

**PNG Marine Pollution (Liability & Cost Recovery) Bill**  
**Summary of Offences & Penalties**  
**(DRAFT ONLY – subject to consultation - April 2008)**

<i>Part / Section No. &amp; Title</i>	<i>Offence</i> <i>(pls refer to the full Bill for details of application, exceptions and exemptions)</i>	<i>Defendant</i> <i>(penalties apply to each Defendant)</i>	<i>Penalty</i> <i>(maximum)</i>
<i>Part I – Preliminary</i>			
<b>5. International Conventions</b>	5(2)(d) Prescribed breach of any aspect of a Convention to which this Act applies.	Any person who commits the offence	K1 Million or 5 yrs prison
<i>Part II – National Marine Pollution Fund</i>			
<b>14. Vessels not entitled to put top sea</b>	Failure to pay prescribed Marine Pollution Levy / putting to sea without clearance from the Authority	Owner and master of the vessel  Any other person who commits offence	K25,000 for Individual  K150,000 in any other case
<i>Part III – Tankers</i>			
<b>23. Requirement for insurance and carriage of valid Certificate</b>	Failure of any PNG tanker carrying >200 tons oil in bulk to have required oil pollution insurance and to carry valid insurance certificate.  Failure of any foreign tanker carrying >2000 tons oil in bulk to have required oil pollution insurance and to carry valid insurance certificate.	Owner and master of the tanker	K1 Million or 5 yrs prison  plus tanker prohibited from going to sea
<i>Part IV – Bunkers</i>			
<b>35. Requirement for insurance and carriage of valid Certificate</b>	Failure of any PNG ship >400GRT to have required oil pollution insurance and to carry valid insurance certificate.  Failure of any foreign ship >1,000GRT to have required oil pollution insurance and to carry valid insurance certificate.	Owner and master of the ship	K1 Million or 5 yrs prison  plus ship prohibited from going to sea
<i>Part V - Oil or chemical handling facilities</i>			
<b>44. Requirement for insurance and carriage of valid Certificate</b>	Failure of any oil or chemical handling facility to have required marine pollution insurance and to carry valid insurance certificate.	Owner, operator and person in charge of the facility	K1 Million or 5 yrs prison plus facility prohibited from operating.

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<b><i>Part VII - Misc., admin. &amp; enforcement</i></b>			
<b>50. Appointment of inspectors</b>	50(6) Failure of an inspector to return his identity card to the Authority upon ceasing to be an inspector.	Person who ceases to be an inspector and does not return card.	<b>K1,000</b>
<b>51. Boarding of vessels etc by inspectors</b>	51(6) Failure to comply with a requirement of an inspector.	Person who does not comply.	<b>K20,000</b>
<b>56. Offences and penalties</b>	Any offence against the Act or Regs prescribed under the Act for which a penalty is not specified.	Person who commits the offence.	<b>K1 Million</b> or <b>5 yrs prison for Corporation</b>  <b>K250,000</b> or <b>2 yrs prison for individual</b>  <b>Plus</b> <b>K2,000/day for each day</b> <b>offence continues</b>