



Merchant Shipping Act 1995

1995 CHAPTER 21

PART IX

SALVAGE AND WRECK

CHAPTER II

WRECK

Vessels in distress

235 Liability for damage in case of plundered vessel.

- (1) Where, in circumstances in which this section applies by virtue of section 231 in relation to any vessel, the vessel or any part of its cargo and equipment is plundered, damaged or destroyed by persons in circumstances in which those persons commit the offence of riot or, in Scotland, of mobbing and rioting, compensation shall be made to the owner of the vessel, cargo or equipment in accordance with the following provisions of this section.
- (2) Compensation under subsection (1) above in England and Wales shall be made by the compensation authority in the manner provided by the ^{M1}Riot (Damages) Act 1886 with respect to claims for compensation under that Act.
- (3) Where the vessel, cargo or equipment is not within a police area, the plundering, damage or destruction shall be treated for the purposes of subsection (2) above as taking place within the nearest police area.
- (4) Compensation under subsection (1) above in Scotland shall, as if entitlement to it arose under section 10 of the ^{M2}Riotous Assemblies (Scotland) Act 1822, be made by the council constituted under section 2 of the ^{M3}Local Government etc. (Scotland) Act 1994 within whose area, or nearest to whose area, the plundering, damage or destruction took place.

Status: Point in time view as at 01/12/2003. This version of this provision has been superseded.

Changes to legislation: Merchant Shipping Act 1995, Section 235 is up to date with all changes known to be in force on or before 17 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)

- (5) Compensation under subsection (1) above in Northern Ireland shall be made in pursuance of an application under the^{M4}Criminal Injuries to Property (Compensation) Act (Northern Ireland) 1971 as modified for the purposes of this section by the^{M5}Transfer of Functions (Criminal Injuries to Vessels) (Northern Ireland) Order 1973.

Marginal Citations

M1 1886 c. 38.

M2 1822 c. 33.

M3 1994 c. 39.

M4 1971 c. 38 (N.I.).

M5 S.R. 1973 No. 56 (N.I.).

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