



# Merchant Shipping Act 1995

## 1995 CHAPTER 21

### PART XIII

#### SUPPLEMENTAL

##### *Administration*

#### **293 Functions of Secretary of State in relation to marine pollution.**

- (1) The Secretary of State shall continue to have the functions of taking, or co-ordinating, measures to prevent, reduce and minimise the effects of, marine pollution.
- (2) Without prejudice to the generality of subsection (1) above, the functions of the Secretary of State under that subsection include—
  - <sup>F1</sup>[(za) the preparation, review and implementation of a national plan setting out arrangements for responding to incidents which cause or may cause marine pollution with a view to preventing such pollution or reducing or minimising its effects;]
  - (a) the acquisition, maintenance, use and disposal of ships, aircraft, equipment and other property;
  - (b) the provision of services, including research, training and advice;
  - (c) the giving of assistance to any other State or international institution under any international agreement relating to the prevention, reduction or control of marine pollution; and
  - (d) any other functions exercisable on his behalf on 1st October 1994 by the Marine Pollution Control Unit.
- (3) Assistance under subsection (2)(c) above shall be given on such terms as will secure reimbursement of the cost of giving the assistance if and to the extent that reimbursement will be practicable in the circumstances.
- (4) The Secretary of State may make reasonable charges for the supply of goods or services.

*Status: Point in time view as at 01/11/2003.*

*Changes to legislation: Merchant Shipping Act 1995, Section 293 is up to date with all changes known to be in force on or before 13 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)*

[<sup>F2</sup>(4A) Where under subsection (1) above the Secretary of State agrees that another person shall take any measures to prevent, reduce or minimise the effects of marine pollution, he may agree to indemnify that other person in respect of liabilities incurred by that person in connection with the taking of the measures.]

(5) In this section—

“marine pollution” means pollution caused by ships, offshore installations or submarine pipelines affecting or likely to affect the United Kingdom or United Kingdom waters or controlled waters;

“offshore installation” means any installation which is maintained for underwater exploitation or exploration to which the <sup>M1</sup>Mineral Working (Offshore Installations) Act 1971 applies;

“pipeline” has the same meaning as in Part III of the [<sup>F3</sup>Petroleum Act 1998] and “submarine” means in, under or over United Kingdom waters or controlled waters;

“United Kingdom controlled waters” means any part of the sea within the limits of an area designated under section 1(7) of the <sup>M2</sup>Continental Shelf Act 1964;

but no restriction as to the seas to which functions under this section extend is implied as regards the functions mentioned in subsection (2)(c) above.

#### Textual Amendments

- F1** S. 293(2)(za) inserted (17.17.1997) by 1997 c. 28, s. 29(1), **Sch. 6 para. 17**; S.I. 1997/1539, art. 2, **Sch.**
- F2** S. 293(4A) inserted (17.7.1997) by 1997 c. 28, s. 6; S.I. 1997/1539, art. 2, **Sch.**
- F3** Words in s. 293(5) substituted (15.2.1999) by 1998 c. 17, s. 50, **Sch. 4 para. 39** (with Sch. 3 para. 5(1)); S.I. 1999/161, **art. 2(1)**

#### Marginal Citations

- M1** 1971 c. 61.
- M2** 1964 c. 29.

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