



# Merchant Shipping Act 1995

## 1995 CHAPTER 21

### PART IV

#### SAFETY

##### *Safety and Health on Ships*

#### **87 Provisions supplementary to section 85: dangerous goods.**

- (1) Where any dangerous goods have been sent or carried, or attempted to be sent or carried, on board any ship, whether or not a United Kingdom ship—
  - (a) without being marked as required by safety regulations,
  - (b) without such notice having been given as is required by safety regulations,
  - (c) under a false description, or
  - (d) with a false description of their sender or carrier,any court having Admiralty jurisdiction may declare the goods, and any package or receptacle in which they are contained, to be forfeited.
- (2) On a declaration of forfeiture being made, the goods shall be forfeited and they shall be disposed of as the court directs.
- (3) The powers conferred on the court by subsections (1) and (2) above are exercisable notwithstanding that the owner of the goods—
  - (a) has not committed any offence under safety regulations relating to dangerous goods;
  - (b) is not before the court; and
  - (c) has no notice of the proceedings;and notwithstanding that there is no evidence to show to whom the goods belong.
- (4) Nevertheless, the court may, in their discretion, require such notice as they may direct to be given to the owner or shipper of the goods before they are forfeited.

*Status: Point in time view as at 31/03/2023.*

*Changes to legislation: Merchant Shipping Act 1995, Section 87 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) In this section “dangerous goods” means goods designated as dangerous goods by safety regulations.

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