
STATUTORY INSTRUMENTS

2019 No. 42

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

PART 9

Enforcement

Defences

47.—(1) In any proceedings for an offence under these Regulations, it is a defence for the person charged to prove that person took all reasonable steps and exercised all due diligence to ensure that the regulation in question was complied with.

(2) Without prejudice to paragraph (1), in any proceedings for an offence comprising a contravention of any of regulations 25 to 28 it is a defence for the person charged to prove that—

- (a) the ship was not a United Kingdom ship;
- (b) the discharge took place in waters that were neither controlled waters nor United Kingdom waters; and
- (c) the ship was in a port in the United Kingdom at the time of the institution of the proceedings by reason only of stress of weather or any other reason beyond the control of the master or owner or any charterer or manager.

Commencement Information

II [Reg. 47](#) 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 47.