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STATUTORY INSTRUMENTS

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**2023 No. 35**

**The Merchant Shipping (Watercraft) Order 2023**

**PART 3**

**Safety of watercraft**

**Power to detain dangerously unsafe watercraft**

7. The following provisions of the 1995 Act apply in relation to watercraft as they apply in relation to ships—

- (a) section 94(1) (meaning of “dangerously unsafe ship”), as if in subsection (1) for “96, 97 and 98” there were substituted “96 and 97”;
- (b) section 95(2) (power to detain dangerously unsafe ship), as if—
  - (i) in subsection (2), the reference to United Kingdom ships includes a reference to watercraft whether unregistered or registered in the United Kingdom;
  - (ii) in the introductory words to subsection (3), the reference to the master of the ship includes a reference to the owner of the watercraft;
- (c) section 96(3) (references of detention notice to arbitration);
- (d) section 97 (compensation in connection with invalid detention of ship);
- (e) section 284(4) (enforcing detention of ship), as if each reference to a master of a ship includes a reference to an operator of a watercraft.

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(1) Section 94 was amended by paragraph 1 of Schedule 1 to the Merchant Shipping and Maritime Security Act 1997.  
(2) Section 95 was amended by paragraph 2 of Schedule 1 to the Merchant Shipping and Maritime Security Act 1997.  
(3) Section 96 was amended by Schedule 4 to the Arbitration Act 1996 (c. 23) and paragraph 26 of Schedule 10 to the Tribunals, Courts and Enforcement Act 2007 (c. 15).  
(4) Section 284 was amended by paragraph 5 of Schedule 1 to the Merchant Shipping and Maritime Security Act 1997 and S.I. 2015/664.