



Prevention of Oil Pollution Act 1971

1971 CHAPTER 60

Miscellaneous and supplementary

30 Provisions as to Northern Ireland.

[^{F1}(1) This Act extends to Northern Ireland and the following provisions of this section shall have effect with respect to the application of this Act to Northern Ireland.]

(2)

(3) In relation to places on land in Northern Ireland, and to apparatus located in Northern Ireland otherwise than on board a vessel,—

- (a) persons appointed by the Secretary of State as inspectors under section 18 of this Act, and surveyors of ships in their capacity as persons so appointed, shall have no powers of entry or inspection; but
- (b) persons appointed by the Ministry of Commerce shall have the like powers as (but for the preceding paragraph) persons appointed by the Secretary of State would have by virtue of that section, and the provisions of that section shall have effect in relation to persons appointed by the Ministry of Commerce as, in England and Wales, they have effect in relation to persons appointed by the Secretary of State.

(4) Subsection (1) of section 19 of this Act shall apply to proceedings in Northern Ireland as it applies to proceedings in England and Wales, but with the substitution, for references to the Attorney General, of references to the Attorney General for Northern Ireland; except that, in relation to proceedings for an offence under section 2 of this Act—

- (a) if the alleged offence relates to the discharge of oil or a mixture containing oil from a vessel in a harbour or inland waterway in Northern Ireland, the references in that subsection to the Secretary of State shall be construed as references to the Secretary of State or the Ministry of Commerce;
- (b) if the alleged offence relates to the discharge of oil or a mixture containing oil from a place on land in Northern Ireland, or from apparatus located in Northern Ireland otherwise than on board a vessel, the references in that

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subsection to the Secretary of State shall be construed as references to the Ministry of Commerce.

[^{F2}(4A) In its application to proceedings in Northern Ireland, subsection (8)(a) of section 19A of this Act shall have effect as if—

(a) in sub-paragraph (i), for the references to section 1 of the Magistrates' Courts Act 1980 there were substituted a reference to Article 20 of the Magistrates' Courts (Northern Ireland) Order 1981; and

(b) for sub-paragraph (iii) there were substituted—

“(iii) when an indictment is presented under section 2(2) (c), (e) or (f) of the Grand Jury (Abolition) Act (Northern Ireland) 1969;”.]

(5) In the definition of “local enactment” in subsection (1) of section 29 of this Act the reference to a local or private Act includes a reference to a local or private Act of the Parliament of Northern Ireland, and the reference to an order confirmed by Parliament includes a reference to an order confirmed by that Parliament; and the reference in that subsection to the ^{M1}Petroleum (Consolidation) Act 1928 shall be construed as a reference to the ^{M2}Petroleum (Consolidation) Act (Northern Ireland) 1929.

(6) ^{F3}

Textual Amendments

- F1** S. 30(1) repealed for certain purposes (1.1.1996) by 1995 c. 21, ss. 314(1), 316(2), **Sch. 12** Note (with s. 312(1), Sch. 14 para. 1)
- F2** S. 30(4A) inserted by [Environmental Protection Act 1990](#) (c. 43, SIF 46:4), s. 148(1), **Sch. 14 para. 7**
- F3** S. 30(6) repealed by [Northern Ireland Constitution Act 1973](#) (c. 36), **Sch. 6 Pt. I**

Modifications etc. (not altering text)

- C1** S. 30 extended with modifications by S.I. 1989/1350, art 3, **Sch. 2**
- C2** Functions in relation to fishery harbours transferred (N.I.) to Department of Agriculture for Northern Ireland: S.R. & O. (N.I.) 1973 No. 129 and [Northern Ireland Constitution Act 1973](#) (c. 36), **Sch. 5 para. 8**
- C3** S. 30 amended (1.5.1994) by 1993 c. 22, s. 8(3), **Sch. 4 para. 17(d)**; S.I. 1993/3137, art. 3(2), **Sch. 2**
- C4** S. 30(3) amended (1.5.1994) by 1993 c. 22, s. 8(3), **Sch. 4 para. 17(a)**; S.I. 1993/3137, **art. 3(2)**, Sch. 2

Marginal Citations

- M1** 1928 c. 22.
- M2** 1929 c. 13 (N.I.)

Changes to legislation:

There are currently no known outstanding effects for the Prevention of Oil Pollution Act 1971, Section 30.