



Merchant Shipping Act 1995

1995 CHAPTER 21

PART VI

PREVENTION OF POLLUTION

CHAPTER III

LIABILITY FOR OIL POLLUTION

Compulsory insurance

164 Issue of certificate by Secretary of State.

(1) Subject to subsection (2) below, if the Secretary of State is satisfied, on the application for such a certificate as is mentioned in section 163 in respect of a United Kingdom ship or a ship registered in any country which is not a Liability Convention country, that there will be in force in respect of the ship, throughout the period for which the certificate is to be issued, a contract of insurance or other security satisfying the requirements of Article VII of the Liability Convention, the Secretary of State shall issue such a certificate to the owner.

[^{F1}(1A) Subject to subsection (2) below, if the Secretary of State is satisfied, on the application for such a certificate as is mentioned in section 163A(2) in respect of a United Kingdom ship or a ship registered in any country which is not a Bunkers Convention country, that there will be in force in respect of the ship, throughout the period for which the certificate is to be issued, a contract of insurance or other security satisfying the requirements of Article 7 of the Bunkers Convention, the Secretary of State shall issue such a certificate to the registered owner.]

(2) If the Secretary of State is of opinion that there is a doubt whether the person providing the insurance or other security will be able to meet his obligations thereunder, or whether the insurance or other security will cover the owner's liability under section 153 in all circumstances, he may refuse the certificate.

Status: Point in time view as at 15/07/2006. This version of this provision has been superseded.

Changes to legislation: Merchant Shipping Act 1995, Section 164 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)

- (3) The Secretary of State may make regulations providing for the cancellation and delivery up of a certificate under this section in such circumstances as may be prescribed by the regulations.
- (4) If a person required by regulations under subsection (3) above to deliver up a certificate fails to do so he shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- (5) The Secretary of State shall send a copy of any certificate issued by him under this section in respect of a United Kingdom ship to the Registrar General of Shipping and Seamen, and the Registrar shall make the copy available for public inspection.

Textual Amendments

- F1** S. 164(1A) inserted (15.7.2006 for specified purposes) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), reg. 1(2)(4), **18(3)** (with reg. 1(5))

Modifications etc. (not altering text)

- C1** s. 164 extended (with modifications) to Anguilla (30.11.1997) by [S.I. 1997/2580](#), art. 2, **Sch.**
 s. 164 extended (with modifications) to Bermuda (30.11.1997) by [S.I. 1997/2581](#), art. 2, **Sch.**
 s. 164 extended (with modifications) to the British Antarctic Territory (30.11.1997) by [S.I. 1997/2582](#), art. 2, **Sch.**
 s. 164 extended (with modifications) to the British Indian Ocean Territory (30.11.1997) by [S.I. 1997/2583](#), art. 2, **Sch.**
 s. 164 extended (with modifications) to the Falkland Islands (30.11.1997) by [S.I. 1997/2584](#), art. 2, **Sch.**
 s. 164 extended (with modifications) to the Pitcairn, Henderson, Ducie and Oneo Islands (30.11.1997) by [S.I. 1997/2585](#), arts. 2, 3, **Sch.**
 s. 164 extended (with modifications) to the Sovereign Base Areas of Akrotiri and Dhekelia (30.11.1997) by [S.I. 1997/2587](#), art. 2, **Sch.**
 s. 164 extended (with modifications) to the South Georgia and the South Sandwich Islands (30.11.1997) by [S.I. 1997/2588](#), art. 2, **Sch.**
 s. 164 extended (with modifications) to the Turks and Caicos Islands (30.11.1997) by [S.I. 1997/2589](#), art. 2, **Sch.**
 s. 164 extended (with modifications) to the Virgin Islands (30.11.1997) by [S.I. 1997/2590](#), art. 2, **Sch.**
 s. 164 extended (with modifications) to Jersey (1.12.1997) by [S.I. 1997/2598](#), arts. 2, 3, **Sch. 1**
 s. 164 extended (with modifications) to Guernsey (11.3.1998) by [S.I. 1998/260](#), arts. 2, 3, **Sch. 1**
 s. 164 extended (with modifications) to the Cayman Islands (20.5.1998) by [S.I. 1998/1261](#), art. 2, **Sch.**
 s. 164 extended (with modifications) to Montserrat (20.5.1998) by [S.I. 1998/1262](#), art. 2, **Sch.**
 s. 164 extended (with modifications) to Saint Helena (20.5.1998) by [S.I. 1998/1263](#), art. 2, **Sch.**

Status:

Point in time view as at 15/07/2006. This version of this provision has been superseded.

Changes to legislation:

Merchant Shipping Act 1995, Section 164 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.