



Merchant Shipping Act 1995

1995 CHAPTER 21

PART VII

LIABILITY OF SHIPOWNERS AND OTHERS

[^{F1} Regulations requiring insurance or security

VALID FROM 19/03/1997

[^{F1F2}192A Compulsory insurance or security

- (1) Subject to subsections (2) and (3) below, the Secretary of State may make regulations requiring that, in such cases as may be prescribed by the regulations, while a ship is in United Kingdom waters, there must be in force in respect of the ship—
 - (a) a contract of insurance insuring such person or persons as may be specified by the regulations against such liabilities as may be so specified and satisfying such other requirements as may be so specified, or
 - (b) such other security relating to those liabilities as satisfies requirements specified by or under the regulations.
- (2) Regulations under this section shall not apply in relation to—
 - (a) a qualifying foreign ship while it is exercising—
 - (i) the right of innocent passage, or
 - (ii) the right of transit passage through straits used for international navigation,
 - (b) any warship, or
 - (c) any ship for the time being used by the government of any State for other than commercial purposes.
- (3) Regulations under this section may not require insurance or security to be maintained in respect of a ship in relation to any liability in any case where an obligation to

Status: Point in time view as at 01/11/1996. This version of this provision is not valid for this point in time.

Changes to legislation: Merchant Shipping Act 1995, Section 192A 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)

maintain insurance or security in respect of that ship in relation to that liability is imposed by section 163 or by or under an Order in Council under section 182B.

- (4) Regulations under this section may require that, where a person is obliged to have in force in respect of a ship a contract of insurance or other security, such documentary evidence as may be specified by or under the regulations of the existence of the contract of insurance or other security must be carried in the ship and produced on demand, by such persons as may be specified in the regulations, to such persons as may be so specified.
- (5) Regulations under this section may provide—
- (a) that in such cases as are prescribed a ship which contravenes the regulations shall be liable to be detained and that section 284 shall have effect, with such modifications (if any) as are prescribed by the regulations, in relation to the ship,
 - (b) that a contravention of the regulations shall be an offence punishable on summary conviction by a fine of an amount not exceeding £50,000, or such less amount as is prescribed by the regulations, and on conviction on indictment by a fine, and
 - (c) that any such contravention shall be an offence punishable only on summary conviction by a fine of an amount not exceeding £50,000, or such less amount as is prescribed by the regulations.
- (6) Regulations under this section may—
- (a) make different provision for different cases,
 - (b) make provision in terms of any document which the Secretary of State or any person considers relevant from time to time, and
 - (c) include such incidental, supplemental and transitional provision as appears to the Secretary of State to be expedient for the purposes of the regulations.]

Textual Amendments

F1 S. 192A and crossheading inserted (19.3.1997) by 1997 c. 28, ss. 16, 31(4)

F2 S. 192A inserted (19.3.1997) by 1997 c. 28, ss. 16, 31(4)

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