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## Convention on Limitation of Liability for Maritime Claims (LLMC)

**Adoption: 19 November 1976; Entry into force: 1 December 1986; Protocol of 1996: Adoption: 2 May 1996; Entry into force: 13 May 2004**

The Convention replaced the International Convention Relating to the Limitation of the Liability of Owners of Seagoing Ships, which was signed in Brussels in 1957, and came into force in 1968.

Under the 1976 Convention, the limit of liability for claims covered is raised considerably, in some cases up to 250-300 per cent. Limits are specified for two types of claims - claims for loss of life or personal injury, and property claims (such as damage to other ships, property or harbour works).

The limits under the 1976 Convention were set at 333,000 SDR for personal claims for ships not exceeding 500 tons plus an additional amount based on tonnage. For other claims, the limit of liability was fixed under the 1976 Convention at 167,000 SDR plus additional amounts based on tonnage on ships exceeding 500 tons.

The Convention provides for a virtually unbreakable system of limiting liability. Shipowners and salvors may limit their liability, except if "it is proved that the loss resulted from his personal act or omission, committed with the intent to cause such a loss, or recklessly and with knowledge that such loss would probably result".

### Protocol of 1996

**Adoption: 2 May 1996**

**Entry into force: 13 May 2004**

Under the Protocol the amount of compensation payable in the event of an incident being substantially increased and also introduces a "tacit acceptance" procedure for updating these amounts.

The limit of liability for claims for **loss of life or personal injury** on ships not exceeding 2,000 gross tonnage is 2 million SDR.

For larger ships, the following additional amounts are used in calculating the limitation amount:

- For each ton from 2,001 to 30,000 tons, 800 SDR
- For each ton from 30,001 to 70,000 tons, 600 SDR
- For each ton in excess of 70,000, 400 SDR (US\$634).

The limit of liability for **property claims** for ships not exceeding 2,000 gross tonnage is 1 million SDR.

For larger ships, the following additional amounts are used in calculating the limitation amount:

- For each ton from 2,001 to 30,000 tons, 400 SDR
- For each ton from 30,001 to 70,000 tons, 300 SDR
- For each ton in excess of 70,000, 200 SDR

### Amendments to 1996 Protocol

**Adoption: 19 April 2012**

**Entry into force: 8 June 2015**

The new limits are expected to enter into force 36 months from the date of notification of the adoption, so in 2015, under the tacit acceptance procedure.

### New limits:

Under the amendments to the 1996 Protocol, the limits are raised as follows:

The limit of liability for claims for **loss of life or personal injury** on ships not exceeding 2,000 gross tonnage is 3.02 million SDR (up from 2 million SDR).

For larger ships, the following additional amounts are used in calculating the limitation amount:

- For each ton from 2,001 to 30,000 tons, 1,208 SDR (up from 800 SDR)
- For each ton from 30,001 to 70,000 tons, 906 SDR (up from 600 SDR)
- For each ton in excess of 70,000, 604 SDR (up from 400 SDR).

The limit of liability for **property claims** for ships not exceeding 2,000 gross tonnage is 1.51 million SDR (up from 1 million SDR).

For larger ships, the following additional amounts are used in calculating the limitation amount:

- For each ton from 2,001 to 30,000 tons, 604 SDR (up from 400 SDR)
- For each ton from 30,001 to 70,000 tons, 453 SDR (up from 300 SDR)
- For each ton in excess of 70,000 tons, 302 SDR (up from 200 SDR).

### Special Drawing Rights

The daily conversion rates for Special Drawing Rights (SDRs) can be found on the International Monetary Fund IMF website: <http://www.imf.org/>

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