
STATUTORY INSTRUMENTS

2019 No. 411

The Democratic People's Republic of Korea
(Sanctions) (EU Exit) Regulations 2019

PART 8

Ships

Detention of ships

75.—(1) A detention direction may be given to the master of a ship to which this paragraph applies by—

- (a) the Secretary of State, or
- (b) a harbour authority.

(2) The Secretary of State may direct a harbour authority to give a detention direction to the master of a ship to which this paragraph applies.

(3) A “detention direction” means a direction requiring the detention of a ship at a port or anchorage.

(4) A detention direction given in relation to a ship—

- (a) must be in writing,
- (b) must be delivered to the master of the ship by the person who detains the ship,
- (c) must state the grounds on which the ship is detained, and
- (d) must state that—
 - (i) it is given under this regulation, and
 - (ii) any requirements imposed by the direction must be complied with.

(5) Paragraph (6) applies if—

- (a) the ship is not a British ship, and
- (b) there is in the United Kingdom a consular officer for the country to which the ship belongs.

(6) A copy of the detention direction must be sent as soon as practicable to the nearest consular officer for the country to which the ship belongs.

(7) Section 284(1), (2), (2A), (2B), (3) and (8) of the Merchant Shipping Act 1995⁽¹⁾ (enforcement of detention of ships) applies in the case of detention under a detention direction as it applies in the case of detention authorised or ordered by that Act, but as if—

- (a) any reference in that section to a notice of detention were to the detention direction, and
- (b) the reference in subsection (2A) of that section to a direction given under subsection (1A) (a) of that section were to any requirement imposed by the detention direction.

(8) Paragraphs (1) and (2) apply to the following when at a port or anchorage—

(1) 1995 c.21.

- (a) a specified ship;
 - (b) a ship for the time being designated by the Security Council or the Committee as a ship in respect of which the measures required by paragraph 8(d) of resolution 1718 (asset-freeze etc.) are to be taken.
- (9) In this regulation, “consular officer”, in relation to a foreign country, means the officer recognised by Her Majesty as a consular officer of that foreign country.