



International Oil Pollution
Compensation Funds

Fonds internationaux
d'indemnisation pour les
dommages dus à la pollution
par les hydrocarbures

Fondos internacionales
de indemnización de daños
debidos a contaminación por
hidrocarburos

AGIA ZONI II - INFORMATION FOR CLAIMANTS

EXPIRATION OF TIME BAR PERIOD

Information from the International Oil Pollution Compensation Fund 1992 (IOPC Fund 1992) of interest to claimants who have suffered oil pollution damage arising from the *Agia Zoni II* incident, off Piraeus, Greece, in September 2017.

Pursuant to the international conventions governing compensation for damage due to oil pollution, those affected by the *Agia Zoni II* incident have a period of three years to reach a friendly agreement with the IOPC Fund 1992 on compensation for their losses.

It is possible that at the end of this term, some injured parties may not have reached an agreement with the IOPC Fund 1992 on the claim they submitted.

Therefore, pursuant to the 1992 Civil Liability Convention and 1992 Fund Convention, claimants would risk losing their right to compensation, unless they have filed a legal action against the owner of the *Agia Zoni II* and/or the civil liability insurer, and against the IOPC Fund 1992, within the three-year period.

The term of three years begins from the date on which each injured party suffered their damage. However, as this date is not the same for all those affected, the IOPC Fund 1992 recommends that claimants consider 10 September 2020 (the date of the third anniversary of the *Agia Zoni II* incident) as the date by which they should have filed legal actions.

The filing of a legal action will not prevent a claimant from continuing to deal with the IOPC Fund 1992 with a view to obtaining an agreement between both parties, and it is recommended that, if filed, a legal action should then be promptly stayed ("put on hold"), so as to avoid incurring further legal costs while the outstanding claim settlements are concluded.

It is important to note that the filing of a legal action is without prejudice to any rights of defence of the IOPC Fund 1992 and should not be taken as any guarantee that compensation will be paid. The filing of a claim within the above applicable period merely preserves the claimant's potential right to compensation, and the claim will be assessed according to internationally agreed criteria.

Parties which believe they have suffered a loss, and whose claim for compensation has not yet been the subject of an amicable agreement with the IOPC Fund 1992, are encouraged to seek legal advice on the requirements of legal action in order to avoid expiration of their claim.

Should you wish to obtain additional information, please contact:

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