



Merchant Shipping Act 1984

1984 CHAPTER 5

PART I

IMPROVEMENT NOTICES AND PROHIBITION NOTICES

Service of notices by inspectors

2 Prohibition notices

- (1) If, as regards any relevant activities which are being or are about to be carried on on board any ship by or under the control of any person, an inspector is of the opinion that, as so carried on or as about to be so carried on, the activities involve or (as the case may be) will involve the risk of—
 - (a) serious personal injury to any person (whether on board the ship or not), or
 - (b) serious pollution of any navigable waters,the inspector may serve on the first-mentioned person a notice under this section, referred to in this Part of this Act as a prohibition notice.
- (2) In subsection (1) above "relevant activities" means activities to or in relation to which any of the relevant statutory provisions apply or will, if the activities are carried on as mentioned in that subsection, apply.
- (3) A prohibition notice shall—
 - (a) state that the inspector is of the said opinion;
 - (b) specify the matters which in his opinion give or (as the case may be) will give rise to the said risk ;
 - (c) where in his opinion any of those matters involve or (as the case may be) will involve a contravention of any of the relevant statutory provisions, state that he is of that opinion, specify the provision or provisions as to which he is of that opinion, and give particulars of the reasons why he is of that opinion; and
 - (d) direct—
 - (i) that the activities to which the notice relates shall not be carried on by or under the control of the person on whom the notice is served, or

Status: This is the original version (as it was originally enacted).

- (ii) that the ship shall not go to sea, (or both of those things) unless the matters specified in the notice in pursuance of paragraph (b) above, and any associated contraventions of any provision so specified in pursuance of paragraph (c) above, have been remedied.
- (4) A direction given in pursuance of subsection (3)(d) above shall take immediate effect if the notice contains a statement to the effect that the inspector is of the opinion that the risk in question is or (as the case may be) will be imminent, and in any other case shall have effect at the end of a period specified in the notice