

*Status: Point in time view as at 01/11/2003.*

*Changes to legislation: Merchant Shipping Act 1995, Paragraph 5 is up to date with all changes known to be in force on or before 15 September 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)*

## SCHEDULES

### SCHEDULE 2

#### REGULATIONS RELATING TO SUBMERSIBLE AND SUPPORTING APPARATUS

##### *General*

- 5 Regulations—
- (a) may provide for their operation anywhere outside the United Kingdom and for their application to persons, whether or not Commonwealth citizens, and to companies, whether or not incorporated under the law of any part of the United Kingdom;
  - (b) may provide that in any proceedings for an offence under the regulations (other than proceedings to which sub-paragraph (c) below applies) an averment in any process of the fact that anything was done or situated within United Kingdom waters shall, until the contrary is proved, be sufficient evidence of that fact as stated in the averment;
  - (c) may provide that in any proceedings in Scotland for an offence under the regulations a statement in any complaint or indictment of any such fact as is mentioned in sub-paragraph (b) above shall, until the contrary is proved, be sufficient evidence of the fact as so stated;
  - (d) may provide that proceedings for an offence under the regulations may be taken, and the offence be treated for all incidental purposes as having been committed, in any place in the United Kingdom;
  - (e) may provide for any provisions of Part XI relating to inquiries and investigations into marine accidents to apply (with such modifications as may be specified) in relation to accidents involving any submersible apparatus which is not a ship as they apply to ships;
  - (f) may provide that specified provisions of any enactment (other than section 88 and this Schedule) shall, in such circumstances as may be prescribed, not have effect in relation to such class or description of, or to such particular, submersible or supporting apparatus as may be prescribed;
  - (g) may make different provision for different classes or descriptions of submersible or supporting apparatus and for different circumstances;
  - (h) may contain such supplemental and incidental provisions as appear to the Secretary of State to be expedient.

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