



Merchant Shipping Act 1995

1995 CHAPTER 21

PART VI **U.K.**

PREVENTION OF POLLUTION

CHAPTER II **U.K.**

OIL POLLUTION

General provisions for preventing pollution

Restrictions on transfer of oil at night.

132 Defences of owner or master charged with offence under section 131. **U.K.**

- (1) Where a person is charged with an offence under section 131 as the owner or master of a ship, it shall be a defence to prove that the oil or mixture was discharged for the purpose of—
 - (a) securing the safety of any ship;
 - (b) preventing damage to any ship or cargo, or
 - (c) saving life,unless the court is satisfied that the discharge of the oil or mixture was not necessary for that purpose or was not a reasonable step to take in the circumstances.
- (2) Where a person is charged with an offence under section 131 as the owner or master of a ship, it shall also be a defence to prove—
 - (a) that the oil or mixture escaped in consequence of damage to the ship, and that as soon as practicable after the damage occurred all reasonable steps were taken for preventing, or (if it could not be prevented) for stopping or reducing, the escape of the oil or mixture; or

Status: Point in time view as at 01/11/1996.

Changes to legislation: Merchant Shipping Act 1995, Section 132 is up to date with all changes known to be in force on or before 14 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)

- (b) that the oil or mixture escaped by reason of leakage, that neither the leakage nor any delay in discovering it was due to any want of reasonable care, and that as soon as practicable after the escape was discovered all reasonable steps were taken for stopping or reducing it.

Status:

Point in time view as at 01/11/1996.

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