



# Merchant Shipping Act 1995

## 1995 CHAPTER 21

### PART X **U.K.**

#### ENFORCEMENT OFFICERS AND POWERS

##### *Enforcement Officers*

#### **256 Appointment of inspectors and surveyors. **U.K.****

- (1) The Secretary of State may, if he thinks fit, appoint any person as an inspector to report to him—
  - (a) upon the nature and causes of any accident or damage which any ship has or is alleged to have sustained or caused;
  - (b) whether any requirements, restrictions or prohibitions imposed by or under this Act have been complied with or (as the case may be) contravened;
  - (c) whether the hull and machinery of a ship are sufficient and in good condition;
  - (d) what measures have been taken to prevent the escape of oil or mixtures containing oil.
- (2) The Secretary of State may, at such ports as he thinks fit, appoint persons to be surveyors of ships for the purposes of this Act and may remove any person so appointed.
- (3) A surveyor of ships may be appointed either as a ship surveyor or as an engineer surveyor or as both.
- (4) Surveyor of ships may be appointed either generally or for any particular case or purpose.
- (5) The Secretary of State may also appoint a surveyor general of ships for the United Kingdom and such other officers in connection with the survey of ships and other matters incidental thereto as he thinks fit.
- (6) The Secretary of State may appoint persons to be inspectors for the purposes of sections 261 to 266.

*Status: Point in time view as at 01/01/1996. This version of this cross heading contains provisions that are not valid for this point in time.*

*Changes to legislation: Merchant Shipping Act 1995, Cross Heading: Enforcement Officers is up to date with all changes known to be in force on or before 14 July 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)*

- (7) Every inspector appointed under section (1) above shall be treated as appointed under subsection (6) above.
- (8) Every surveyor of ships shall be treated as a person appointed generally under subsection (1) above to report to the Secretary of State in every kind of case falling within paragraphs (b) and (d) of that subsection in relation to Chapter II of Part VI.
- (9) In this Act—
- (a) “Departmental inspector” means an inspector appointed under subsection (1) above;
  - (b) “surveyor of ships” means a surveyor appointed under subsection (2) above;
  - (c) “Departmental officer” means any officer of the Secretary of State discharging functions of his for the purposes of this Act;
- and the reference to requirements, restrictions or prohibitions under this Act includes any such requirements, restrictions or prohibitions constituting the terms of any approval, licence, consent or exemption given in any document issued under this Act.

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

C1 S. 256(1) extended (1.1.1996) by 1995 c. 22, ss. 5(6), 9(4)

VALID FROM 01/07/1999

**[<sup>F1</sup>256A Scottish officers U.K.]**

- (1) The Scottish Ministers may authorise any member of the staff of the Scottish Administration to exercise any of the powers under sections 125(3), 258 and 284(1) of an officer of, or a person appointed by, a Minister of the Crown for the purpose of enforcing, in Scotland or in the Scottish zone and in relation to fishing vessels, sections 49 and 125; and sections 258(5) and 284(4) and (5) shall apply in relation to a member of the staff of the Scottish Administration authorised under this section as they apply to such an officer or person.
- (2) In this section, “the Scottish zone” has the same meaning as in section 126(1) of the Scotland Act 1998.]

**Textual Amendments**

F1 S. 256A inserted (1.7.1999) by S.I. 1999/1820, arts. 1(2), 4, Sch. 2 Pt. I para. 119; S.I. 1998/3178, art. 3

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