



# Merchant Shipping Act 1995

## 1995 CHAPTER 21

### PART VI

#### PREVENTION OF POLLUTION

#### CHAPTER III

#### LIABILITY FOR OIL POLLUTION

##### *Liability*

#### **153 Liability for oil pollution in case of tankers.**

- (1) Where, as a result of any occurrence, any oil is discharged or escapes from a ship to which this section applies, then (except as otherwise provided by this Chapter) the [<sup>F1</sup>registered owner] of the ship shall be liable—
  - (a) for any damage caused outside the ship in the territory 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 territory of the United Kingdom by contamination resulting from the discharge or escape; and
  - (c) for any damage caused in the territory 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 to which this section applies by the contamination that might result if there were a discharge or escape of oil from the ship, then (except as otherwise provided by this Chapter) the [<sup>F1</sup>registered 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 territory of the United Kingdom; and

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*Changes to legislation: Merchant Shipping Act 1995, Cross Heading: Liability 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)*

- (b) for any damage caused outside the ship in the territory of the United Kingdom by any measures so taken;

F2  
...

[F3(2A) In this Chapter, such a threat is referred to as a relevant threat of contamination falling within subsection (2) of this section.]

- (3) Subject to subsection (4) below, this section applies to any ship constructed or adapted for carrying oil in bulk as cargo.

- (4) Where any ship so constructed or adapted is capable of carrying other cargoes besides oil, this section shall apply to any such ship—

- (a) while it is carrying oil in bulk as cargo; and
- (b) unless it is proved that no residues from the carriage of any such oil remain in the ship, while it is on any voyage following the carriage of any such oil, but not otherwise.

- (5) Where a person incurs a liability under subsection (1) or (2) above he shall also be liable for any damage or cost for which he would be liable under that subsection if the references in it to the territory of the United Kingdom included the territory of any other Liability Convention country.

- (6) Where—

- (a) as a result of any occurrence, a liability is incurred under this section by the [F1registered owner] of each of two or more ships, but
- (b) the damage or cost for which each of the [F1registered owners] would be liable cannot reasonably be separated from that for which the other or others would be liable,

each of the [F1registered owners] shall be liable, jointly with the other or others, for the whole of the damage or cost for which the [F1registered owners] together would be liable under this section.

F4(7) .....

F4(8) .....

**Textual Amendments**

- F1 Words in s. 153 substituted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **4(2)** (with reg. 1(5))
- F2 Words in s. 153(2) omitted (21.11.2008) by virtue of [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **4(3)** (with reg. 1(5))
- F3 S. 153(2A) inserted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **4(4)** (with reg. 1(5))
- F4 S. 153(7)(8) omitted (21.11.2008) by virtue of [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **4(5)** (with reg. 1(5))

**Modifications etc. (not altering text)**

- C1 S. 153 extended (with modifications) to Anguilla (30.11.1997) by [S.I. 1997/2580](#), art. 2, **Sch.**  
S. 153 extended (with modifications) to Bermuda (30.11.1997) by [S.I. 1997/2581](#), art. 2, **Sch.**  
S. 153 extended (with modifications) to the British Antarctic Territory (30.11.1997) by [S.I. 1997/2582](#), art. 2, **Sch.**

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- S. 153 extended (with modifications) to the British Indian Ocean Territory (30.11.1997) by [S.I. 1997/2583](#), [art. 2](#), [Sch.](#)
- S. 153 extended (with modifications) to the Falkland Islands (30.11.1997) by [S.I. 1997/2584](#), [art. 2](#), [Sch.](#)
- S. 153 extended (with modifications) to the Pitcairn, Henderson, Ducie, and Oeno Islands (30.11.1997) by [S.I. 1997/2585](#), [arts. 2, 3](#), [Sch.](#)
- S. 153 extended (with modifications) to the Sovereign Base Areas of Akrotiri and Dhekelia (30.11.1997) by [S.I. 1997/2587](#), [art. 2](#), [Sch.](#)
- S. 153 extended (with modifications) to South Georgia and the South Sandwich Islands (30.11.1997) by [S.I. 1997/2588](#), [art. 2](#), [Sch.](#)
- S. 153 extended (with modifications) to the Turks and Caicos Islands (30.11.1997) by [S.I. 1997/2589](#), [art. 2](#), [Sch.](#)
- S. 153 extended (with modifications) to the Virgin Islands (30.11.1997) by [S.I. 1997/2590](#), [art. 2](#), [Sch.](#)
- S. 153 extended (with modifications) to Jersey (1.12.1997) by [S.I. 1997/2598](#), [arts. 2, 3](#), [Sch. 1](#)
- S. 153 extended (with modifications) to Guernsey (11.3.1998) by [S.I. 1998/260](#), [arts. 2, 3](#), [Sch. 1](#)
- S. 153 extended (with modifications) to the Cayman Islands (20.5.1998) by [S.I. 1998/1261](#), [art. 2](#), [Sch.](#)
- S. 153 extended (with modifications) to Montserrat (20.5.1998) by [S.I. 1998/1262](#), [art. 2](#), [Sch.](#)
- S. 153 extended (with modifications) to Saint Helena (20.5.1998) by [S.I. 1998/1263](#), [art. 2](#), [Sch.](#)

#### [<sup>F5</sup>153A Liability for pollution by bunker oil

- (1) Subject to subsection (3), where, as a result of any occurrence, any bunker oil is discharged or escapes from a ship then (except as otherwise provided by this Chapter) the owner of the ship shall be liable—
  - (a) for any damage caused outside the ship in the territory 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 territory of the United Kingdom by contamination resulting from the discharge or escape; and
  - (c) for any damage caused in the territory of the United Kingdom by any measures so taken.
- (2) Subject to subsection (3), where, as a result of any occurrence, there arises a grave and imminent threat of damage being caused outside a ship by the contamination that might result if there were a discharge or escape of bunker oil from the ship then (except as otherwise provided by this Chapter) 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 territory of the United Kingdom; and
  - (b) for any damage caused outside the ship in the territory of the United Kingdom by any measures so taken.
- (3) There shall be no liability under this section in relation to —
  - (a) a discharge or escape of bunker oil from a ship to which section 153 applies, or
  - (b) a threat mentioned in subsection (2) arising in relation to a potential discharge or escape of bunker oil from such a ship,where that bunker oil is also persistent hydrocarbon mineral oil.
- (4) In the subsequent provisions of this Chapter—
  - (a) a discharge or escape of bunker oil from a ship, other than a discharge or escape of oil excluded by subsection (3), is referred to as a discharge or escape of bunker oil falling within subsection (1) of this section; and

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- (b) a threat mentioned in subsection (2), other than one excluded by subsection (3), is referred to as a relevant threat of contamination falling within subsection (2) of this section.
- (5) Where a person incurs a liability under subsection (1) or (2) he shall also be liable for any damage or cost for which he would be liable under that subsection if the references in it to the territory of the United Kingdom included the territory of any other Bunkers Convention country.
- (6) 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.
- (7) In this Chapter (except in section 170(1)) “owner”, except when used in the term “registered owner”, means the registered owner, bareboat charterer, manager and operator of the ship.]

#### Textual Amendments

- F5** S. 153A inserted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), 5 (with reg. 1(5))

### 154 Liability for oil pollution [<sup>F6</sup>in other cases].

- (1) [<sup>F7</sup>Subject to subsection (2A),] where, as a result of any occurrence, any oil is discharged or escapes from a ship <sup>F8</sup>..., then (except as otherwise provided by this Chapter) the [<sup>F9</sup>registered owner] of the ship shall be liable—
- (a) for any damage caused outside the ship in the territory 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 territory of the United Kingdom by contamination resulting from the discharge or escape; and
  - (c) for any damage so caused in the territory of the United Kingdom by any measures so taken.
- (2) [<sup>F7</sup>Subject to subsection (2A),] where, as a result of any occurrence, there arises a grave and imminent threat of damage being caused outside a ship <sup>F8</sup>... 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 Chapter) the [<sup>F9</sup>registered 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 territory of the United Kingdom; and
  - (b) for any damage caused outside the ship in the territory of the United Kingdom by any measures so taken;

**F10**  
...

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- [<sup>F11</sup>(2A) No liability shall be incurred under this section by reason of—
- (a) a discharge or escape of oil from a ship to which section 153 applies or a relevant threat of contamination falling within subsection (2) of that section;
  - (b) a discharge or escape of bunker oil falling within section 153A(1) or a relevant threat of contamination falling within section 153A(2).
- (2B) In the subsequent provisions of this Chapter—
- (a) a discharge or escape of oil from a ship, other than one excluded by subsection (2A), is referred to as a discharge or escape of oil falling within subsection (1) of this section; and
  - (b) a threat mentioned in subsection (2), other than one excluded by subsection (2A), is referred to as a relevant threat of contamination falling within subsection (2) of this section.]
- (3) Where—
- (a) as a result of any occurrence, a liability is incurred under this section by the [<sup>F9</sup>registered owner] of each of two or more ships, but
  - (b) the damage or cost for which each of the [<sup>F9</sup>registered owners] would be liable cannot reasonably be separated from that for which the other or others would be liable,
- each of the [<sup>F9</sup>registered owners] shall be liable, jointly with the other or others, for the whole of the damage or cost for which the [<sup>F9</sup>registered owners] together would be liable under this section.
- (4) The <sup>M1</sup>Law Reform (Contributory Negligence) Act 1945 and, in Northern Ireland, the <sup>M2</sup>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 [<sup>F12</sup>(apart from subsection (2A))] “ship” includes a vessel which is not seagoing.

#### Textual Amendments

- F6** Words in s. 154 heading substituted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **6(2)** (with reg. 1(5))
- F7** Words in s. 154(1)(2) inserted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **6(4)** (with reg. 1(5))
- F8** Words in s. 154(1)(2) omitted (21.11.2008) by virtue of [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **6(4)** (with reg. 1(5))
- F9** Words in s. 154 substituted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **6(3)** (with reg. 1(5))
- F10** Words in s. 154(2) omitted (21.11.2008) by virtue of [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **6(5)** (with reg. 1(5))
- F11** S. 154(2A)(2B) inserted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **6(6)** (with reg. 1(5))
- F12** Words in s. 154(5) inserted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **6(7)** (with reg. 1(5))

#### Modifications etc. (not altering text)

- C2** S. 154 extended (with modifications) to Anguilla (30.11.1997) by [S.I. 1997/2580](#), art. 2, [Sch.](#)  
S. 154 extended (with modifications) to Bermuda (30.11.1997) by [S.I. 1997/2581](#), art. 2, [Sch.](#)

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- S. 154 extended (with modifications) to the British Antarctic Territory (30.11.1997) by [S.I. 1997/2582, art. 2, Sch.](#)
- S. 154 extended (with modifications) to the British Indian Ocean Territory (30.11.1997) by [S.I. 1997/2583, art. 2, Sch.](#)
- S. 154 extended (with modifications) to the Falkland Islands (30.11.1997) by [S.I. 1997/2584, art. 2, Sch.](#)
- S. 154 extended (with modifications) to the Pitcairn, Henderson, Ducie, and Oeno Islands (30.11.1997) by [S.I. 1997/2585, art. 2, Sch.](#)
- S. 154 extended (with modifications) to the Sovereign Base Islands of Akrotiri and Dhekelia (30.11.1997) by [S.I. 1997/2587, art. 2, Sch.](#)
- S. 154 extended (with modifications) to the South Georgia and the South Sandwich Islands (30.11.1997) by [S.I. 1997/2588, art. 2, Sch.](#)
- S. 154 extended (with modifications) to the Turks and Caicos Islands (30.11.1997) by [S.I. 1997/2589, art. 2, Sch.](#)
- S. 154 extended (with modifications) to the Virgin Islands (30.11.1997) by [S.I. 1997/2590, art. 2, Sch.](#)
- S. 154 extended (with modifications) to Jersey (1.12.1997) by [S.I. 1997/2598, arts. 2, 3, Sch.](#)
- S. 154 extended (with modifications) to Guernsey (11.3.1998) by [S.I. 1998/260, arts. 2, 3, Sch. 1](#)
- S. 154 extended (with modifications) to the Cayman Islands (20.5.1998) by [S.I. 1998/1261, art. 2, Sch.](#)
- S. 154 extended (with modifications) to Montserrat (20.5.1998) by [S.I. 1998/1262, art. 2, Sch.](#)
- S. 154 extended (with modifications) to Saint Helena (20.5.1998) by [S.I. 1998/1263, art. 2, Sch.](#)

#### Marginal Citations

- M1** 1945 c. 28.
- M2** 1948 c. 23 (N.I.).

## 155 Exceptions from liability under sections 153 <sup>[F13]</sup>, 153A] and 154.

- <sup>[F14]</sup>(1) No liability shall be incurred by a person (“the defendant”) under section 153, 153A or 154 by reason of a discharge or escape of oil or bunker oil from a ship, or of a relevant threat of contamination, if the defendant proves that subsection (2) applies.
- (2) This subsection applies if the discharge or escape or the relevant threat of contamination (as the case may be) —]
- (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 <sup>[F15]</sup>defendant], 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.

#### Textual Amendments

- F13** Word in [s. 155 heading](#) inserted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), [7\(2\)](#) (with reg. 1(5))
- F14** Words in [s. 155](#) substituted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), [7\(3\)](#) (with reg. 1(5))
- F15** Word in [s. 155\(2\)\(b\)](#) substituted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), [7\(4\)](#) (with reg. 1(5))

#### Modifications etc. (not altering text)

- C3** [S. 155](#) extended (with modifications) to Anguilla (30.11.1997) by [S.I. 1997/2580, art. 2, Sch.](#)

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- S. 155 extended (with modifications) to Bermuda (30.11.1997) by [S.I. 1997/2581](#) art. 2, [Sch.](#)
- S. 155 extended (with modifications) to the British Antarctic Territory (30.11.1997) by [S.I. 1997/2582](#), [art. 2](#), [Sch.](#)
- S. 155 extended (with modifications) to the British Indian Ocean Territory (30.11.1997) by [S.I. 1997/2583](#), [art. 2](#), [Sch.](#)
- S. 155 extended (with modifications) to the Falkland Islands (30.11.1997) by [S.I. 1997/2584](#), [art. 2](#), [Sch.](#)
- S. 155 extended (with modifications) to the Pitcairn, Henderson, Ducie, and Oneo Islands (30.11.1997) by [S.I. 1997/2585](#), [art. 2](#), [Sch.](#)
- S. 155 extended (with modifications) to the Sovereign Base Areas of Akrotiri and Dhekelia (30.11.1997) by [S.I. 1997/2587](#), [art. 2](#), [Sch.](#)
- S. 155 extended (with modifications) to the South Georgia and the South Sandwich Islands (30.11.1997) by [S.I. 1997/2588](#), [art. 2](#), [Sch.](#)
- S. 155 extended (with modifications) to the Turks and Caicos Islands (30.11.1997) by [S.I. 1997/2589](#), [art. 2](#), [Sch.](#)
- S. 155 extended (with modifications) to the Virgin Islands (30.11.1997) by [S.I. 1997/2590](#), [art. 2](#), [Sch.](#)
- S. 155 extended (with modifications) to Jersey (1.12.1997) by [S.I. 1997/2598](#), [arts. 2, 3](#), [Sch.](#)
- S. 155 extended (with modifications) to Guernsey (11.3.1998) by [S.I. 1998/260](#), [arts. 2, 3](#), [Sch. 1](#)
- S. 155 extended (with modifications) to the Cayman Islands (20.5.1998) by [S.I. 1998/1261](#), [art. 2](#), [Sch.](#)
- S. 155 extended (with modifications) to Montserrat (20.5.1998) by [S.I. 1998/1262](#), [art. 2](#), [Sch.](#)
- S. 155 extended (with modifications) to Saint Helena (20.5.1998) by [S.I. 1998/1263](#), [art. 2](#), [Sch.](#)

## 156 Restriction of liability for <sup>F16</sup>pollution from oil or bunker oil].

- (1) Where, as a result of any occurrence—
- <sup>F17</sup>(a) there is a discharge or escape of oil from a ship to which section 153 applies or there arises a relevant threat of contamination falling within subsection (2) of that section, or]
  - <sup>F17</sup>(b) there is a discharge or escape of oil falling within section 154(1) or there arises a relevant threat of contamination falling within section 154(2),]
- then, whether or not the <sup>F18</sup>registered owner] of the ship in question incurs a liability under section 153 or 154—
- (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 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) above applies to—
- (a) any servant or agent of the <sup>F19</sup>registered 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 <sup>F19</sup>registered 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 153 or 154;
  - (f) any servant or agent of a person falling within paragraph (c), (d) or (e) above.

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- [<sup>F20</sup>(2A) Where, as a result of any occurrence—
- (a) there is a discharge or escape of bunker oil falling within section 153A(1), or
  - (b) there arises a relevant threat of contamination falling within section 153A(2),
- then, whether or not the owner of the ship in question incurs any liability under section 153A—
- (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 to cause any such damage or cost or recklessly and in the knowledge that any such damage or cost would probably result.
- (2B) Subsection (2A)(ii) applies to—
- (a) any servant or agent of the owner;
  - (b) any person not falling within paragraph (a) above but engaged in any capacity on board the ship or to perform any service for the ship;
  - (c) any person performing salvage operations with the consent of the owner of the ship or on the instructions of a competent public authority;
  - (d) any person taking any such measures as are mentioned in subsection (1)(b) or (2)(a) of section 153A;
  - (e) any servant or agent of a person falling within paragraph (c) or (d).]

(3) The liability of [<sup>F21</sup>a person under section 153, 153A or 154] for any impairment of the environment shall be taken to be a liability only in respect of—

    - (a) any resulting loss of profits, and
    - (b) the cost of any reasonable measures of reinstatement actually taken or to be taken.

#### Textual Amendments

- F16** Words in s. 156 heading substituted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **8(2)** (with reg. 1(5))
- F17** S. 156(1)(a)(b) substituted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **8(3)(a)** (with reg. 1(5))
- F18** Words in s. 156(1) substituted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **8(3)(b)** (with reg. 1(5))
- F19** Words in s. 156(2) substituted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **8(4)** (with reg. 1(5))
- F20** S. 156(2A)(2B) inserted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **8(5)** (with reg. 1(5))
- F21** Words in s. 156(3) substituted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **8(6)** (with reg. 1(5))

#### Modifications etc. (not altering text)

- C4** S. 156 extended (with modifications) to Anguilla (30.11.1997) by [S.I. 1997/2580](#) art. 2, [Sch.](#)  
 S. 156 extended (with modifications) to Bermuda (30.11.1997) by [S.I. 1997/2581](#), [art. 2](#), [Sch.](#)  
 S. 156 extended (with modifications) to the British Antarctic Territory (30.11.1997) by [S.I. 1997/2582](#), [art. 2](#), [Sch.](#)  
 S. 156 extended (with modifications) to the British Indian Ocean Territory (30.11.1997) by [S.I. 1997/2583](#), [art. 2](#), [Sch.](#)



*Status: Point in time view as at 17/02/2021.*

*Changes to legislation: Merchant Shipping Act 1995, Cross Heading: Liability 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)*

- S. 156 extended (with modifications) to the Falkland Islands (30.11.1997) by [S.I. 1997/2584](#), [art. 2](#), [Sch.](#)
- S. 156 extended (with modifications) to the Pitcairn, Henderson, Ducie and Oneo Islands (30.11.1997) by [S.I. 1997/2585](#), [art. 2](#), [Sch.](#)
- S. 156 extended (with modifications) to the Sovereign Base Areas of Akrotiri and Dhekelia (30.11.1997) by [S.I. 1997/2587](#), [art. 2](#), [Sch.](#)
- S. 156 extended (with modifications) to the South Georgia and the South Sandwich Islands (30.11.1997) by [S.I. 1997/2588](#), [art. 2](#), [Sch.](#)
- S. 156 extended (with modifications) to the Turks and Caicos Islands (30.11.1997) by [S.I. 1997/2589](#), [art. 2](#), [Sch.](#)
- S. 156 extended (with modifications) to the Virgin Islands (30.11.1997) by [S.I. 1997/2590](#), [art. 2](#), [Sch.](#)
- S. 156 extended (with modifications) to Jersey (1.12.1997) by [S.I. 1997/2598](#), [arts. 2, 3](#), [Sch. 1](#)
- S. 156 extended (with modifications) to Guernsey (11.3.1998) by [S.I. 1998/260](#), [arts. 2, 3](#), [Sch. 1](#)
- S. 156 extended (with modifications) to the Cayman Islands (20.5.1998) by [S.I. 1998/1261](#), [art. 2](#), [Sch.](#)
- S. 156 extended (with modifications) to Montserrat (20.5.1998) by [S.I. 1998/1262](#), [art. 2](#), [Sch.](#)
- S. 156 extended (with modifications) to Saint Helena (20.5.1998) by [S.I. 1998/1262](#), [art. 2](#), [Sch.](#)

## [<sup>F22</sup>156A] Liability under section 153, 153A or 154: supplementary provisions

- (1) For the purposes of this Chapter —
  - (a) references to a discharge or escape of oil or bunker oil from a ship are references to such a discharge or escape wherever it may occur;
  - (b) references to a discharge or escape of oil from a ship include a discharge or escape of oil carried in the bunkers of the ship;
  - (c) where more than one discharge or escape of oil or bunker oil results from the same occurrence or from a series of occurrences having the same origin, they shall be treated as one, but any measures taken after the first of them shall be deemed to have been taken after the discharge or escape; and
  - (d) where a relevant threat of contamination results from a series of occurrences having the same origin, they shall be treated as a single occurrence.
- (2) The Law Reform (Contributory Negligence) Act 1945<sup>F23</sup> and, in Northern Ireland, the Law Reform (Miscellaneous Provisions) Act (Northern Ireland) 1948<sup>F24</sup> shall apply in relation to any damage or cost for which a person is liable under section 153, 153A or 154, but which is not due to his fault, as if it were due to his fault.]

### Textual Amendments

- F22** S. 156A inserted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), [regs. 1\(2\), 9](#) (with [reg. 1\(5\)](#))
- F23** 1945 c. 48.
- F24** 1948 c. 23 (N.I).

**Status:**

Point in time view as at 17/02/2021.

**Changes to legislation:**

Merchant Shipping Act 1995, Cross Heading: Liability 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.