



# Merchant Shipping Act 1995

## 1995 CHAPTER 21

### PART IX

#### SALVAGE AND WRECK

#### CHAPTER 1

#### SALVAGE

#### **230 Salvage claims against the Crown and Crown rights of salvage and regulation thereof.**

- (1) Subject to section 29 of the <sup>M1</sup>Crown Proceedings Act 1947 (exclusion of proceedings in rem against the Crown) (so far as consistent with the Salvage Convention) the law relating to civil salvage, whether of life or property, except sections 225, 226 and 227, shall apply in relation to salvage services in assisting any of Her Majesty's ships, or in saving life therefrom, or in saving any cargo or equipment belonging to Her Majesty in right of Her Government in the United Kingdom, in the same manner as if the ship, cargo or equipment belonged to a private person.
- (2) Where salvage services are rendered by or on behalf of Her Majesty, whether in right of Her Government in the United Kingdom or otherwise, Her Majesty shall be entitled to claim salvage in respect of those services to the same extent as any other salvor, and shall have the same rights and remedies in respect of those services as any other salvor.
- (3) No claim for salvage services by the commander or crew, or part of the crew, of any of Her Majesty's ships shall be finally adjudicated upon without the consent of the Secretary of State to the prosecution of the claim.
- (4) Any document purporting to give the consent of the Secretary of State for the purposes of subsection (3) above and to be signed by an officer of the Ministry of Defence shall be evidence of that consent.

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**Status:** Point in time view as at 09/12/2001.

**Changes to legislation:** Merchant Shipping Act 1995, Section 230 is up to date with all changes known to be in force on or before 15 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)

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- (5) If a claim is prosecuted without the consent required by subsection (3) above the claim shall be dismissed with costs.
- (6) The reference in subsection (5) above to dismissal with costs shall in Scotland be construed as a reference to dismissal with the defender being found entitled to expenses.
- (7) “Her Majesty’s ships” has the same meaning in this section as in section 192.
- (8) In the application of this section to Northern Ireland, any reference to Her Majesty’s Government in the United Kingdom includes a reference to Her Government in Northern Ireland.

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**Marginal Citations**

**M1** 1947 c. 44.

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