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STATUTORY INSTRUMENTS

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**2019 No. 42**

**The Merchant Shipping (Prevention  
of Oil Pollution) Regulations 2019**

**PART 9**

Enforcement

**Restriction on jurisdiction over offences outside United Kingdom limits**

**45.**—(1) In the case of a contravention of any of regulations 25 to 28 in respect of a ship which is not a United Kingdom ship in the internal waters, territorial sea or exclusive economic zone of a foreign State, proceedings in respect of that offence must not be instituted in the United Kingdom unless—

- (a) that foreign State, the flag State of the ship in question or a State polluted or threatened with pollution as a result of the offence requests that proceedings be taken; or
- (b) the offence has caused or is likely to cause oil pollution in controlled waters or United Kingdom waters.

(2) Where proceedings have been instituted but not concluded, they must be suspended upon the request of the foreign State in question and the Secretary of State must send all the evidence, court records and documents relating to the case, together with any sum paid or security given, to the foreign State.

(3) In this regulation—

“exclusive economic zone”, in relation to a foreign state, means the area beyond and adjacent to the territorial sea of that State, but not extending beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured; and

“foreign State” means a State other than the United Kingdom.

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**Commencement Information**

**11** [Reg. 45](#) in force at 1.3.2019, see [reg. 1\(1\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Merchant Shipping (Prevention of Oil Pollution) Regulations 2019, Section 45.