



Merchant Shipping Act 1995

1995 CHAPTER 21

PART IV

SAFETY

Unsafe ships

97 Compensation in connection with invalid detention of ship.

- (1) If on a reference under section 96 relating to a detention notice in relation to a ship—
- the arbitrator decides that any matter did not constitute a valid basis for the relevant inspector's opinion, and
 - it appears to him that there were no reasonable grounds for the inspector to form that opinion,
- the arbitrator may award the owner of the ship such compensation in respect of any loss suffered by him in consequence of the detention of the ship as the arbitrator thinks fit.
- (2) Any compensation awarded under this section shall be payable by the Secretary of State.
- (3) In the application of this section to Scotland any reference to an arbitrator shall be construed as a reference to an arbiter.
- (4) In this section "relevant inspector" has the same meaning as in section 95.

Modifications etc. (not altering text)

- C1** S. 97 applied (31.3.1998) by [S.I. 1997/2962, reg. 30](#)
S. 97 applied (30.10.1998) by [S.I. 1998/2411, reg. 16](#)
S. 97 applied (31.12.1998) by [S.I. 1998/2857, reg. 13](#)
S. 97 applied (25.10.1999) by [S.I. 1999/2205, reg. 17](#)
S. 97 applied (with modifications) (1.11.2001) by [S.I. 2001/3209, reg. 9\(8\)](#)
S. 97 applied (with modifications) (15.2.2002) by [S.I. 2001/3444, reg. 13](#)
S. 97 applied (with modifications) (23.11.2002) by [S.I. 2002/2201, reg. 12](#)

Status: Point in time view as at 16/08/2004. This version of this provision has been superseded.

Changes to legislation: Merchant Shipping Act 1995, Section 97 is up to date with all changes known to be in force on or before 19 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)

- S. 97 applied (with modifications) (1.9.2002) by S.I. 2002/2055, **reg. 16**
- S. 97 applied (with modifications) (7.9.2002) by S.I. 2002/2125, **reg. 18(1)(2)**
- C2** S. 97 applied (with modifications) (15.7.2003) by [The Merchant Shipping and Fishing Vessels \(Port Waste Reception Facilities\) Regulations 2003 \(S.I. 2003/1809\)](#), regs. 1(1), **23** (with reg. 3)
- C3** S. 97 applied (with modifications) (16.8.2004) by [The Fishing Vessels \(Working Time: Sea-fishermen\) Regulations 2004 \(S.I. 2004/1713\)](#), regs. 1, **17** (with reg. 3)
- C4** S. 97(1) applied (with modifications) (1.1.1996) by S.I. 1995/3128, **reg. 10(3)**

Status:

Point in time view as at 16/08/2004. This version of this provision has been superseded.

Changes to legislation:

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