

"(2) Compensation shall be paid by the Crown for the services of any ship which has complied with an order issued under sub-paragraph (ii) of paragraph (e) of this section."

Delete the word "control" in lines 22, 24, 27 and 31 on page 10 and substitute the word "prevention" therefor.

Delete the word "control" in line 2 on page 11 and substitute the word "prevention" therefor.

Add immediately after subsection (4) of section 743 on page 13, the following subsection:

"(5) Subsection (6) of section 461 does not apply to relieve the master or owner of a ship from liability, either civil or criminal or both, under this Part except where the consent of the Minister to the throwing of dangerous goods overboard in accordance with that subsection has been given and such goods are thrown overboard in accordance with any terms and conditions on which such consent was given."

Strike out lines 4 to 22 on page 13 and substitute the following therefor:

"744. (1) The liability of any person pursuant to section 743 does not depend upon proof of fault or negligence but no person is liable pursuant to that section for any costs or expenses described in paragraph (c) of subsection (1) of that section or actual loss or damage described in paragraph (d) of that subsection incurred by another person where he establishes that

(a) the conduct of that other person caused the discharge of the pollutant that gave rise to the liability or contributed to such discharge, to the degree to which his conduct contributed thereto, or

(b) the discharge of the pollutant that gave rise to the liability was wholly caused by

(i) an act of war, hostilities, civil war, insurrection or a natural phenomenon of an exceptional, inevitable and irresistible character,

(ii) an act or omission done with intent to cause damage by a person other than any person for whose wrongful act or omission he is by law responsible, or

(iii) the negligence or wrongful act or omission of any person or government in the installation or maintenance of lights or other navigational aids

and nothing in this Part shall be construed as limiting or restricting any right of recourse that a person liable pursuant to section 743 may have against any other person."

Strike out lines 24 to 26 on page 13 and substitute the following therefor:

"(2) For the purposes of subsection (1), a reference to the conduct of another person includes any wrongful act"

Strike out lines 15 and 16 on page 14 and substitute the following therefor:

"(c) where the incident occurs without actual fault or privity on the part of the person"

Strike out line 22 on page 14 and substitute the following therefor:

"(d) where the incident occurs with actual fault or privity"

Delete subsection (3), lines 9 to 17, both inclusive of section 747 on page 17.

Strike out line 28 on page 24.

Strike out lines 33 to 35 on page 24 and substitute the following therefor:

"of a ship, the owner, consignor or shipper of the oil."

Delete the word "and" in line 43 on page 24.

Strike out lines 4 to 6 on page 25 and substitute the following therefor:

"(3) of section 757 or in regulations made under paragraph (c) of this section from whom amounts payable under subsection (1) of section 757 may be recovered; and

(c) providing for payments under subsection (1) of section 757 in respect of any pollutant other than oil that is specified in the regulations and that is

(i) imported by ship into Canada as a cargo, or
(ii) shipped from any place in Canada as a cargo of a ship,

and providing for the amount of such payments, the time when payment thereof shall be made or security for such payments shall be given and the persons from whom such amounts may be recovered in accordance with subsection (3) of section 757 by Her Majesty in right of Canada."

Strike out line 20 on page 27 and substitute the following therefor:

"one hundred thousand dollars."

Delete the word "control" in lines 27 and 29 on page 27 and substitute the word "prevention" therefor.

Strike out line 33 on page 27 and substitute the following therefor:

"fine not exceeding one hundred thousand"

Strike out line 9 on page 28 and substitute the following therefor:

"not exceeding one hundred thousand"

Strike out line 17 on page 28 and substitute the following therefor:

"to a fine not exceeding one hundred"

Delete the word "control" in lines 3, 8, 10 and 17 on page 29 and substitute the word "prevention" therefor.