



# Merchant Shipping (Salvage and Pollution) Act 1994

## 1994 CHAPTER 28

### *Marine Pollution*

#### **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;

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*Status: This is the original version (as it was originally enacted).*

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“offshore installation” means any installation which is maintained for underwater exploitation or exploration to which the Mineral Working (Offshore Installations) Act 1971 applies;

“pipeline” has the same meaning as in Part III of the 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 waters” means any part of the sea within the limits of any area designated under section 1(7) of the 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 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”.