
STATUTORY INSTRUMENTS

2003 No. 1809

**The Merchant Shipping and Fishing Vessels (Port
Waste Reception Facilities) Regulations 2003**

Non-compliance or suspected non-compliance

17.—(1) Where—

- (a) the master of a ship has not complied with the requirement in regulation 11(2) or (3) to notify a harbour authority or terminal operator, as the case may be; or
- (b) a harbour authority or terminal operator has clear evidence that a ship has proceeded to sea without the master having complied with regulation 12(1) or 16(1), as the case may be,

the harbour authority or terminal operator shall immediately inform the Maritime and Coastguard Agency.

(2) Where there is clear evidence that a ship has proceeded to sea without having complied with regulation 12(1) or 16(1) the Secretary of State shall, if the next port of call of the ship is a port of [^{F1}an][^{F2}EEA State], inform the competent authority of the State in which the port is situated about the ship and the evidence.

(3) Where the Maritime and Coastguard Agency has been informed by another competent authority of a ship in respect of which there is clear evidence of the type mentioned in paragraph (1) the Agency shall inspect the ship at the earliest opportunity.

Textual Amendments

- F1** Word in reg. 17(2) substituted (31.12.2020) by [The Merchant Shipping \(Miscellaneous Provisions\) \(Amendments etc.\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1221\)](#), reg. 2(b), **Sch. para. 18(3)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in reg. 17(2) substituted (16.5.2009) by [The Merchant Shipping and Fishing Vessels \(Port Waste Reception Facilities\) \(Amendment\) Regulations 2009 \(S.I. 2009/1176\)](#), regs. 1, **2(7)**

Changes to legislation:

There are currently no known outstanding effects for the The Merchant Shipping and Fishing Vessels (Port Waste Reception Facilities) Regulations 2003, Section 17.