims for clean up and preventive measures

Example Claim Form

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Other services does the Secretariat provide?

Delivery of national and regional workshops on the international liability and compensation regime, including claims and oil reporting.

Online Services
The IOPC Funds website is the hub for all information pertaining to the organisation. It includes all English, French and Spanish languages. The website incorporates various interactive features and data relating to IOPC Funds incidents, with linking to other websites. The website also provides access to other services and websites, including:

• Document Services, which primarily aimed at meeting delegates;
• the Online Reporting System for contributors; and
• the HNS Convention website.

www.iopcfunds.org