



Merchant Shipping Act 1995

1995 CHAPTER 21

PART X

ENFORCEMENT OFFICERS AND POWERS

Inspection etc powers

260 Provisions supplementary to section 259.

- (1) A person who—
- (a) intentionally obstructs an inspector in the exercise of any power available to him under section 259; or
 - (b) without reasonable excuse, does not comply with a requirement imposed in pursuance of section 259 or prevents another person from complying with such a requirement; or
 - (c) without prejudice to the generality of paragraph (b) above, makes a statement or signs a declaration which he knows is false, or recklessly makes a statement or signs a declaration which is false, in purported compliance with a requirement made in pursuance of subsection (2)(i) of section 259,
- shall be liable—
- (i) on summary conviction, to a fine not exceeding the statutory maximum;
 - (ii) on conviction on indictment, to imprisonment for a term not exceeding two years, or a fine or both.
- (2) Nothing in section 259 shall be taken to compel the production by any person of a document of which he would on grounds of legal professional privilege be entitled to withhold production on an order for discovery in an action in the High Court or, as the case may be, on an order for the production of documents in an action in the Court of Session.
- (3) A person who complies with a requirement imposed on him in pursuance of paragraph (i)(i) or (k) of subsection (2) of section 259 shall be entitled to recover from the person who imposed the requirement such sums in respect of the expenses

Status: Point in time view as at 17/03/2014. This version of this provision has been superseded.

Changes to legislation: Merchant Shipping Act 1995, Section 260 is up to date with all changes known to be in force on or before 30 June 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)

incurred in complying with the requirement as are prescribed by regulations made by the Secretary of State.

- (4) Regulations under subsection (3) above may make different provision for different circumstances.
- (5) Any payments under subsection (3) above shall be made out of money provided by Parliament.

Modifications etc. (not altering text)

- C1** Ss. 258-266 applied (with application in accordance with reg. 4 of the amending S.I.) by [The Merchant Shipping and Fishing Vessels \(Control of Noise at Work\) Regulations 2007 \(S.I. 2007/3075\)](#), regs. 1, **19**
- C2** Ss. 258-266 applied (with application in accordance with reg. 4 of the amending S.I.) by [The Merchant Shipping and Fishing Vessels \(Control of Vibration at Work\) Regulations 2007 \(S.I. 2007/3077\)](#), regs. 1, **18**
- C3** Ss. 258-266 applied (1.3.2008) by [The Merchant Shipping and Fishing Vessels \(Health and Safety at Work\) \(Carcinogens and Mutagens\) Regulations 2007 \(S.I. 2007/3100\)](#), regs. 1, **22**
- C4** Ss. 258-266 applied (with modifications) (6.4.2010) by [The Merchant Shipping and Fishing Vessels \(Health and Safety at Work\) \(Work at Height\) Regulations 2010 \(S.I. 2010/332\)](#), regs. 1, **22** (with regs. 4, 5)
- C5** Ss. 258-266 applied (with modifications) (6.4.2010) by [The Merchant Shipping and Fishing Vessels \(Health and Safety at Work\) \(Biological Agents\) Regulations 2010 \(S.I. 2010/323\)](#), regs. 1, **27** (with regs. 4, 5)
- C6** Ss. 258-266 applied (with modifications) (6.4.2010) by [The Merchant Shipping and Fishing Vessels \(Health and Safety at Work\) \(Chemical Agents\) Regulations 2010 \(S.I. 2010/330\)](#), regs. 1, **20** (with regs. 4, 5)
- C7** Ss. 258-266 applied (6.4.2010) by [The Merchant Shipping \(Maritime Labour Convention\) \(Medical Certification\) Regulations 2010 \(S.I. 2010/737\)](#), regs. 1(1), **19** (with reg. 5)
- C8** Ss. 258-266 applied (10.1.2011) by [The Merchant Shipping and Fishing Vessels \(Health and Safety at Work\) \(Artificial Optical Radiation\) Regulations 2010 \(S.I. 2010/2987\)](#), regs. 1, **16**
- C9** Ss. 258-266 applied (10.1.2011) by [The Merchant Shipping and Fishing Vessels \(Health and Safety at Work\) \(Asbestos\) Regulations 2010 \(S.I. 2010/2984\)](#), regs. 1, **26**
- C10** S. 260(1)(2) applied (with modifications) (1.12.2009) by [The Merchant Shipping \(Anti-Fouling Systems\) Regulations 2009 \(S.I. 2009/2796\)](#), regs. 1, **10(4)** (with reg. 3)
- C11** S. 260(1)(2) applied (with modifications) (15.8.2013) by [The Merchant Shipping \(Maritime Labour Convention\) \(Survey and Certification\) Regulations 2013 \(S.I. 2013/1785\)](#), regs. 1, **16(3)**
- C12** S. 260(1)(2) applied (with modifications) (17.3.2014) by [S.I. 2002/2125](#), **reg. 14(4)** (as substituted by [The Merchant Shipping \(Maritime Labour Convention\) \(Hours of Work\) \(Amendment\) Regulations 2014 \(S.I. 2014/308\)](#), regs. 1(2), **2(14)**)

Status:

Point in time view as at 17/03/2014. This version of this provision has been superseded.

Changes to legislation:

Merchant Shipping Act 1995, Section 260 is up to date with all changes known to be in force on or before 30 June 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.