



# Merchant Shipping Act 1995

## 1995 CHAPTER 21

### PART IX

#### SALVAGE AND WRECK

### CHAPTER II

#### WRECK

##### *Offences in respect of wreck*

#### **245 Taking wreck to foreign port.**

- (1) A person commits an offence if he takes into any foreign port and sells—
  - (a) any vessel stranded, derelict or otherwise in distress found on or near the coasts of the United Kingdom or any tidal water within United Kingdom waters;
  - (b) any part of the cargo or equipment of, or anything belonging to, such a vessel; or
  - (c) any wreck found within those waters.
- (2) A person who is guilty of an offence under this section shall be liable, on conviction on indictment, to imprisonment for a term not exceeding five years.

#### **246 Interfering with wrecked vessel or wreck.**

- (1) Subject to subsection (2) below, a person commits an offence if, without the permission of the master, he boards or attempts to board any vessel which is wrecked, stranded or in distress.
- (2) No offence is committed under subsection (1) above if the person is the receiver or a person lawfully acting as the receiver or if he acts by command of the receiver or a person so acting.

*Status: Point in time view as at 08/02/2007.*

*Changes to legislation: Merchant Shipping Act 1995, Cross Heading: Offences in respect of wreck is up to date with all changes known to be in force on or before 19 June 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)*

- (3) A person commits an offence if—
- (a) he impedes or hinders or attempts to impede or hinder the saving of—
    - (i) any vessel stranded or in danger of being stranded, or otherwise in distress, on or near any coast or tidal water; or
    - (ii) any part of the cargo or equipment of any such vessel; or
    - (iii) any wreck;
  - (b) he conceals any wreck;
  - (c) he defaces or obliterates any mark on a vessel; or
  - (d) he wrongfully carries away or removes—
    - (i) any part of any vessel stranded or in danger of being stranded, or otherwise in distress, on or near any coast or tidal water;
    - (ii) any part of the cargo or equipment of any such vessel; or
    - (iii) any wreck.
- (4) The master of a vessel may forcibly repel any person committing or attempting to commit an offence under subsection (1) above.
- (5) A person who is guilty of an offence under this section shall be liable, on summary conviction—
- (a) in the case of an offence under subsection (1) above, to a fine not exceeding level 3 on the standard scale;
  - (b) in the case of an offence under subsection (3) above, to a fine not exceeding level 4 on the standard scale.

#### **247 Powers of entry etc.**

- (1) Where the receiver has reason to believe that—
- (a) any wreck is being concealed by or is in the possession of some person who is not the owner of it; or
  - (b) any wreck is being otherwise improperly dealt with,
- he may apply to a justice of the peace for a search warrant.
- (2) Where a search warrant is granted under subsection (1) above to the receiver, the receiver may, by virtue of the warrant—
- (a) enter any house, or other place (wherever situated) or any vessel; and
  - (b) search for, seize and detain any wreck found there.
- (3) If any seizure of wreck is made under this section in consequence of information given by any person to the receiver, the person giving the information shall be entitled, by way of salvage, to such sum, not exceeding £100, as the receiver may allow.

**Status:**

Point in time view as at 08/02/2007.

**Changes to legislation:**

Merchant Shipping Act 1995, Cross Heading: Offences in respect of wreck is up to date with all changes known to be in force on or before 19 June 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.