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STATUTORY INSTRUMENTS

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**2012 No. 2267**

**The Merchant Shipping (Compulsory Insurance of Shipowners for Maritime Claims) Regulations 2012**

**Power to detain**

9.—(1) A ship may be detained if anyone attempts to navigate it out of a port in contravention of regulation 4.

(2) Section 284 of the Act<sup>(1)</sup> (which relates to the detention of a ship) has effect in relation to the ship, subject to the modification that for—

- (a) “this Act”, substitute “the Merchant Shipping (Compulsory Insurance of Shipowners for Maritime Claims) Regulations 2012”; and
- (b) “owner of a ship” substitute “shipowner”.

(3) An officer detaining the ship must serve on the master of the ship a detention notice which—

- (a) states the reason for the detention; and
- (b) requires the ship to comply with the terms of the detention notice until it is released by a competent authority.

(4) Where a ship is detained which is not a United Kingdom ship the Secretary of State must immediately inform, in writing—

- (a) the ship’s flag state administration; or, if this is not possible,
- (b) the Consul of the State of the flag administration; or, in the Consul’s absence,
- (c) the nearest diplomatic representative of the State of the flag administration.

(5) The written information referred to in paragraph (4) must set out all the circumstances of the decision to detain the ship.

(6) Where paragraph (4) applies the Secretary of State must also notify all relevant—

- (a) nominated surveyors; or
- (b) recognised organisations;

responsible for the issue of classification certificates.

(7) In this regulation “competent authority” means any officer mentioned in section 284(1) of the Act.

**Commencement Information**

**II** Reg. 9 in force at 5.10.2012, see [reg. 1\(2\)](#)

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(1) Section 284 was amended by the Merchant Shipping and Maritime Security Act 1997 (c.28), Schedule 1.

**Changes to legislation:**

There are currently no known outstanding effects for the The Merchant Shipping (Compulsory Insurance of Shipowners for Maritime Claims) Regulations 2012, Section 9.