

Changes to legislation: Merchant Shipping Act 1995, Paragraph 1 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

[^{F1}SCHEDULE 3A

SAFETY DIRECTIONS

Textual Amendments

F1 Sch. 3A inserted (10.9.2003) by [Marine Safety Act 2003 \(c. 16\)](#), s. 4, [Sch. 1](#)

Direction following accident: person in control of ship

- 1 (1) The Secretary of State may give a direction under this paragraph in respect of a ship if in his opinion—
- (a) an accident has occurred to or in the ship,
 - (b) the accident has created a risk to safety or a risk of pollution by a hazardous substance, and
 - (c) the direction is necessary to remove or reduce the risk.
- (2) The direction may be given to—
- (a) the owner of the ship,
 - (b) a person in possession of the ship,
 - (c) the master of the ship,
 - (d) a pilot of the ship,
 - (da) [^{F2}the owner of a hazardous substance in the ship,]
 - (e) a salvor in possession of the ship,
 - (f) a person who is the servant or agent of a salvor in possession of the ship and who is in charge of the salvage operation, or
 - (g) where the ship is in, or has been directed to move into, waters which are regulated or managed by a harbour authority, the harbour authority or the harbour master.
- (3) The direction may require the person to whom it is given to take or refrain from taking any specified action in relation to—
- (a) the ship;
 - (b) anything which is or was in the ship;
 - (c) anything which forms or formed part of the ship;
 - (d) anything which is or was being towed by the ship;
 - (e) a person on the ship.
- (4) In particular, the direction may require a person to ensure—
- (a) that a ship or other thing is moved or not moved;
 - (b) that a ship or other thing is moved or not moved to or from a specified place or area or over a specified route;
 - (c) that cargo is or is not unloaded or discharged;

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- (d) that a substance is or is not unloaded or discharged;
- (e) that specified salvage measures are taken or not taken;
- (f) that a person is put ashore or on board a ship.]

Textual Amendments

- F2** Sch. 3A para. 1(2)(da) inserted (20.9.2004) by [The Merchant Shipping \(Vessel Traffic Monitoring and Reporting Requirements\) Regulations 2004 \(S.I. 2004/2110\)](#), **reg. 22(1)**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 145(2)(a)(ia) inserted by [2003 c. 44 Sch. 36 para. 13\(2\)](#)
- s. 145(2)(a)(ia) words substituted by [2015 c. 2 Sch. 11 para. 16\(2\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 145(2)(a)(ia) by 2003 c. 44, Sch. 36 para. 13 is still prospective.)
- s. 145(2A) inserted by [2003 c. 44 Sch. 36 para. 13\(3\)](#)
- s. 145(2A) words substituted by [2015 c. 2 Sch. 11 para. 16\(3\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 145(2A) by 2003 c. 44, Sch. 36 para. 13 is still prospective.)