



LONDON
GATEWAY
COLLEGE

OIL POLLUTION AND COMPENSATION LAW

(MODULE CODE: LGC300)



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Lecture Contents

LECTURE 1

COMPENSATION FOR OIL POLLUTION DAMAGE

4-10

- Legal Framework and the Role of OPOL
- Limitations of OPOL and Compensation Concerns
- National and International Legal Challenges

DEFINITION OF “SHIP” IN SCOTLAND FOR ARREST PURPOSES

- Challenges in Applying the Limitation Convention 1976 to Floating Platforms
- Application of the CLC and Fund Conventions 1992 to Offshore Crafts

RECOVERABILITY OF PURE ECONOMIC LOSS

LECTURE 2

OIL POLLUTION CLAIMS AND PUBLIC NUISANCE

11-14

- Understanding Public Nuisance in Environmental Contexts

THE LEGAL FRAMEWORK OF PUBLIC NUISANCE

- Case Study: The Sea Empress Oil Spill
- Legal and Economic Repercussions

PUBLIC NUISANCE AS A LEGAL TOOL FOR ENVIRONMENTAL DAMAGE

- The Evolution of Public Nuisance as a Tort



- Origins of Nuisance in Common Law
- Distinction between Private and Public Nuisance

LECTURE 3

LEGAL PRECEDENTS AND THE EVOLUTION OF PUBLIC NUISANCE 15-17

- The Requirement of Special Damage
- Distinguishing Public Nuisance from Private Nuisance
- Overlapping Nature of Public and Private Nuisance
- Classification of Public Nuisance
- Relevance of Public Nuisance in Modern Oil Pollution Cases

LECTURE 4

THE RECOVERABILITY OF PURE ECONOMIC LOSS IN PUBLIC NUISANCE

18-27

- The Role of Public Nuisance in Addressing Economic Loss
- Distinction from Negligence Claims
- Case Law Illustrating Economic Loss Recovery in Public Nuisance
- Essential Elements of Public Nuisance
- Establishing Public Nuisance

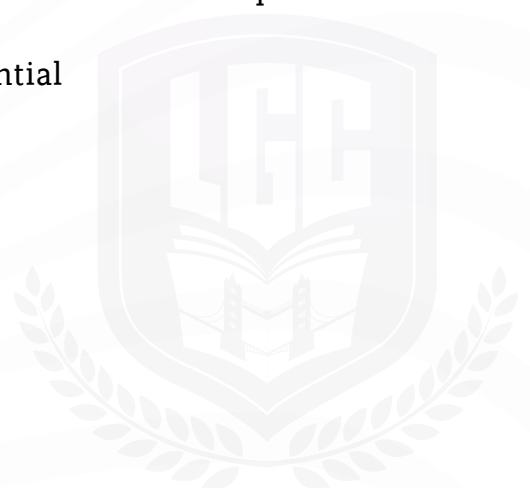
LECTURE 5

DETERMINING WHETHER DAMAGE IS DIRECT OR MERELY CONSEQUENTIAL

28-31

- The Distinction between Direct and Consequential Damage
- The Approach to "Directness" in Case Law
- Judicial Interpretations and Modern Applications
- Application to Oil Pollution Cases
- Assessing Whether a Particular Loss or Damage is a Foreseeable Consequence of Nuisance
- Determining Whether the Particular Damage is Substantial

Conclusions



Aim of the Module:

This module aims to provide students with a comprehensive understanding of international and national legal frameworks governing oil pollution from ships and the compensation mechanisms available for damage caused by such pollution. It explores key conventions, liability principles, and the role of regulatory bodies in enforcing compliance and ensuring environmental protection.

Learning Outcomes:

By the end of this module, learners will be able to:

1. **Identify** and explain the key international conventions related to oil pollution (e.g., MARPOL, CLC, Fund Convention).
2. **Analyze** legal principles of liability and compensation for oil pollution damage.
3. **Evaluate** the effectiveness of current legal and institutional frameworks.
4. **Apply** relevant legal concepts to real-world case studies involving oil pollution incidents.
5. **Demonstrate** awareness of recent developments and challenges in oil pollution law and enforcement.

