as a result of a discharge of Trans-Alaska pipeline oil should not be made subject to reciprocity. The USA authorities have taken the position that existing Canadian access to the $100 million fund in respect of Alaskan oil should remain unimpaired and this position, along with Canadian concerns, have been conveyed to Congressional leaders.

30. Under Canadian law, the Canada Shipping Act (CSA) Part XX sets out provisions for liability and compensation for vessel-source pollution. The CSA applies to any discharge in Canadian waters caused by, or otherwise attributable to, a ship (regardless of nationality) that carried more than one thousand tons of oil (regardless of origin). Section 734 of the Act provides that the shipowner and the owner of the oil are jointly and severally liable for all damges and clean-up costs on a basis of strict liability. A claimant in Canada could, therefore, have recourse to compensation under the CSA as a result of a discharge of Trans-Alaska pipeline oil in Canadian waters. The limit of liability of the shipowner in such cases would be 210 million gold francs or about $16.8 million (at eight cents to the franc), unless fault is attributable to the owner, in which case, liability is unlimited. Under Section 737 of the CSA, a Maritime Pollution Claims Fund (MPCF), which now amounts to $40 million, has been established to satisfy certain claims as specified in the Act.

31. Both the USA and Canada are examining possible revisions to the two international agreements which deal, although not entirely adequately, with liability and compensation for damages resulting from tanker spills: the 1969 Brussels Convention on