



Merchant Shipping (Salvage and Pollution) Act 1994

1994 CHAPTER 28

An Act to make further provision in relation to marine salvage and marine pollution and the discharge of functions of the Secretary of State in connection therewith; and for purposes connected with those purposes. [21st July 1994]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

VALID FROM 01/01/1995

Salvage

1 Salvage Convention, 1989 to have force of law.

- (1) The provisions of the International Convention on Salvage, 1989 as set out in Part I of Schedule 1 to this Act (in this section and in Part II of that Schedule referred to as “the Convention”) shall have the force of law in the United Kingdom.
- (2) The provisions of Part II of that Schedule shall have effect in connection with the Convention, and subsection (1) above shall have effect subject to the provisions of that Part.
- (3) If it appears to Her Majesty in Council that the government of the United Kingdom has agreed to any revision of the Convention She may by Order in Council make such modifications of Parts I and II of Schedule 1 to this Act as She considers appropriate in consequence of the revision.
- (4) Nothing in subsection (1) or (2) above or in any modification made by virtue of subsection (3) above shall affect any rights or liabilities arising out of any salvage

Status: Point in time view as at 28/07/1994. This version of this Act contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping (Salvage and Pollution) Act 1994 (repealed 1.1.1996). (See end of Document for details)

operations started or other acts done before the day on which this section or, as the case may be, the modification comes into force.

- (5) This section may be brought into force before the entry into force of the Convention and as respects any such period any reference in the Convention to a State Party to the Convention shall be read as a reference to the United Kingdom.
- (6) The provisions of Schedule 2 to this Act (which make amendments consequential on subsections (1) and (2) above) shall have effect; but nothing in any such amendment shall affect any rights or liabilities arising out of any salvage operations started or other acts done before the day on which the amendment comes into force.
- (7) A draft of an Order in Council proposed to be made by virtue of subsection (3) above shall not be submitted to Her Majesty in Council unless the draft has been approved by a resolution of each House of Parliament.

Marine Pollution

VALID FROM 01/01/1995

2 Power to implement 1990 OPRC Convention.

- (1) Section 20 of the ^{M1}Merchant Shipping Act 1979 (power by Order in Council to implement international conventions relating to pollution from ships, etc) shall have effect with the insertion in subsection (1), after paragraph (c), of the following paragraph—
 - “(cc) the International Convention on Oil Pollution Preparedness, Response and Co-operation, 1990 (including the Final Act of the Conference and the attached resolutions) signed in London on 30th November 1990;”.
- (2) In consequence of the amendment made by subsection (1) above, in subsection (6) of that section for the words “(a) to (c)” there shall be substituted the words “(a) to (cc)”.

Marginal Citations

M1 1979 c. 39.

3 Amendments as to powers of implementation.

- (1) Section 20 of the Merchant Shipping Act 1979 (power by Order in Council to implement international conventions relating to pollution from ships, etc) shall be amended as follows.
- (2) In subsection (3)(a), in the list of enactments there specified, after the entry for the ^{M2}Merchant Shipping Act 1970, there shall be inserted the following entry— “section 33 of the Merchant Shipping Act 1988 (which relates to investigations of marine accidents);”.
- (3) In subsection (4), after paragraph (a), there shall be inserted the following paragraph—

Status: Point in time view as at 28/07/1994. This version of this Act contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping (Salvage and Pollution) Act 1994 (repealed 1.1.1996). (See end of Document for details)

“(aa) make provision in terms of any document which the Secretary of State or any person considers relevant from time to time;”.

(4) After subsection (4), there shall be inserted the following subsections—

“(4A) Where an Order in Council under subsection (1) of this section authorises the making of regulations for the purpose of giving effect to an agreement mentioned in paragraphs (a) to (cc) or falling within paragraph (d) of that subsection the Order also authorises the making of regulations for the purpose of giving effect to an agreement which provides for the modification of such an agreement.

This subsection applies in relation to Orders in Council and international agreements whenever made.

(4B) Regulations made by virtue of paragraph (e) of subsection (4) of this section—

- (a) may make provision corresponding to the provision authorised for an Order by paragraphs (a) to (d) of subsection (4) of this section; and
- (b) shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

Marginal Citations

M2 1970 c. 36.

VALID FROM 01/01/1995

4 Prevention of pollution from ships: further power to implement international agreements.

After section 20 of the ^{M3}Merchant Shipping Act 1979 there shall be inserted the following section—

“20A Further provision for prevention of pollution from ships.

- (1) Her Majesty may by Order in Council make such provision as She considers appropriate for the purpose of giving effect to any provision of the United Nations Convention on the Law of the Sea 1982 (Cmnd 8941) for the protection and preservation of the marine environment from pollution by matter from ships.
- (2) Without prejudice to the generality of subsection (1) of this section, an Order under that subsection may in particular include provision—
 - (a) corresponding to any provision that is authorised for the purposes of section 20 of this Act by subsections (3) and (4) of that section; and
 - (b) specifying areas of sea above any of the areas for the time being designated under section 1(7) of the Continental Shelf Act 1964 as waters within which the jurisdiction and rights of the United Kingdom are exercisable in accordance with Part XII of that Convention for the protection and preservation of the marine environment;

Status: Point in time view as at 28/07/1994. This version of this Act contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping (Salvage and Pollution) Act 1994 (repealed 1.1.1996). (See end of Document for details)

and provision authorising the making of regulations authorises the amendment or revocation of regulations made by virtue of paragraph (e) of the said subsection (4).

- (3) A draft of an Order in Council proposed to be made by virtue of subsection (1) of this section shall not be submitted to Her Majesty in Council unless the draft has been approved by a resolution of each House of Parliament.”

Marginal Citations

M3 1979 c. 39.

5 Liability and compensation for oil pollution damage: 1992 Protocols.

- (1) For the purpose of enabling effect to be given to the 1992 Protocols, the ^{M4}Merchant Shipping (Oil Pollution) Act 1971 and the ^{M5}Merchant Shipping Act 1974 shall have effect subject to the amendments contained in Parts I and II respectively of Schedule 4 to the ^{M6}Merchant Shipping Act 1988 with the substitution, in the definition in section 19(1) of the 1971 Act of “the Convention” and in the definitions in section 1(1) of the 1974 Act of “the Liability Convention” and “the Fund Convention”, of “1992” for “1984”.
- (2) Accordingly—
- (a) the word “1984” shall be omitted from the section 4A(1) of the 1974 Act and the paragraph 4(a) and (d) constituting Schedule 1 to the 1974 Act as respectively inserted and substituted by Part II of Schedule 4 to the 1988 Act; and
 - (b) paragraph 18 of Schedule 4 to the ^{M7}Merchant Shipping (Registration, etc.) Act 1993 (which provides that section 34 of and Schedule 4 to the 1988 Act shall not have effect) is hereby repealed and the entry for Schedule 4 to the 1988 Act shall be deemed not to have been included in Part II of Schedule 5 to the 1993 Act (pre-consolidation repeals).
- (3) Her Majesty may by Order in Council make such provision as appears to Her Majesty to be appropriate in connection with the implementation of any transitional provisions contained in the 1992 Protocols or the Conventions which they amend; and any such Order may in particular provide, in relation to occurrences of any description specified in the Order—
- (a) for provisions of the 1971 Act or the 1974 Act to have effect—
 - (i) to such extent as is so specified, as if Schedule 4 to the 1988 Act were not in force, and
 - (ii) to such extent as is so specified, as if that Schedule were in force;
 - (b) for any such provisions to have effect (whether as amended by that Schedule or not) subject to such modifications as are so specified.
- (4) In this section “the 1992 Protocols” means—
- (a) the Protocol of 1992 to amend the International Convention on Civil Liability for Oil Pollution Damage 1969 signed in London on 27th November 1992; and

Status: Point in time view as at 28/07/1994. This version of this Act contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping (Salvage and Pollution) Act 1994 (repealed 1.1.1996). (See end of Document for details)

- (b) the Protocol of 1992 to amend the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage 1971 signed in London on 27th November 1992.

Marginal Citations

- M4** 1971 c. 59.
M5 1974 c. 43.
M6 1988 c. 12.
M7 1993 c. 22.

VALID FROM 01/10/1994

6 Extension of strict liability for oil pollution by ships.

- (1) The ^{M8}Merchant Shipping (Oil Pollution) Act 1971 shall be amended as provided in Schedule 3 (amendments imposing on other ships liability for oil pollution corresponding to that imposed on tankers).
- (2) In Part I of that Schedule “the 1971 Act” means the Merchant Shipping (Oil Pollution) Act 1971 without the amendments made by Part I of Schedule 4 to the ^{M9}Merchant Shipping Act 1988.
- (3) In Part II of that Schedule “the 1971 Act” means the Merchant Shipping (Oil Pollution) Act 1971 as amended by Part I of Schedule 4 to the Merchant Shipping Act 1988 (“the 1988 Act”) and section 5 of this Act.
- (4) Where the amendments of the 1971 Act made by Part II of Schedule 3 to this Act come into force after the 1971 Act has been amended by Part I of the said Schedule 3, Parts I and II of that Schedule shall have effect with the modifications specified in Part III of that Schedule.

Commencement Information

- II** [S. 6](#) not in force at Royal Assent see [s. 10\(4\)](#); [S. 6\(1\)](#) (so far as relating to Pt. I of Sch. 3) and (2) in force at 1.10.1994 by [S.I. 1994/1988](#), art. 3, [Sch. 2](#)

Marginal Citations

- M8** 1971 c. 59.
M9 1988 c. 12.

VALID FROM 01/10/1994

7 Extension of rights of Fund by subrogation.

- (1) In section 8 of the ^{M10}Merchant Shipping Act 1974 (Acquisition by International Fund of rights of recipients of payments made by the Fund in cases of oil pollution damage)—
- (a) for subsection (1), there shall be inserted the following subsection—

Status: Point in time view as at 28/07/1994. This version of this Act contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping (Salvage and Pollution) Act 1994 (repealed 1.1.1996). (See end of Document for details)

- “(1) In respect of any sum paid by the Fund as compensation for pollution damage the Fund shall acquire by subrogation any rights in respect of the damage which the recipient has (or but for the payment would have) against any other person.”; and
- (b) subsection (3) shall be omitted.
- (2) The amendments made by subsection (1) above apply in relation to payments made by the Fund after this section comes into force.

Marginal Citations

M10 1974 c. 43.

VALID FROM 01/10/1994

8 Functions of Secretary of State in relation to marine pollution.

- (1) The Secretary of State shall continue to have the functions of taking, or co-ordinating, measures to prevent, reduce and minimise the effects of, marine pollution.
- (2) Without prejudice to the generality of subsection (1) above, the functions of the Secretary of State under that subsection include—
- (a) the acquisition, maintenance, use and disposal of ships, aircraft, equipment and other property;
 - (b) the provision of services, including research, training and advice;
 - (c) the giving of assistance to any other State or international institution under any international agreement relating to the prevention, reduction or control of marine pollution; and
 - (d) any other functions exercisable on his behalf at the commencement of this section by the Marine Pollution Control Unit.
- (3) Assistance under subsection (2)(c) above shall be given on such terms as will secure reimbursement of the cost of giving the assistance if and to the extent that reimbursement will be practicable in the circumstances.
- (4) The Secretary of State may make reasonable charges for the supply of goods or services.
- (5) In this section—
- “marine pollution” means pollution caused by ships, offshore installations or submarine pipelines affecting or likely to affect the United Kingdom or United Kingdom waters or controlled waters;
- “offshore installation” means any installation which is maintained for underwater exploitation or exploration to which the ^{M11}Mineral Working (Offshore Installations) Act 1971 applies;
- “pipeline” has the same meaning as in Part III of the ^{M12}Petroleum and Submarine Pipelines Act 1975 and “submarine” means in, under or over United Kingdom waters or controlled waters;
- “United Kingdom waters” means any part of the sea within the seaward limits of United Kingdom territorial waters and “United Kingdom controlled

Status: Point in time view as at 28/07/1994. This version of this Act contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping (Salvage and Pollution) Act 1994 (repealed 1.1.1996). (See end of Document for details)

waters” means any part of the sea within the limits of any area designated under section 1(7) of the ^{M13}Continental Shelf Act 1964;

but no restriction as to the seas to which functions under this section extend is implied as regards the functions mentioned in subsection (2)(c) above.

- (6) In section 12 of the ^{M14}Prevention of Oil Pollution Act 1971 (powers of Secretary of State to prevent or reduce oil pollution in the event of a shipping accident), in subsection (9), after the definition of “accident” there shall be inserted the following—

““owner”, in relation to the ship to or in which an accident has occurred, includes its owner at the time of the accident; and”.

Marginal Citations

M11 1971 c. 61.

M12 1975 c. 74.

M13 1964 c. 29.

M14 1971 c. 60.

General

9 Expenses.

There shall be paid out of money provided by Parliament—

- (a) any expenses incurred by the Secretary of State under this Act; and
- (b) any increase attributable to this Act in the sums payable out of money so provided under any other Act.

10 Short title, citation, construction, repeals, commencement and extent.

- (1) This Act may be cited as the Merchant Shipping (Salvage and Pollution) Act 1994 and the Merchant Shipping Acts 1894 to 1993 and this Act may be cited as the Merchant Shipping Acts 1894 to 1994.
- (2) This Act shall be construed as one with the Merchant Shipping Acts 1894 to 1993.
- (3) The enactments mentioned in Schedule 4 to this Act are repealed to the extent specified in the third column of that Schedule.
- (4) This Act shall come into force on such day as the Secretary of State may appoint by order made by statutory instrument, and different days may be appointed for different provisions.
- (5) This Act extends to England and Wales, Scotland and Northern Ireland.

Subordinate Legislation Made

P1 [S. 10\(4\)](#) power partly exercised (26.7.1994): 28.7.1994 and 1.10.1994 appointed for specified provisions by [S.I. 1994/1988](#), [arts. 2, 3](#), [Schs. 1, 2](#)

[S. 10\(4\)](#) power partly exercised (22.11.1994): 1.1.1995 appointed for specified provisions by [S.I. 1994/2971](#), [art. 2](#), [Sch.](#)

Status: Point in time view as at 28/07/1994. This version of this Act contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping (Salvage and Pollution) Act 1994 (repealed 1.1.1996). (See end of Document for details)

Commencement Information

- I2** S. 10 not in force at Royal Assent see s. 10(4); S. 10(1)(2)(4)(5) in force at 28.7.1994 by S.I. 1994/1988, art. 2, **Sch. 1**; S. 10(3) in force in relation to certain repeals at 1.10.1994 by S.I. 1994/1988, art. 3, **Sch. 2** and in relation to certain further repeals at 1.1.1995 by S.I. 1994/2971, art. 2, **Sch.**

Status: Point in time view as at 28/07/1994. This version of this Act contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping (Salvage and Pollution) Act 1994 (repealed 1.1.1996). (See end of Document for details)

SCHEDULES

VALID FROM 01/01/1995

SCHEDULE 1

Section 1(1).

INTERNATIONAL CONVENTION ON SALVAGE, 1989

.....

VALID FROM 01/01/1995

SCHEDULE 2

Section 1(6).

SALVAGE: CONSEQUENTIAL AND RELATED AMENDMENTS

.....

SCHEDULE 3

Section 6.

EXTENSION OF STRICT LIABILITY FOR OIL POLLUTION BY SHIPS

Commencement Information

I3 Sch. 3 not in force at Royal Assent see s. 10(4); Sch. 3 Pt. I in force at 1.10.1994 by S.I. 1994/1988, art. 3, Sch. 2

VALID FROM 01/10/1994

PART I

AMENDMENTS OF THE 1971 ACT

1 After section 1 of the 1971 Act there shall be inserted the following section—

“1A Liability for oil pollution in case of other ships.

(1) Where, as a result of any occurrence, any persistent oil is discharged or escapes from a ship other than a ship to which section 1 of this Act applies

Status: Point in time view as at 28/07/1994. This version of this Act contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping (Salvage and Pollution) Act 1994 (repealed 1.1.1996). (See end of Document for details)

(that is to say a ship carrying a cargo of persistent oil in bulk), then (except as otherwise provided by this Act) the owner of the ship shall be liable—

- (a) for any damage caused outside the ship in the area of the United Kingdom by contamination resulting from the discharge or escape; and
 - (b) for the cost of any measures reasonably taken after the discharge or escape for the purpose of preventing or minimising any damage so caused in the area of the United Kingdom by contamination resulting from the discharge or escape; and
 - (c) for any damage so caused in the area of the United Kingdom by any measures so taken.
- (2) Where, as a result of any occurrence, there arises a grave and imminent threat of damage being caused outside a ship other than a ship to which section 1 of this Act applies by the contamination which might result if there were a discharge or escape of persistent oil from the ship, then (except as otherwise provided by this Act) the owner of the ship shall be liable—
- (a) for the cost of any measures reasonably taken for the purpose of preventing or minimising any such damage in the area of the United Kingdom; and
 - (b) for any damage caused outside the ship in the area of the United Kingdom by any measures so taken;
- and in the subsequent provisions of this Act any such threat is referred to as a relevant threat of contamination.
- (3) Where—
- (a) as a result of any occurrence, a liability is incurred under this section by the owner of each of two or more ships, but
 - (b) the damage or cost for which each of the owners would be liable cannot reasonably be separated from that for which the other or others would be liable,
- each of the owners shall be liable, jointly with the other or others for the whole of the damage or cost for which the owners together would be liable under this section.
- (4) The Law Reform (Contributory Negligence) Act 1945 and, in Northern Ireland, the Law Reform (Miscellaneous Provisions) Act (Northern Ireland) 1948 shall apply in relation to any damage or cost for which a person is liable under this section but which is not due to his fault, as if it were due to his fault.
- (5) In this section “ship” includes a vessel which is not sea-going.”

2

After section 2 of the 1971 Act there shall be inserted the following section—

“2A Exceptions from liability under section 1A.

o liability shall be incurred by the owner of a ship under section 1A of this Act by reason of any discharge or escape of persistent oil from the ship,

Status: Point in time view as at 28/07/1994. This version of this Act contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping (Salvage and Pollution) Act 1994 (repealed 1.1.1996). (See end of Document for details)

or by reason of any relevant threat of contamination, if he proves that the discharge or escape, or (as the case may be) the threat of contamination—

- (a) resulted from an act of war, hostilities, civil war, insurrection or an exceptional, inevitable and irresistible natural phenomenon; or
- (b) was due wholly to anything done or omitted to be done by another person, not being a servant or agent of the owner, with intent to do damage; or
- (c) was due wholly to the negligence or wrongful act of a government or other authority in exercising its function of maintaining lights or other navigational aids for the maintenance of which it was responsible.”

3 After section 3 of the 1971 Act there shall be inserted the following section—

“3A Restriction of liability for oil pollution.

(1) Where, as a result of any occurrence—

- (a) any persistent oil is discharged or escapes from a ship to which section 1A of this Act applies, or
- (b) there arises a relevant threat of contamination,

then, whether or not the owner of the ship in question incurs a liability under section 1A of this Act—

- (i) he shall not be liable otherwise than under that section for any such damage or cost as is mentioned in it, and
- (ii) no person to whom this paragraph applies shall be liable for any such damage or cost unless it resulted from anything done or omitted to be done by him either with intent by him to cause any such damage or cost or recklessly and in the knowledge that any such damage or cost would probably result.

(2) Subsection (1)(ii) of this section applies to—

- (a) any servant or agent of the owner of the ship;
- (b) any person not falling within paragraph (a) above but employed or engaged in any capacity on board the ship or to perform any service for the ship;
- (c) any charterer of the ship (however described and including a bareboat charterer), and any manager or operator of the ship;
- (d) any person performing salvage operations with the consent of the owner of the ship or on the instructions of a competent public authority;
- (e) any person taking any such measures as are mentioned in subsection (1)(b) or (2)(a) of section 1A of this Act;
- (f) any servant or agent of a person falling within paragraph (c), (d) or (e) above.

(3) The liability of the owner of a ship under section 1A of this Act for any impairment of the environment shall be taken to be a liability only in respect of—

- (a) any resulting loss of profits, and

Status: Point in time view as at 28/07/1994. This version of this Act contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping (Salvage and Pollution) Act 1994 (repealed 1.1.1996). (See end of Document for details)

- (b) the cost of any reasonable measures of reinstatement actually taken or to be taken.”

PART II

AMENDMENTS OF THE 1971 ACT AS AMENDED BY THE 1988 ACT

1 In section 1(2) of the 1971 Act (liability for threat of oil pollution), for the words “contamination resulting from” there shall be substituted the words “ the contamination which might result if there were ”.

2 After section 1 of the 1971 Act there shall be inserted the following section—

“1A Liability for oil pollution in case of other ships.

(1) Where, as a result of any occurrence, any oil is discharged or escapes from a ship other than a ship to which section 1 of this Act applies, then (except as otherwise provided by this Act) the owner of the ship shall be liable—

- (a) for any damage caused outside the ship in the area of the United Kingdom by contamination resulting from the discharge or escape; and
- (b) for the cost of any measures reasonably taken after the discharge or escape for the purpose of preventing or minimising any damage so caused in the area of the United Kingdom by contamination resulting from the discharge or escape; and
- (c) for any damage so caused in the area of the United Kingdom by any measures so taken.

(2) Where, as a result of any occurrence, there arises a grave and imminent threat of damage being caused outside a ship other than a ship to which section 1 of this Act applies by the contamination which might result if there were a discharge or escape of oil from the ship, then (except as otherwise provided by this Act) the owner of the ship shall be liable—

- (a) for the cost of any measures reasonably taken for the purpose of preventing or minimising any such damage in the area of the United Kingdom; and
- (b) for any damage caused outside the ship in the area of the United Kingdom by any measures so taken;

and in the subsequent provisions of this Act any such threat is referred to as a relevant threat of contamination.

(3) Where—

- (a) as a result of any occurrence, a liability is incurred under this section by the owner of each of two or more ships, but
- (b) the damage or cost for which each of the owners would be liable cannot reasonably be separated from that for which the other or others would be liable,

Status: Point in time view as at 28/07/1994. This version of this Act contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping (Salvage and Pollution) Act 1994 (repealed 1.1.1996). (See end of Document for details)

each of the owners shall be liable, jointly with the other or others, for the whole of the damage or cost for which the owners together would be liable under this section.

(4) The Law Reform (Contributory Negligence) Act 1945 and, in Northern Ireland, the Law Reform (Miscellaneous Provisions) Act (Northern Ireland) 1948 shall apply in relation to any damage or cost for which a person is liable under this section, but which is not due to his fault, as if it were due to his fault.

(5) In this section “ship” includes a vessel which is not sea-going.”

3 In section 2 (exceptions from liability), after the words “section 1” there shall be inserted the words “ or 1A ”.

4 In section 3 (restriction of liability)—

(a) in subsection (1)—

(i) for the words “to which section 1 of this Act applies” there shall be substituted the words “ (whether one to which section 1 of this Act applies or one to which section 1A of this Act applies) ”; and

(ii) after the words “under section 1” there shall be inserted the words “ or 1A ”; and

(b) in subsection (2)(e), after the words “section 1” there shall be inserted the words “ or 1A ”; and

(c) in subsection (3), after the words “section 1” there shall be inserted the words “ or 1A ”

5 In section 9 (extinguishment of claims), after the words “section 1” there shall be inserted the words “ or 1A ”.

6 In section 13 (jurisdiction of United Kingdom courts, etc.)—

(a) in subsection (2)(b), for the words from “damage” to the end there shall be substituted the words “ such damage in the area of the United Kingdom ”; and

(b) in subsection (2A)(b), for the words from “damage” to the end there shall be substituted the words “ such damage in the area of another Convention country ”.

7 In section 15 (liability for cost of preventive measures where section 1 does not apply)—

(a) subsections (1), (1A) and (1B) shall be omitted; and

(b) in subsection (2), for the words “this section” there shall be substituted the words “ section 1A of this Act ”.

8 In section 20(1) (definitions), in the definition of “ship”, after the word “ship” there shall be inserted the words “ (subject to section 1A(5)) ”.

Status: Point in time view as at 28/07/1994. This version of this Act contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping (Salvage and Pollution) Act 1994 (repealed 1.1.1996). (See end of Document for details)

PART III

MODIFICATIONS OF PARTS I AND II

- 1 The section 1A inserted by Part II shall be substituted for the section 1A inserted by Part I.
- 2 The section 2A inserted by Part I shall cease to have effect.
- 3 The section 3A inserted by Part I shall cease to have effect.
- 4 The reference to section 1A inserted in section 9 and in section 15 shall be construed as referring to the section 1A substituted by Part II for the section 1A inserted by Part I, and the omission in section 15 of subsection (1) by Part II shall be treated as effected by the corresponding omission by Part I.

VALID FROM 01/10/1994

SCHEDULE 4

Section 10.

REPEALS

Commencement Information

- I4** Sch. 4 not in force at Royal Assent see s. 10(4); Sch. 4 in force in relation to certain repeals at 1.10.1994 by S.I. 1994/1988, art. 3, Sch. 2; and in force in relation to certain further repeals at 1.1.1995 by S.I. 1994/2971, art. 2, Sch.

Status:

Point in time view as at 28/07/1994. This version of this Act contains provisions that are not valid for this point in time.

Changes to legislation:

There are currently no known outstanding effects for the Merchant Shipping (Salvage and Pollution) Act 1994 (repealed 1.1.1996).