

92 CLC and Bunker Convention compared

	<b>92CLC</b>	<b>Bunker Convention</b>
Application – Ship	seagoing vessel constructed or adapted for the carriage of oil in bulk as cargo. Not only during carriage of oil in bulk but also during any voyage following such carriage with cargo debris	seagoing vessel and seaborne craft of any type whatsoever
Application – Oil	persistent hydrocarbon mineral oil such as crude oil, fuel oil, heavy diesel oil, and lubricating oil	bunker oil
Application – Geographic area	in the territory including territorial sea and the exclusive economic zone of a State Party	in the territory including territorial sea and the exclusive economic zone of a State Party
Liabile Parties	registered owner or shipowner	the owner including the registered owner, bareboat charterer, manager and operator of the ship
Liability of liable parties	strict liability	strict liability
Amount of limit of liability	3 million SDR for a ship not exceeding 5,000 GT (for a ship with a tonnage in excess 5,000 GT, for each additional tonnage 420 SDR. 59.7 million SDR in maximum)	in accordance with provisions of Conventions on Limitation of Liability of Maritime Claims, 1976 (76LLMC) or other applicable municipal law
Conduct barring limitation	act or omission intending to cause damage or recklessly and with knowledge that damage would probably result	according to provisions of 76LLMC (similar to 92CLC) or other applicable municipal law
Requirement of compulsory insurance – ship	ships carrying more than 2,000 tons of oil in bulk as cargo	ships having a gross tonnage greater than 1,000 but State Party may exclude ships operating exclusively within the territorial water
Requirement of compulsory insurance – person	registered owner or shipowner	registered owner
Direct action against insurer	possible	possible
Pollution damage	loss or damage resulting from the escape or discharge of oil from ship provided that compensation for impairment of the environment shall be limited to costs of reasonable measures of reinstatement actually undertaken	loss or damage resulting from the escape or discharge of oil from ship provided that compensation for impairment of the environment shall be limited to costs of reasonable measures of reinstatement actually undertaken