
Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping and Maritime Security Act 1997, Paragraph 4. (See end of Document for details)

SCHEDULES

SCHEDULE 6

MINOR AND CONSEQUENTIAL AMENDMENTS

The Merchant Shipping Act 1995 (c. 21)

- 4 (1) With respect to applications made after the commencement of this paragraph, section 158 of the 1995 Act (limitation actions), including that section as set out in Schedule 4 to that Act, is amended as follows.
- (2) In subsection (2)—
- (a) for the words “and is entitled to limit it” there is substituted “ but has not found that he is not entitled to limit it ”, and
 - (b) for “the limit of the liability” there is substituted “ the limit which would apply to the applicant’s liability if he were entitled to limit it ”.
- (3) After subsection (2) there is inserted—
- “(2A) Where—
- (a) a distribution is made under subsection (2)(b) above without the court having found that the applicant is entitled to limit his liability, and
 - (b) the court subsequently finds that the applicant is not so entitled, the making of the distribution is not to be regarded as affecting the applicant’s liability in excess of the amount distributed.”

Changes to legislation:

There are currently no known outstanding effects for the Merchant Shipping and Maritime Security Act 1997, Paragraph 4.