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STATUTORY INSTRUMENTS

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**2009 No. 2796**

**The Merchant Shipping (Anti-Fouling Systems) Regulations 2009**

**PART 3**

**INSPECTIONS, DETENTIONS, OFFENCES AND FEES**

**Right of appeal and compensation**

**13.**—(1) Regulations 11 and 12 (right of appeal and compensation) of the Merchant Shipping (Port State Control) Regulations 1995 <sup>M1</sup> (which by virtue of regulation 19 of those Regulations apply in relation to the exercise of powers of detention contained in safety regulations) apply in relation to a detention notice served under these Regulations as if these Regulations were made under section 85 of the 1995 Act, subject to the modifications referred to in paragraph (2).

(2) The modifications are—

- (a) references to “inspector” are to be taken as references to the authority detaining the ship; and
- (b) references to “access refusal notice”, “service of an access refusal notice” and “refusal of access” are omitted.

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**Marginal Citations**

**M1** [S.I. 1995/3128](#), amended by [S.I. 1998/1433](#), 1998/2198, 2001/2349 and 2003/1636.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Merchant Shipping (Anti-Fouling Systems) Regulations 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Regulations revoked by [S.I. 2024/509 Sch. Pt. 2](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

- Blanket amendment words substituted by [S.I. 2011/1043 art. 3-68-10](#)