



# Merchant Shipping Act 1995

## CHAPTER 21

### MERCHANT SHIPPING ACT 1995

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### *International Load Line Exemption Certificates*

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#### SUBDIVISION LOAD LINES

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### **CHAPTER III**

#### LIABILITY FOR OIL POLLUTION

- 152 (1) In this Chapter— “the Liability Convention” means the  
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### *Liability*

- 153 Liability for oil pollution in case of tankers.
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## **CHAPTER IV**

### **INTERNATIONAL OIL POLLUTION**

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- 173 Contributions by importers of oil and others.
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- 176A Indemnification where damage is caused by ship registered in Fund Convention country.

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- 177 Jurisdiction and effect of judgments.  
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181 Interpretation.

### SCHEDULE 5 — Overall Limit on Liability of Fund Part I — PERMANENT PROVISION

#### *Article 4 — paragraphs 4 and 5*

- 4 (a) Except as otherwise provided in sub-paragraphs (b) and (c)...  
5 Where the amount of established claims against the Fund exceeds...  
Part II — TRANSITORY PROVISION

#### *Article 4 — paragraphs 4, 5 and 6*

- 4 (a) Except as otherwise provided in sub-paragraph (b) of this...  
5 Where the amount of established claims against the Fund exceeds...  
6 The Assembly of the Fund (hereinafter referred to as “the...

### SCHEDULE 5A —

#### *Text of International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea*

The States parties to the present Convention,  
Conscious of the dangers posed by the world-wide carriage by...  
Convinced of the need to ensure that adequate, prompt and...  
Desiring to adopt uniform international rules and procedures for  
determining...  
Considering that the economic consequences of damage caused by the...  
Have agreed as follows:  
Chapter I — GENERAL PROVISIONS

### DEFINITIONS

#### *Article 1*

For the purposes of this Convention:

1. “ Ship ” means any seagoing vessel and seaborne...
2. “ Person ” means any individual or partnership or...
3. “ Owner ” means the person or persons registered...
4. “ Receiver ” means either: (a) the person who...
5. “Hazardous and noxious substances” (HNS) means: (a) any substances,...
  - (i) oils carried in bulk listed in appendix I of...
  - (ii) noxious liquid substances carried in bulk referred to in...
  - (iii) dangerous liquid substances carried in bulk listed in chapter...

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- (iv) dangerous, hazardous and harmful substances, materials and articles in...
- (v) liquefied gases as listed in chapter 19 of the...
- (vi) liquid substances carried in bulk with a flashpoint not...
- (vii) solid bulk materials possessing chemical hazards covered by appendix...
- 6. "Damage" means: (a) loss of life or...  
Where it is not reasonably possible to separate damage caused...  
In this paragraph, "caused by those substances" means...
- 7. "Preventive measures" means any reasonable measures taken...
- 8. "Incident" means any occurrence or series of...
- 9. "Carriage by sea" means the period from...
- 10. "Contributing cargo" means any hazardous and noxious...
- 11. The "HNS Fund" means the International Hazardous...
- 12. "Unit of account" means the Special Drawing...
- 13. "State of the ship's registry" means in...
- 14. "Terminal" means any site for the storage...
- 15. "Director" means the Director of the HNS...
- 16. "Organization" means the International Maritime Organization.
- 17. "Secretary-General" means the Secretary-General of the Organization....

## ANNEXES

### *Article 2*

The Annexes to this Convention shall constitute an integral part...

## SCOPE OF APPLICATION

### *Article 3*

This Convention shall apply exclusively: (a) to any damage caused...

### *Article 4*

- 1. This Convention shall apply to claims, other than claims...
- 2. This Convention shall not apply to the extent that...
- 3. This Convention shall not apply: (a) to pollution damage...
- 4. Except as provided in paragraph 5, the provisions of...
- 5. A State Party may decide to apply this Convention...
- 6. With respect to ships owned by a State Party...

### *Article 5*

- 1. A State may, at the time of ratification, acceptance,...
- 2. Where two neighbouring States agree that this Convention does...
- 3. Any State which has made the declaration under paragraph...
- 4. A declaration made under paragraph 1 or 2, and...
- 5. Where a State has made a declaration under paragraph...
- 6. The HNS Fund is not liable to pay compensation...

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## DUTIES OF STATE PARTIES

### *Article 6*

Each State Party shall ensure that any obligation arising under...  
Chapter II — LIABILITY

## LIABILITY OF THE OWNER

### *Article 7*

1. Except as provided in paragraphs 2 and 3, the...
2. No liability shall attach to the owner if the...  
provided that neither the owner nor its servants or agents...
3. If the owner proves that the damage resulted wholly...
4. No claim for compensation for damage shall be made...
5. Subject to paragraph 6, no claim for compensation for...  
unless the damage resulted from their personal act or omission,...
6. Nothing in this Convention shall prejudice any existing right...

## INCIDENTS INVOLVING TWO OR MORE SHIPS

### *Article 8*

1. Whenever damage has resulted from an incident involving two...
2. However, owners shall be entitled to the limits of...
3. Nothing in this article shall prejudice any right of...

## LIMITATION OF LIABILITY

### *Article 9*

1. The owner of a ship shall be entitled to...  
for each unit of tonnage in excess of 50,000 units...  
provided, however, that this aggregate amount shall not in any...
2. The owner shall not be entitled to limit liability...
3. The owner shall, for the purpose of benefitting from...
4. Subject to the provisions of article 11, the fund...
5. If before the fund is distributed the owner or...
6. The right of subrogation provided for in paragraph 5...
7. Where owners or other persons establish that they may...
8. Claims in respect of expenses reasonably incurred or sacrifices...
9. (a) The amounts mentioned in paragraph 1 shall be...
10. For the purpose of this article the ship's tonnage...
11. The insurer or other person providing financial security shall...

### *Article 10*

1. Where the owner, after an incident, has constituted a...
2. The foregoing shall, however, only apply if the claimant...

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## DEATH AND INJURY

### *Article 11*

Claims in respect of death or personal injury have priority...

## COMPULSORY INSURANCE OF THE OWNER

### *Article 12*

1. The owner of a ship registered in a State...
  2. A compulsory insurance certificate attesting that insurance or other...
  3. The compulsory insurance certificate shall be in the official...
  4. The compulsory insurance certificate shall be carried on board...
  5. An insurance or other financial security shall not satisfy...
  6. The State of the ship's registry shall, subject to...
  7. Compulsory insurance certificates issued or certified under the authority...
  8. Any claim for compensation for damage may be brought...
  9. Any sums provided by insurance or by other financial...
  10. A State Party shall not permit a ship under...
  11. Subject to the provisions of this article, each State...
  12. If insurance or other financial security is not maintained...
- Chapter III — COMPENSATION BY THE INTERNATIONAL HAZARDOUS AND NOXIOUS SUBSTANCES FUND (HNS FUND)

## ESTABLISHMENT OF THE HNS FUND

### *Article 13*

1. The International Hazardous and Noxious Substances Fund (HNS Fund)...
2. The HNS Fund shall in each State Party be...

## COMPENSATION

### *Article 14*

1. For the purpose of fulfilling its function under article...
2. Expenses reasonably incurred or sacrifices reasonably made by the...
3. The HNS Fund shall incur no obligation under the...
4. If the HNS Fund proves that the damage resulted...
5. (a) Except as otherwise provided in subparagraph (b), the...
6. Where the amount of established claims against the HNS...  
Claims in respect of death or personal injury shall have...
7. The Assembly of the HNS Fund may decide that,...

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## RELATED TASKS OF THE HNS FUND

### *Article 15*

For the purpose of fulfilling its function under article 13,...

Expenditure: (i) costs and expenses of the administration of the...

Income: (iii) surplus funds from operations in preceding years, including...

## GENERAL PROVISIONS ON CONTRIBUTIONS

### *Article 16*

1. The HNS Fund shall have a general account, which...
2. The HNS Fund shall, subject to article 19, paragraphs...
3. There shall be initial contributions and, as required, annual...
4. Contributions to the HNS Fund shall be made into...
5. For the purposes of article 18, article 19, paragraph...
6. “ Associated person ” means any subsidiary or commonly...

## GENERAL PROVISIONS ON ANNUAL CONTRIBUTIONS

### *Article 17*

1. Annual contributions to the general account and to each...
2. Annual contributions payable pursuant to articles 18, 19 and...
3. The Assembly shall decide the total amount of annual...
4. The Assembly may also levy annual contributions for administrative...
5. The Assembly shall also decide on the distribution between...

## ANNUAL CONTRIBUTIONS TO THE GENERAL ACCOUNT

### *Article 18*

1. Subject to article 16, paragraph 5, annual contributions to...
2. Annual contributions shall also be payable to the general...

## ANNUAL CONTRIBUTIONS TO SEPARATE ACCOUNTS

### *Article 19*

1. Subject to article 16, paragraph 5, annual contributions to...
2. Subject to paragraph 3, the separate accounts referred to...
3. The initial operation of a separate account referred to...
4. The Assembly may suspend the operation of a separate...
5. The Assembly may reinstate the operation of a separate...
6. Any person who would be liable to pay contributions...

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## INITIAL CONTRIBUTIONS

### *Article 20*

1. In respect of each State Party, initial contributions shall...
2. The fixed sum and the units for the different...
3. Initial contributions shall be paid within three months following...

## REPORTS

### *Article 21*

1. Each State Party shall ensure that any person liable...
2. For the purposes set out in paragraph 1, each...
3. For the purposes of ascertaining who are, at any...
4. Where a State Party does not fulfil its obligations...
5. In respect of contributing cargo carried from one port...

## NON-PAYMENT OF CONTRIBUTIONS

### *Article 22*

1. The amount of any contribution due under articles 18,...
2. Where a person who is liable to pay contributions...

## OPTIONAL LIABILITY OF STATES PARTIES FOR THE PAYMENT OF CONTRIBUTIONS

### *Article 23*

1. Without prejudice to article 21, paragraph 5, a State...
2. Where a declaration under paragraph 1 is made prior...
3. A declaration under paragraph 1 which is made after...
4. A declaration made in accordance with this article may...
5. Any State which is bound by a declaration made...

## ORGANIZATION AND ADMINISTRATION

### *Article 24*

The HNS Fund shall have an Assembly and a Secretariat...

## ASSEMBLY

### *Article 25*

The Assembly shall consist of all States Parties to this...

### *Article 26*

The functions of the Assembly shall be: (a) to elect...

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#### Article 27

1. Regular sessions of the Assembly shall take place once...
2. Extraordinary sessions of the Assembly shall be convened by...

#### Article 28

A majority of the members of the Assembly shall constitute...

### SECRETARIAT

#### Article 29

1. The Secretariat shall comprise the Director and such staff...
2. The Director shall be the legal representative of the...

#### Article 30

1. The Director shall be the chief administrative officer of...  
Subject to the instructions given by the Assembly, the Director...
2. The Director shall in particular: (a) appoint the personnel...

#### Article 31

In the performance of their duties the Director and the...

### FINANCES

#### Article 32

1. Each State Party shall bear the salary, travel and...
2. Any other expenses incurred in the operation of the...

### VOTING

#### Article 33

The following provisions shall apply to voting in the Assembly:...

#### Article 34

The following decisions of the Assembly shall require a two-thirds...

### TAX EXEMPTIONS AND CURRENCY REGULATIONS

#### Article 35

1. The HNS Fund, its assets, income, including contributions, and...
2. When the HNS Fund makes substantial purchases of movable...
3. No exemption shall be accorded in the case of...
4. The HNS Fund shall enjoy exemption from all customs...
5. Persons contributing to the HNS Fund as well as...

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6. Notwithstanding existing or future regulations concerning currency or transfers,...

## CONFIDENTIALITY OF INFORMATION

### *Article 36*

Information relating to individual contributors supplied for the purpose of...

## Chapter IV — CLAIMS AND ACTIONS

## LIMITATION OF ACTIONS

### *Article 37*

1. Rights to compensation under chapter II shall be extinguished...
2. Rights to compensation under chapter III shall be extinguished...
3. In no case, however, shall an action be brought...
4. Where the incident consists of a series of occurrences,...

## JURISDICTION IN RESPECT OF ACTION AGAINST THE OWNER

### *Article 38*

1. Where an incident has caused damage in the territory,...
2. Where an incident has caused damage exclusively outside the...
3. Reasonable notice of any action taken under paragraph 1...
4. Each State Party shall ensure that its courts have...
5. After a fund under article 9 has been constituted...

## JURISDICTION IN RESPECT OF ACTION AGAINST THE HNS FUND OR TAKEN BY THE HNS FUND

### *Article 39*

1. Subject to the subsequent provisions of this article, any...
2. In the event that the ship carrying the hazardous...
3. Each State Party shall ensure that its courts have...
4. Where an action for compensation for damage has been...
5. Each State Party shall ensure that the HNS Fund...
6. Except as otherwise provided in paragraph 7, the HNS...
7. Without prejudice to the provisions of paragraph 5, where...

## RECOGNITION AND ENFORCEMENT

### *Article 40*

1. Any judgement given by a court with jurisdiction in...
2. A judgement recognized under paragraph 1 shall be enforceable...
3. Subject to any decision concerning the distribution referred to...

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## SUBROGATION AND RECOURSE

### *Article 41*

1. The HNS Fund shall, in respect of any amount...
2. Nothing in this Convention shall prejudice any rights of...
3. Without prejudice to any other rights of subrogation or...

## SUPERSESION CLAUSE

### *Article 42*

This Convention shall supersede any convention in force or open...  
Chapter V — TRANSITIONAL PROVISIONS

## INFORMATION ON CONTRIBUTING CARGO

### *Article 43*

When depositing an instrument referred to in article 45, paragraph...

## FIRST SESSION OF THE ASSEMBLY

### *Article 44*

The Secretary-General shall convene the first session of the Assembly...  
Chapter VI — FINAL CLAUSES

## SIGNATURE, RATIFICATION, ACCEPTANCE, APPROVAL AND ACCESSION

### *Article 45*

1. This Convention shall be open for signature at the...
2. States may express their consent to be bound by...
3. Ratification, acceptance, approval or accession shall be effected by...

## ENTRY INTO FORCE

### *Article 46*

1. This Convention shall enter into force eighteen months after...
2. For a State which expresses its consent to be...

## REVISION AND AMENDMENT

### *Article 47*

1. A conference for the purpose of revising or amending...
2. The Secretary-General shall convene a conference of the States...

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3. Any consent to be bound by this Convention expressed...

#### AMENDMENT OF LIMITS

##### *Article 48*

1. Without prejudice to the provisions of article 47, the...
2. Upon the request of at least one half, but...
3. Any amendment proposed and circulated as above shall be...
4. All Contracting States, whether or not Members of the...
5. Amendments shall be adopted by a two-thirds majority of...
6. When acting on a proposal to amend the limits,...
7. (a) No amendment of the limits under this article...
8. Any amendment adopted in accordance with paragraph 5 shall...  
The amendment shall be deemed to have been accepted at...
9. An amendment deemed to have been accepted in accordance...
10. All Contracting States shall be bound by the amendment,...
11. When an amendment has been adopted but the eighteen...

##### *Article 49*

1. This Convention may be denounced by any State Party...
2. Denunciation shall be effected by the deposit of an...
3. Denunciation shall take effect twelve months, or such longer...
4. Notwithstanding a denunciation by a State Party pursuant to...

#### EXTRAORDINARY SESSIONS OF THE ASSEMBLY

##### *Article 50*

1. Any State Party may, within ninety days after the...
2. The Director may take the initiative to convene an...
3. If the Assembly, at an extraordinary session, convened in...

#### CESSATION

##### *Article 51*

1. This Convention shall cease to be in force: (a)...  
Notwithstanding (b), if the total quantity of contributing cargo to...
2. States which are bound by this Convention on the...

#### WINDING UP OF THE HNS FUND

##### *Article 52*

1. If this Convention ceases to be in force, the...
2. The Assembly shall take all appropriate measures to complete...
3. For the purposes of this article the HNS Fund...

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## DEPOSITARY

### *Article 53*

1. This Convention and any amendment adopted under article 48...
2. The Secretary-General shall:
  - (a) inform all States which have signed this Convention or...
    - (i) each new signature or deposit of an instrument of...
    - (ii) the date of entry into force of this Convention;...
    - (iii) any proposal to amend the limits on the amounts...
    - (iv) any amendment which has been adopted in accordance with...
    - (v) any amendment deemed to have been accepted under article...
    - (vi) the deposit of any instrument of denunciation of this...
    - (vii) any communication called for by any article in this...
  - (b) transmit certified true copies of this Convention to all...
3. As soon as this Convention enters into force, a...

## LANGUAGES

### *Article 54*

This Convention is established in a single original in the...

## SCHEDULE 6 — Convention Relating to the Carriage of Passengers and Their Luggage by Sea

### Part I — TEXT OF CONVENTION

## ARTICLE 1

### *Definitions*

In this Convention the following expressions have the meaning hereby...

- 1 (a) “carrier” means a person by or on behalf of...
- 2 “contract of carriage” means a contract made by or on...
- 3 “ship” means only a seagoing vessel, excluding an air-cushion vehicle;...
- 4 “passenger” means any person carried in a ship,
- 5 “luggage” means any article or vehicle carried by the carrier...
- 6 “cabin luggage” means luggage which the passenger has in his...
- 7 “loss of or damage to luggage” includes pecuniary loss resulting...
- 8 “carriage” covers the following periods: (a) with regard to the...
- 9 “international carriage” means any carriage in which, according to the...

## ARTICLE 2

### *Application*

- 1 This Convention shall apply to any international carriage if:
- 2 Notwithstanding paragraph 1 of this Article, this Convention shall not...

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### ARTICLE 3

#### *Liability of the carrier*

- 1 The carrier shall be liable for the damage suffered as...
- 2 The burden of proving that the incident which caused the...
- 3 Fault or neglect of the carrier or of his servants...

### ARTICLE 4

#### *Performing carrier*

- 1 If the performance of the carriage or part thereof has...
- 2 The carrier shall, in relation to the carriage performed by...
- 3 Any special agreement under which the carrier assumes obligations not...
- 4 Where and to the extent that both the carrier and...
- 5 Nothing in this Article shall prejudice any right of recourse...

### ARTICLE 5

#### *Valuables*

The carrier shall not be liable for the loss of...

### ARTICLE 6

#### *Contributory fault*

If the carrier proves that the death of or personal...

### ARTICLE 7

#### *Limit of liability for personal injury*

- 1 The liability of the carrier for the death of or...
- 2 Notwithstanding paragraph 1 of this Article, the national law of...

### ARTICLE 8

#### *Limit of liability for loss of or damage to luggage*

- 1 The liability of the carrier for the loss of or...
- 2 The liability of the carrier for the loss of or...
- 3 The liability of the carrier for the loss of or...
- 4 The carrier and the passenger may agree that the liability...

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## ARTICLE 9

### *Unit of account and conversion*

The Unit of Account mentioned in this Convention is the...

## ARTICLE 10

### *Supplementary provisions on limits of liability*

- 1 The carrier and the passenger may agree, expressly and in...
- 2 Interest on damages and legal costs shall not be included...

## ARTICLE 11

### *Defences and limits for carriers' servants*

If an action is brought against a servant or agent...

## ARTICLE 12

### *Aggregation of claims*

- 1 Where the limits of liability prescribed in Articles 7 and...
- 2 In relation to the carriage performed by a performing carrier,...
- 3 In any case where a servant or agent of the...

## ARTICLE 13

### *Loss of right to limit liability*

- 1 The carrier shall not be entitled to the benefit of...
- 2 The servant or agent of the carrier or of the...

## ARTICLE 14

### *Basis for claims*

No action for damages for the death of or personal...

## ARTICLE 15

### *Notice of loss or damage to luggage*

- 1 The passenger shall give written notice to the carrier or...
- 2 If the passenger fails to comply with this Article, he...
- 3 The notice in writing need not be given if the...

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## ARTICLE 16

### *Time-bar for actions*

- 1 Any action for damages arising out of the death of...
- 2 The limitation period shall be calculated as follows:
- 3 The law of the court seized of the case shall...
- 4 Notwithstanding paragraphs 1, 2 and 3 of this Article, the...

## ARTICLE 17

### *Competent jurisdiction*

- 1 An action arising under this Convention shall, at the option...
- 2 After the occurrence of the incident which has caused the...

## ARTICLE 18

### *Invalidity of contractual provisions*

Any contractual provision concluded before the occurrence of the incident...

## ARTICLE 19

### *Other conventions on limitation of liability*

This Convention shall not modify the rights or duties of...

## ARTICLE 20

### *Nuclear damage*

No liability shall arise under this Convention for damage caused...

## ARTICLE 21

### *Commercial carriage by public authorities*

This Convention shall apply to commercial carriage undertaken by States...

### Part II — PROVISIONS HAVING EFFECT IN CONNECTION WITH CONVENTION

### *Interpretation*

- 1 In this Part of this Schedule any reference to a...

### *Provisions adapting or supplementing specified articles of the Convention*

- 2 For the purposes of paragraph 2 of article 2, provisions...
- 3 The reference to the law of the court in article...

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- 4 The Secretary of State may by order provide that, in...
- 5 (1) For the purpose of converting from special drawing rights...
- 6 It is hereby declared that by virtue of article 12...
- 7 Article 16 shall apply to arbitral proceedings as it applies...
- 8 The court before which proceedings are brought in pursuance of...

*Other provisions adapting or supplementing the Convention*

- 9 Any reference in the Convention to a contract of carriage...
- 10 If Her Majesty by Order in Council declares that any...
- 11 The Secretary of State may by order make provision—

*Application of ss. 185 and 186 of this Act*

- 12 It is hereby declared that nothing in the Convention affects...
- 13 Nothing is section 186 of this Act (which among other...

SCHEDULE 7 — Convention on Limitation of Liability for Maritime Claims 1976  
Part I — TEXT OF CONVENTION

**CHAPTER I.**

THE RIGHT OF LIMITATION

**ARTICLE 1**

*Persons entitled to limit liability*

- 1 Shipowners and salvors, as hereinafter defined, may limit their liability...
- 2 The term “shipowner” shall mean the owner, charterer, manager or...
- 3 Salvor shall mean any person rendering services in direct connection...
- 4 If any claims set out in Article 2 are made...
- 5 In this Convention the liability of a shipowner shall include...
- 6 An insurer of liability for claims subject to limitation in...
- 7 The act of invoking limitation of liability shall not constitute...

**ARTICLE 2**

*Claims subject to limitation*

- 1 Subject to Articles 3 and 4 the following claims, whatever...
- 2 Claims set out in paragraph 1 shall be subject to...

**ARTICLE 3**

*Claims excepted from limitation*

The rules of this Convention shall not apply to: (a)...

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#### ARTICLE 4

##### *Conduct barring limitation*

A person liable shall not be entitled to limit his...

#### ARTICLE 5

##### *Counterclaims*

Where a person entitled to limitation of liability under the...

### CHAPTER II.

#### LIMITS OF LIABILITY

#### ARTICLE 6

##### *The general limits*

- 1 The limits of liability for claims other than those mentioned...
- 2 Where the amount calculated in accordance with paragraph 1(a) is...
- 4 The limits of liability for any salvor not operating from...

#### ARTICLE 7

##### *The limit for passenger claims*

- 1 In respect of claims arising on any distinct occasion for...
- 2 For the purpose of this Article "claims for loss of...

#### ARTICLE 8

##### *Unit of Account*

The Unit of Account referred to in Articles 6 and...

#### ARTICLE 9

##### *Aggregation of claims*

- 1 The limits of liability determined in accordance with Article 6...
- 2 The limits of liability determined in accordance with Article 7...

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## ARTICLE 10

### *Limitation of liability without constitution of a limitation fund*

- 1 Limitation of liability may be invoked notwithstanding that a limitation...
- 2 If limitation of liability is invoked without the constitution of...
- 3 Questions of procedure arising under the rules of this Article...

## CHAPTER III.

### THE LIMITATION FUND

## ARTICLE 11

### *Constitution of the Fund*

- 1 Any person alleged to be liable may constitute a fund...
- 2 A fund may be constituted, either by depositing the sum,...
- 3 A fund constituted by one of the persons mentioned in...

## ARTICLE 12

### *Distribution of the fund*

- 1 Subject to the provisions of paragraphs 1 and 2 of...
- 2 If, before the fund is distributed, the person liable, or...
- 3 The right of subrogation provided for in paragraph 2 may...
- 4 Where the person liable or any other person establishes that...

## ARTICLE 13

### *Bar to other actions*

- 1 Where a limitation fund has been constituted in accordance with...
- 2 After a limitation fund has been constituted in accordance with...
- 3 The rules of paragraphs 1 and 2 shall apply only...

## ARTICLE 14

### *Governing law*

Subject to the provisions of this Chapter the rules relating...

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## CHAPTER IV.

### SCOPE OF APPLICATION

#### ARTICLE 15

- 2 A State Party may regulate by specific provisions of national...

#### ARTICLE 18

##### RESERVATIONS

- 1 Any State may, at the time of signature, ratification, acceptance,...  
Part II — PROVISIONS HAVING EFFECT IN CONNECTION WITH CONVENTION

##### *Interpretation*

- 1 In this Part of this Schedule any reference to a...

##### *Right to limit liability*

- 2 Subject to paragraph 6 below, the right to limit liability under...  
2A Paragraph 1(a) of article 2 shall have effect as if...

##### *Claims subject to limitation*

- 3 (1) Paragraph 1(d) of article 2 shall not apply unless...

##### *Claims excluded from limitation*

- 4 (1) Claims for Damages within the meaning of the international...

##### *The general limits*

- 5 (1) In the application of article 6 to a ship...

##### *Limit for passenger claims*

- 6 (1) Article 7 shall not apply in respect of any...

##### *Units of Account*

- 7 (1) For the purpose of converting the amounts mentioned in...

##### *Constitution of fund*

- 8 (1) The Secretary of State may, with the concurrence of...

##### *Distribution of fund*

- 9 No lien or other right in respect of any ship...

##### *Bar to other actions*

- 10 Where the release of a ship or other property is...

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*Meaning of “court”*

- 11 References in the Convention and the preceding provisions of this...

*Meaning of “ship”*

- 12 References in the Convention and in the preceding provisions of...

*Meaning of “State Party”*

- 13 An Order in Council made for the purposes of this...

SCHEDULE 8 — Commissioners of Northern Lighthouses

- 1 (1) The Commissioners of Northern Lighthouses shall continue to exist...
- 2 (1) The Commissioners may elect, as members of their body,...
- 3 A person appointed by the Secretary of State under paragraph...
- 4 (1) Any five of the Commissioners shall constitute a quorum....
- 5 In this Schedule “council” means a council constituted under section...

SCHEDULE 9 —

- 1 (1) Before such date as may be specified in a...
- 2 (1) The proposals submitted by each general lighthouse authority shall —...
- 3 Before submitting any proposals under paragraph 1 above a general...
- 4 (1) The Secretary of State may make such modifications of...
- 5 On such day as the Secretary of State may by...

SCHEDULE 10 — Local Light Dues: Objections

The modifications to which section 31 of the Harbours Act...

SCHEDULE 11 — International Convention on Salvage 1989

Part I — TEXT OF CONVENTION

**CHAPTER I**

— GENERAL PROVISIONS

**ARTICLE 1**

*Definitions*

For the purpose of this Convention— (a) Salvage operation means...

**ARTICLE 2**

*Application of the Convention*

This Convention shall apply whenever judicial or arbitral proceedings relating...

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### ARTICLE 3

#### *Platforms and drilling units*

This Convention shall not apply to fixed or floating platforms...

### ARTICLE 4

#### *State-owned vessels*

- 1 Without prejudice to article 5, this Convention shall not apply...
- 2 Where a State Party decides to apply the Convention to...

### ARTICLE 5

#### *Salvage operations controlled by public authorities*

- 1 This Convention shall not affect any provisions of national law...
- 2 Nevertheless, salvors carrying out such salvage operations shall be entitled...
- 3 The extent to which a public authority under a duty...

### ARTICLE 6

#### *Salvage contracts*

- 1 This Convention shall apply to any salvage operations save to...
- 2 The master shall have the authority to conclude contracts for...
- 3 Nothing in this article shall affect the application of article...

### ARTICLE 7

#### *Annulment and modification of contracts*

A contract or any terms thereof may be annulled or...

## CHAPTER II

### — PERFORMANCE OF SALVAGE OPERATIONS

### ARTICLE 8

#### *Duties of the salvor and of the owner and master*

- 1 The salvor shall owe a duty to the owner of...
- 2 The owner and master of the vessel or the owner...

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## ARTICLE 9

### *Rights of coastal States*

Nothing in this Convention shall affect the right of the...

## ARTICLE 10

### *Duty to render assistance*

- 1 Every master is bound, so far as he can do...
- 2 The States Parties shall adopt the measures necessary to enforce...
- 3 The owner of the vessel shall incur no liability for...

## ARTICLE 11

### *Co-operation*

A State Party shall, whenever regulating or deciding upon matters...

## CHAPTER III

### — RIGHTS OF SALVORS

## ARTICLE 12

### *Conditions for reward*

- 1 Salvage operations which have had a useful result give right...
- 2 Except as otherwise provided, no payment is due under this...
- 3 This chapter shall apply, notwithstanding that the salvaged vessel and...

## ARTICLE 13

### *Criteria for fixing the reward*

- 1 The reward shall be fixed with a view to encouraging...
- 2 Payment of a reward fixed according to paragraph 1 shall...
- 3 The rewards, exclusive of any interest and recoverable legal costs...

## ARTICLE 14

### *Special compensation*

- 1 If the salvor has carried out salvage operations in respect...
- 2 If, in the circumstances set out in paragraph 1, the...
- 3 Salvor's expenses for the purpose of paragraphs 1 and 2...
- 4 The total special compensation under this article shall be paid...

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- 5 If the salvor has been negligent and has thereby failed...
- 6 Nothing in this article shall affect any right of recourse...

#### ARTICLE 15

##### *Apportionment between salvors*

- 1 The apportionment of a reward under article 13 between salvors...
- 2 The apportionment between the owner, master and other persons in...

#### ARTICLE 16

##### *Salvage of persons*

- 1 No remuneration is due from persons whose lives are saved,...
- 2 A salvor of human life, who has taken part in...

#### ARTICLE 17

##### *Services rendered under existing contracts*

No payment is due under the provisions of this Convention...

#### ARTICLE 18

##### *The effect of salvor's misconduct*

A salvor may be deprived of the whole or part...

#### ARTICLE 19

##### *Prohibition of salvage operations*

Services rendered notwithstanding the express and reasonable prohibition of the...

### CHAPTER IV

#### — CLAIMS AND ACTIONS

#### ARTICLE 20

##### *Maritime lien*

- 1 Nothing in this Convention shall affect the salvor's maritime lien...
- 2 The salvor may not enforce his maritime lien when satisfactory...

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## ARTICLE 21

### *Duty to provide security*

- 1 Upon the request of the salvor a person liable for...
- 2 Without prejudice to paragraph 1, the owner of the salvaged...
- 3 The salvaged vessel and other property shall not, without the...

## ARTICLE 22

### *Interim payment*

- 1 The tribunal having jurisdiction over the claim of the salvor...
- 2 In the event of an interim payment under this article...

## ARTICLE 23

### *Limitation of actions*

- 1 Any action relating to payment under this Convention shall be...
- 2 The person against whom a claim is made may at...
- 3 An action for indemnity by a person liable may be...

## ARTICLE 24

### *Interest*

The right of the salvor to interest on any payment...

## ARTICLE 25

### *State-owned cargoes*

Unless the State owner consents, no provision of this Convention...

## ARTICLE 26

### *Humanitarian cargoes*

No provision of this Convention shall be used as a...

## ARTICLE 27

### *Publication of arbitral awards*

States Parties shall encourage, as far as possible and with...

Part II — PROVISIONS HAVING EFFECT IN CONNECTION WITH CONVENTION

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### *Interpretation*

- 1 In this Part of this Schedule “the Convention” means the...

#### *Claims excluded from Convention*

- 2 (1) The provisions of the Convention do not apply—

#### *Assistance to persons in danger at sea*

- 3 (1) The master of a vessel who fails to comply...

#### *The reward and special compensation: the common understanding*

- 4 In fixing a reward under article 13 and assessing special...

#### *Recourse for life salvage payment*

- 5 (1) This paragraph applies where— (a) services are rendered wholly...

#### *Meaning of “judicial proceedings”*

- 6 References in the Convention to judicial proceedings are references to...

#### *Meaning of “State Party”*

- 7 (1) An Order in Council made for the purposes of...

### Schedule 11A — Funding of maritime services

#### *Interpretation*

- 1 In this Schedule— “general light dues” and “general lighthouse authority”...

#### *Charges in respect of maritime matters*

- 2 (1) Regulations under this Schedule may make provision imposing charges...

#### *Charges relating to expenses payable out of General Lighthouse Fund*

- 3 (1) If— (a) any Community obligation, or

#### *Ships in respect of which charges may be imposed*

- 4 (1) Regulations under this Schedule may not require a charge...

#### *Persons by whom charges to be paid*

- 5 (1) Regulations under this Schedule may not require a charge...

#### *Amount of charges*

- 6 (1) Regulations under this Schedule may impose a charge—

#### *Powers to require information*

- 7 (1) Regulations under this Schedule may include provision requiring any...

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*Disclosure of information*

- 8 (1) No obligation as to secrecy or other restriction on...

*Collection and recovery, etc.*

- 9 (1) Regulations under this Schedule may make provision—  
10 Regulations under this Schedule may make provision for appeals  
against...

*Distress*

- 11 Regulations under this Schedule may make provision in respect of...

*Further powers in relation to General Lighthouse Fund etc*

- 12 If regulations under this Schedule make any provision by virtue...  
13 If regulations under this Schedule make any provision by virtue...

*Supplementary*

- 14 Regulations under this Schedule may include such transitional,  
incidental or...  
15 Any sums received in consequence of regulations under this Schedule...  
16 (1) Regulations under this Schedule shall be made by the...

SCHEDULE 12 — Repeals

Notes. The repeals of sections 5 to 7, 29(2) and...  
The repeals in the Crown Proceedings Act 1947 apply in...

SCHEDULE 13 — Consequential Amendments

*General Pier and Harbour Act 1861 Amendment Act 1862 (c. 19)*

- 1 In section 21 of the General Pier and Harbour Act...

*Sea Fisheries Act 1868 (c. 45)*

- 2 For section 26 of the Sea Fisheries Act 1868 substitute—...

*Lloyd's Act 1871 (c. xxi)*

- 3 In section 41 of the Lloyd's Act 1871, for "Merchant...

*Slave Trade Act 1873 (c. 88)*

- 4 .....

*Explosives Act 1875 (c. 17)*

- 5 In the Explosives Act 1875— (a) in section 58(b), for...

*Explosive Substances Act 1883 (c. 3)*

- 6 In section 8(2) of the Explosive Substances Act 1883, for...

*Submarine Telegraph Act 1885 (c. 49)*

- 7 In the Submarine Telegraph Act 1885— (a) in section 5(1),...

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*Foreign Jurisdiction Act 1890 (c. 37)*

- 8 In Schedule 1 to the Foreign Jurisdiction Act 1890, at...

*Fisheries Act 1891 (c. 37)*

- 9 In section 2(1) of the Fisheries Act 1891, for “in...

*Commissioners for Oaths Act 1891 (c. 50)*

- 10 In section 1 of the Commissioners for Oaths Act 1891,...

*Seal Fisheries (North Pacific) Act 1895 (c.21)*

- 11 In the Seal Fisheries (North Pacific) Act 1895—

*Seal Fisheries (North Pacific) Act 1912 (c. 10)*

- 12 In section 3 of the Seal Fisheries (North Pacific) Act...

*Trustee Act 1925 (c. 19)*

- 13 In section 51(6) of the Trustee Act 1925, for “Acts...

*Whaling Industry (Regulations) Act 1934 (c. 49)*

- 14 In section 17(1) of the Whaling Industry (Regulations) Act 1934,...

*Public Health Act 1936 (c. 49)*

- 15 In section 343(1) of the Public Health Act 1936, in...

*Public Health (Drainage of Trade Premises) Act 1937 (c. 40)*

- 16 In section 14 of the Public Health (Drainage of Trade...

*Superannuation (Various Services) Act 1938 (c. 13)*

- 17 In Part I of the Schedule to the Superannuation (Various...

*Compensation (Defence) Act 1939 (c. 75)*

- 18 In section 17(1) of the Compensation (Defence) Act 1939, in...

*Pensions (Navy, Army, Air Force and Mercantile Marine) Act 1939 (c. 83)*

- 19 In the Pensions (Navy, Army, Air Force and Mercantile Marine)...

*Public Health (Scotland) Act 1945 (c.15)*

- 20 In section 1(8) of the Public Health (Scotland) Act 1945,...

*Crown Proceedings Act 1947 (c. 44)*

- 21 In section 38(2) of the Crown Proceedings Act 1947—

*British Nationality Act 1948 (c. 56)*

- 22 In section 3(1) of the British Nationality Act 1948, for...

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*Law Reform (Miscellaneous Provisions) Act (Northern Ireland) 1948 (c. 23 (N.I.))*

23 In section 4(2) of the Law Reform (Miscellaneous Provisions) Act...

*Wireless Telegraphy Act 1949 (c. 54)*

24 In section 19(7) of the Wireless Telegraphy Act 1949, for...

*Coast Protection Act 1949 (c. 74)*

25 In section 49(1) of the Coast Protection Act 1949, in...

*Registered Designs Act 1949 (c. 88)*

26 .....

*Rivers (Prevention of Pollution) (Scotland) Act 1951 (c.66)*

27 In section 29(4) of the Rivers (Prevention of Pollution) (Scotland)...

*Post Office Act 1953 (c. 36)*

28 .....

*Administration of Justice Act 1956 (c. 46)*

29 (1) The Administration of the Justice Act 1956 shall be...

*Trustee Act (Northern Ireland) 1958 (c. 23 (N.I.))*

30 In section 51(7) of the Trustee Act (Northern Ireland) 1958,...

*Factories Act 1961 (c. 34)*

31 In section 176(1) of the Factories Act 1961, for the...

*Pipe-Lines Act 1962 (c. 58)*

32 In section 39(4) of the Pipe-Lines Act 1962, for “section...

*Harbours Act 1964 (c. 40)*

33 In section 57(1) of the Harbours Act 1964—

*Contracts of Employment and Redundancy  
Payments Act (Northern Ireland) 1965 (c. 19 (N.I.))*

34 In section 6(1)(c) of the Contracts of Employment and Redundancy...

*Factories Act (Northern Ireland) 1965 (c. 20 (N.I.))*

35 In section 176(1) of the Factories Act (Northern Ireland) 1965,...

*Fisheries Act (Northern Ireland) 1966 (c. 17 (N.I.))*

36 In the Fisheries Act (Northern Ireland) 1966—

*Finance Act 1966 (c. 18)*

37 In section 2(5)(a) of the Finance Act 1966, for “Merchant...

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*Sea Fish (Conservation) Act 1967 (c. 84)*

38 In the Sea Fish (Conservation) Act 1967—

*Public Health Act (Northern Ireland) 1967 (c. 36 (N.I.))*

39 In section 32 of the Public Health Act (Northern Ireland)...

*Consular Relations Act 1968 (c. 18)*

40 In the Consular Relations Act 1968— (a) in section 13(3),...

*Countryside Act 1968 (c. 41)*

41 In section 13(6)(a) of the Countryside Act 1968, for “Merchant...

*Hovercraft Act 1968 (c. 59)*

42 In section 1(1)(i) of the Hovercraft Act 1968—

*Sea Fisheries Act 1968 (c. 77)*

43 In the Sea Fisheries Act 1968— (a) in section 8(6)—...

*Harbours Act (Northern Ireland) 1970 (c. 1 (N.I.))*

44 In Part II of Schedule 1 to the Harbours Act...

*Carriage of Goods by Sea Act 1971 (c. 19)*

45 (1) The Carriage of Goods by Sea Act 1971 shall...

*Attachment of Earnings Act 1971 (c. 32)*

46 In section 24(3) of the Attachment of Earnings Act 1971,...

*Industry Act 1972 (c. 63)*

47 In section 12(2)(a) of the Industry Act 1972, for “1...

*Education (Work Experience) Act 1973 (c. 23)*

48 .....

*Fishery Limits Act 1976 (c. 86)*

49 In section 8 of the Fishery Limits Act 1976—

*Aircraft and Shipbuilding Industry Act 1977 (c. 3)*

50 In paragraph 5(1)(a) of Schedule 2 to the Aircraft and...

*Rates (Northern Ireland) Order 1977 (S.I. 1977/2157 (NI 28))*

51 In the Rates (Northern Ireland) Order 1977—

*Judicature (Northern Ireland) Act 1978 (c. 23)*

52 In section 46 of the Judicature (Northern Ireland) Act 1978,...

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*Customs and Excise Management Act 1979 (c. 2)*

53 (1) The Customs and Excise Management Act 1979 shall be...

*Hydrocarbon Oil Duties Act 1979 (c. 5)*

54 In section 19(1)(a) of the Hydrocarbon Oil Duties Act 1979,...

*Magistrates' Courts Act 1980 (c. 43)*

55 After section 3 of the Magistrates' Courts Act 1980 insert...

*Education (Scotland) Act 1980 (c. 44)*

56 In section 123(2)(b) of the Education (Scotland) Act 1980, for...

*Private Streets (Northern Ireland) Order 1980 (S.I. 1980/1086 (NI 12))*

57 In Article 2(2) of the Private Streets (Northern Ireland) Order...

*Animal Health Act 1981 (c. 22)*

58 In the Animal Health Act 1981— (a) in section 49(4),...

*Supreme Court Act 1981 (c. 54)*

59 (1) The Supreme Court Act 1981 shall be amended as...

*Judgments Enforcement (Northern Ireland) Order 1981 (S.I. 1981/226 (NI 6))*

60 In the Judgments Enforcement (Northern Ireland ) Order 1981—

*Clean Air (Northern Ireland) Order 1981 (S.I. 1981/158 (NI 14))*

61 In Article 29(6) of the Clean Air (Northern Ireland) Order...

*Diseases of Animals (Northern Ireland) Order 1981 (S.I. 1981/1115 (NI 22))*

62 In Article 48(3) of the Diseases of Animals (Northern Ireland)...

*Magistrates' Courts (Northern Ireland) Order 1981 (S.I. 1981/1675 (NI 26))*

63 After Article 17 of the Magistrates' Courts Order 1981 insert...

*Civil Aviation Act 1982 (c. 16)*

64 In the Civil Aviation Act 1982— (a) in section 75(6),...

*Oil and Gas (Enterprise) Act 1982 (c. 23)*

65 .....

*Civil Jurisdiction and Judgments Act 1982 (c. 27)*

66 In the Civil Jurisdiction and Judgments Act 1982—

*Civic Government (Scotland) Act 1982 (c. 45)*

67 In section 38(4)(a) of the Civic Government (Scotland) Act 1982,...

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*British Fishing Boats Act 1983 (c. 8)*

68 In section 9 of the British Fishing Boats Act 1983—...

*Public Health (Control of Disease) Act 1984 (c. 22)*

69 In the Public Health (Control of Disease) Act 1984—

*Inshore Fishing (Scotland) Act 1984 (c. 26)*

70 In section 9(1) of the Inshore Fishing (Scotland) Act 1984—...

*Road Traffic Regulation Act 1984 (c. 27)*

71 In section 133(1) of the Road Traffic Regulation Act 1984,...

*County Courts Act 1984 (c. 28)*

72 (1) The County Courts Act 1984 shall be amended as...

*Repatriation of Prisoners Act 1984 (c. 47)*

73 In section 5(6) of the Repatriation of Prisoners Act 1984,...

*Dangerous Vessels Act 1985 (c. 22)*

74 In section 2(b) of the Dangerous Vessels Act 1985, for...

*Food and Environment Protection Act 1985 (c. 48)*

75 In section 24(1) of the Food and Environment Protection Act...

*Protection of Military Remains Act 1986 (c. 35)*

76 In section 9 of the Protection of Military Remains Act...

*Wages Act 1986 (c. 48)*

77 In section 30(3) of the Wages Act 1986, for “Merchant...

*Petroleum Act 1987 (c. 12)*

78 In section 23(8) of the Petroleum Act 1987, for “16(2)...

*Debtors (Scotland) Act 1987 (c. 18)*

79 In section 73(4) of the Debtors (Scotland) Act 1987—

*Pilotage Act 1987 (c. 21)*

80 In the Pilotage Act 1987— (a) in section 22—

*Channel Tunnel Act 1987 (c. 53)*

81 In Part III of Schedule 7 to the Channel Tunnel...

*Norfolk and Suffolk Broads Act 1988 (c. 4)*

82 In section 25(1) of the Norfolk and Suffolk Broads Act...

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*Local Government Finance Act 1988 (c. 41)*

83 In Schedule 5 to the Local Government Finance Act 1988,...

*Copyright, Designs and Patents Act 1988 (c. 48)*

84 In the Copyright, Designs and Patents Act 1988—

*Road Traffic Act 1988 (c. 52)*

85 In section 144(2)(c) of the Road Traffic Act 1988, for...

*Wages (Northern Ireland) Order 1988 (S.I. 1988/796 (NI 7))*

86 In Article 26(3) of the Wages (Northern Ireland) Order 1988,...

*Criminal Justice (International Co-operation) Act 1990 (c. 5)*

87 In section 5(7) of the Criminal Justice (International Co-operation) Act...

*Aviation and Maritime Security Act 1990 (c. 31)*

88 (1) The Aviation and Maritime Security Act 1990 shall be...

*Water Industry Act 1991 (c. 56)*

89 In the Water Industry Act 1991— (a) in section 121(6),...

*Water Resources Act 1991 (c. 57)*

90 In section 221(1) of the Water Resources Act 1991—

*Land Drainage Act 1991 (c. 59)*

91 In the Land Drainage Act 1991— (a) in section 12(7),...

*Dangerous Vessels (Northern Ireland) Order 1991 (S.I. 1991/1219 (NI 10))*

92 In Article 4(b) of the Dangerous Vessels (Northern Ireland) Order...

*Judicial Pensions and Retirement Act 1993 (c. 8)*

93 In the Judicial Pensions and Retirement Act 1993—

*Clean Air Act 1993 (c. 11)*

94 In the Clean Air Act 1993— (a) in section 46(6),...

*Value Added Tax Act 1994 (c. 23)*

95 In section 33(3)(h), for “Part XI of the Merchant Shipping...

SCHEDULE 14 — Transitory, Saving and Transitional Provisions

*Extra-territorial provisions*

1 (1) Without prejudice to section 315(1), the repeals made by...

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*References to registration in other legislation*

2 Any reference in an enactment in any other Act (not...

*Qualifications: certificates of A.B.*

3 (1) A seaman engaged in any United Kingdom ship shall...

*Manning: certificates existing in 1979*

4 (1) The power to make regulations under section 47 includes...

*Masters and seamen: postponed commencements*

5 (1) No provision to which this paragraph applies shall have...

*Masters and seamen and documents: transitory provisions*

6 (1) A provision to which this paragraph applies shall cease...

*Safety provisions: saving of instruments, etc*

7 (1) Notwithstanding the repeal by the Merchant Shipping (Registration, etc.)...

*Oil pollution: saving for certain transitional provisions*

8 Notwithstanding the repeal of section 38 of the Merchant Shipping...

*Lighthouses: dependencies*

9 (1) Section 193(5) shall cease to have effect on such...

*Lighthouses: Scotland*

10 Prior to the commencement of paragraph 7 of Schedule 13...

*Wreck and salvage: Cinque ports*

11 Nothing in Part IX shall prejudice or affect any jurisdiction...

*Wreck: Liability for damage in case of plundered vessel in Scotland*

12 Prior to the commencement of paragraph 1 of Schedule 13...

*Behring Sea Award*

13 Nothing in this Act shall affect the Behring Sea Award...

— Table of Derivations

1 *Notes*

2 The following abbreviations are used in the Table:— Acts of...

3 By the Transfer of Functions (Trade and Industry) Order 1983,...

4 By Schedule 1, paragraph 1 to the Customs and Excise...

5 Schedule 4, paragraph 2 of the 1993 Act effected general...

6 The general conversion of then-existing fines in terms of amounts...

7 As regards offences, paragraph 74 of Schedule 4 to the...

8 Section 1(1)(c) of the Merchant Shipping (Mercantile Marine Fund) Act...

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**Changes and effects yet to be applied to :**

- Pt. 8 modified by [S.I. 2006/1977 art. 2](#)
- s. 30(10) modified (temp.) by [S.I. 2011/2329 art. 5](#)
- s. 30(10) text amended by [2011 c. 5 Sch. 12 para. 147](#)
- s. 47-50 extended by [S.I. 2006/3223 reg. 4](#)
- s. 49 modified by [S.I. 2006/3223 reg. 24\(3\)](#)
- s. 52 extended by [S.I. 2006/3223 reg. 4](#)
- s. 52 modified by [S.I. 2006/3223 reg. 24\(3\)](#)
- s. 57(2)(a) text amended by [2003 c. 44 Sch. 37 Pt. 9](#)
- s. 57(2)(b) repealed by [2003 c. 44 Sch. 37 Pt. 9](#)
- s. 68(4A) words substituted by [2003 c. 39 Sch. 8 para. 366\(a\)](#)
- s. 68(4A) words substituted by [2003 c. 39 Sch. 8 para. 366\(b\)](#)
- s. 85(8) added by [2006 c. 28 s. 5\(4\)](#)
- s. 91(7) text amended by [2003 c. 21 Sch. 17 para. 132](#)
- s. 91(7) text amended by [2006 c. 36 Sch. 7 para. 15](#)
- s. 96 amendment to earlier affecting provision [SI 1995/3128 reg. 10\(2\)](#) by [S.I. 2003/1636 reg. 11\(3\)](#)
- s. 96 applied (with modifications) by [S.I. 2003/1809 reg. 23](#)
- s. 96 applied (with modifications) by [S.I. 2004/1713 reg. 17](#)
- s. 96 97 applied (with modifications) by [S.I. 2006/2183 reg. 41](#)
- s. 96 97 applied (with modifications) by [S.I. 2006/2184 reg. 24](#)
- s. 96 applied (with modifications) by [S.I. 2006/3223 reg. 26\(3\)](#)
- s. 96 applied (with modifications) by [S.I. 2006/3224 reg. 7\(3\)](#)
- s. 96 applied (with modifications) by [S.I. 2011/2601 reg. 14\(2\)](#)
- s. 96(7)(a) substituted by [2007 c. 15 Sch. 10 para. 26\(2\)](#)
- s. 96(7)(b)(c) text amended by [2007 c. 15 Sch. 10 para. 26\(3\)](#)
- s. 97 applied by [S.I. 2006/3223 reg. 26\(3\)](#)
- s. 97 applied by [S.I. 2006/3224 reg. 7\(3\)](#)
- s. 97 applied (with modifications) by [S.I. 2004/1713 reg. 17](#)
- s. 97 applied (with modifications) by [S.I. 2011/2601 reg. 14\(3\)](#)
- s. 100C-100E repealed by [2003 c. 16 Sch. 2 para. 2\(a\) Sch. 3](#)
- s. 108(6)(b) text amended by [2009 c. 25 Sch. 21 para. 33](#)
- s. 117 repealed by [2003 c. 20 s. 87 Sch. 8](#)
- s. 128(1)(e) applied by [S.I. 2005/74 art. 2](#)
- s. 128(1)(e) text amended by [2006 c. 8 s. 2\(3\)](#)
- s. 128(1)(da) inserted by [2006 c. 8 s. 2\(2\)](#)
- s. 128(5) text amended by [2006 c. 8 s. 2\(3\)](#)
- s. 128(9)(a) text amended by [2006 c. 8 s. 2\(3\)](#)
- s. 131(A1) inserted by [S.I. 2009/1210 reg. 3\(2\)](#)
- s. 131(1) text amended by [S.I. 2009/1210 reg. 3\(3\)\(a\)](#)
- s. 131(1)(a) text amended by [S.I. 2009/1210 reg. 3\(3\)\(b\)](#)
- s. 131(1)(b) text amended by [S.I. 2009/1210 reg. 3\(3\)\(c\)](#)
- s. 131(2) text amended by [S.I. 2009/1210 reg. 3\(4\)](#)
- s. 131(3) applied (with modifications) by [S.I. 2006/2950 art. 6](#)
- s. 131(3) applied by [SI 1996/2154 reg. 36A\(1\)\(2\)](#) (as inserted) by [S.I. 2009/1210 reg. 4\(13\)](#)
- s. 131(3) applied by [SI 1996/3010 reg. 14\(1ZA\)](#) (as inserted) by [S.I. 2009/1210 reg. 5\(a\)](#)
- s. 131(3A) inserted by [S.I. 2009/1210 reg. 3\(5\)](#)
- s. 135(1) text amended by [2005 asp 5 Sch. 3 para. 18](#)
- s. 135(1) text amended by [S.I. 2006/1254 \(N.I.\) Sch. 3 para. 21](#)
- s. 135(1) text amended by [2004 c. 21 Sch. 1 para. 87](#)

- s. 137-141 repealed by 2003 c. 16 Sch. 2 para. 2(b) Sch. 3
- s. 143(6) applied (with modifications) by S.I. 2008/2924 reg. 33
- s. 143(6) applied (with modifications) by S.I. 2008/3257 s. 43
- s. 143(6) applied (with modifications) by S.I. 2009/2796 reg. 15
- s. 143(6) words substituted by S.I. 2009/1941 Sch. 1 para. 152(2)
- s. 144(2)(3) applied by S.I. 2008/2924 reg. 29(2)
- s. 144(2)(3) applied by S.I. 2008/3257 s. 39(2)
- s. 145 applied by S.I. 2010/2984 reg. 24(7)
- s. 145 applied (with modifications) by S.I. 2007/3075 reg. 17(7)
- s. 145 applied (with modifications) by S.I. 2007/3077 reg. 16(7)
- s. 145 applied (with modifications) by S.I. 2007/3100 reg. 20(7)
- s. 145 applied (with modifications) by S.I. 2008/2924 reg. 28(11)
- s. 145 applied (with modifications) by S.I. 2008/2924 reg. 29(7)
- s. 145 applied (with modifications) by S.I. 2008/3257 s. 38(11)
- s. 145 applied (with modifications) by S.I. 2008/3257 s. 39(7)
- s. 145 applied (with modifications) by S.I. 2009/2796 reg. 12(11)
- s. 145 applied (with modifications) by S.I. 2010/2987 reg. 14(7)
- s. 145 applied (with modifications) by S.I. 2010/323 reg. 25(7)
- s. 145 applied (with modifications) by S.I. 2010/330 reg. 18(7)
- s. 145 applied (with modifications) by S.I. 2010/332 reg. 20(7)
- s. 145 applied (with modifications) by S.I. 2010/680 reg. 22(9)
- s. 145(2)(a)(ia) inserted by 2003 c. 44 Sch. 36 Pt. 2 para. 13(1)(2)
- s. 145(2A) inserted by 2003 c. 44 Sch. 36 Pt. 2 para. 13(1)(3)
- s. 146 applied (with modifications) by S.I. 2008/2924 reg. 34
- s. 146 applied (with modifications) by S.I. 2008/3257 s. 44
- s. 146(1) applied (with modifications) by S.I. 2007/3075 reg. 14(6)
- s. 146(1) applied (with modifications) by S.I. 2007/3077 reg. 13(5)
- s. 146(1) applied (with modifications) by S.I. 2009/2796 reg. 16
- s. 146(1) applied (with modifications) by S.I. 2010/2984 reg. 21(5)
- s. 146(1) applied (with modifications) by S.I. 2010/2987 reg. 12(5)
- s. 146(1) applied (with modifications) by S.I. 2010/323 reg. 22(6)
- s. 146(1) applied (with modifications) by S.I. 2010/330 reg. 15(5)
- s. 146(1) applied (with modifications) by S.I. 2010/332 reg. 17(4)
- s. 152 heading text amended by S.I. 2006/1244 reg. 3(2)
- s. 152(1) text amended by S.I. 2006/1244 reg. 3(3)
- s. 152(2) text amended by S.I. 2006/1244 reg. 3(4)
- s. 152(2) text amended by S.I. 2006/1244 reg. 8(4)
- s. 153 text amended by S.I. 2006/1244 reg. 4(2)
- s. 153(2) text amended by S.I. 2006/1244 reg. 4(3)
- s. 153(2A) inserted by S.I. 2006/1244 reg. 4(4)
- s. 153(7)(8) omitted by S.I. 2006/1244 reg. 4(5)
- s. 154 text amended by S.I. 2006/1244 reg. 6(3)
- s. 154 heading text amended by S.I. 2006/1244 reg. 6(2)
- s. 154(1)(2) text amended by S.I. 2006/1244 reg. 6(4)
- s. 154(2) text amended by S.I. 2006/1244 reg. 6(5)
- s. 154(2A)(2B) inserted by S.I. 2006/1244 reg. 6(6)
- s. 154(5) text amended by S.I. 2006/1244 reg. 6(7)
- s. 155 text amended by S.I. 2006/1244 reg. 7(3)
- s. 155 heading text amended by S.I. 2006/1244 reg. 7(2)
- s. 156 heading text amended by S.I. 2006/1244 reg. 8(2)
- s. 156(1) substituted by S.I. 2006/1244 reg. 8(3)(b)
- s. 156(1)(a)(b) substituted by S.I. 2006/1244 reg. 8(3)(a)
- s. 156(2A)(2B) inserted by S.I. 2006/1244 reg. 8(5)
- s. 156(3) text amended by S.I. 2006/1244 reg. 8(6)
- s. 157 heading text amended by S.I. 2006/1244 reg. 10
- s. 157(1) text amended by S.I. 2006/1244 reg. 11(a)
- s. 157(2)(a) text amended by S.I. 2003/2559 art. 2(2)(a)
- s. 157(2)(b) text amended by S.I. 2003/2559 art. 2(2)(b)

- s. 157(3) text amended by S.I. 2006/1244 reg. 11(b)
- s. 158(1) text amended by S.I. 2006/1244 reg. 12(a)
- s. 158(5)(a) text amended by S.I. 2006/1244 reg. 12(b)
- s. 160 text amended by S.I. 2006/1244 reg. 13
- s. 162 cross-heading inserted by S.I. 2006/1244 reg. 14
- s. 162 text amended by S.I. 2006/1244 reg. 15
- s. 163(5) text amended by S.I. 2006/1244 reg. 16
- s. 164(1) text amended by S.I. 2006/1244 reg. 18(2)
- s. 164(1A) inserted by S.I. 2006/1244 reg. 18(3)
- s. 164(2) substituted by S.I. 2006/1244 reg. 18(4)
- s. 165(1) text amended by S.I. 2006/1244 reg. 19(2)
- s. 165(1A)(1B) inserted by S.I. 2006/1244 reg. 19(3)
- s. 165(2) text amended by S.I. 2006/1244 reg. 19(4)
- s. 165(3) text amended by S.I. 2006/1244 reg. 19(5)
- s. 165(4) text amended by S.I. 2006/1244 reg. 19(6)
- s. 165(4A)-(4C) inserted by S.I. 2006/1244 reg. 19(7)
- s. 165(5) text amended by S.I. 2006/1244 reg. 19(8)
- s. 165(5) words substituted by 2010 c. 10 Sch. 2 para. 3
- s. 166(2)(a) text amended by S.I. 2006/1244 reg. 20(2)(a)
- s. 166(2)(b) text amended by S.I. 2006/1244 reg. 20(2)(b)
- s. 166(2)(i) text amended by S.I. 2006/1244 reg. 20(2)(c)
- s. 166(3A)(3B) inserted by S.I. 2006/1244 reg. 20(3)
- s. 166(4) substituted by S.I. 2006/1244 reg. 20(4)
- s. 167(2) substituted by S.I. 2006/1244 reg. 21(2)
- s. 167(4) inserted by S.I. 2006/1244 reg. 21(3)
- s. 168 text amended by S.I. 2006/1244 reg. 22
- s. 170(1) text amended by S.I. 2006/1244 reg. 23(2)
- s. 170(2) text amended by S.I. 2006/1244 reg. 23(3)
- s. 170(4)(b) text amended by S.I. 2006/1244 reg. 23(4)
- s. 172(1)(c) text amended by S.I. 2006/1265 art. 3(a)
- s. 172(1)(e)-(g) inserted by S.I. 2006/1265 art. 3(a)
- s. 172(3) inserted by S.I. 2006/1265 art. 3(b)
- s. 173(1) text amended by S.I. 2006/1265 art. 4(2)
- s. 173(3)(a) text amended by S.I. 2006/1265 art. 4(3)(a)
- s. 173(3)(b) inserted by S.I. 2006/1265 art. 4(3)(b)
- s. 173(7)(a) text amended by S.I. 2006/1265 art. 4(4)
- s. 173(10) words substituted by S.I. 2009/1941 Sch. 1 para. 152(4)
- s. 174(1) text amended by S.I. 2006/1265 art. 5(2)
- s. 174(4) text amended by S.I. 2006/1265 art. 5(3)
- s. 177(1) text amended by S.I. 2006/1265 art. 7(2)
- s. 177(2) text amended by S.I. 2006/1265 art. 7(3)
- s. 177(4)-(6) substituted for s. 177(4)(5) by S.I. 2006/1265 art. 7(4)
- s. 178(1) text amended by 2006 c. 8 s. 3
- s. 178(3) inserted by S.I. 2006/1265 art. 8
- s. 179(1A) inserted by S.I. 2006/1265 art. 9(a)
- s. 179(2) text amended by S.I. 2006/1265 art. 9(b)
- s. 180(3) inserted by S.I. 2006/1265 art. 10
- s. 181(3) text amended by S.I. 2006/1265 art. 11
- s. 193(2) excluded by S.I. 2008/1261 art. 55
- s. 221(2A) inserted by S.I. 2003/2867 reg. 2 Sch. para. 24(1)(2)
- s. 221(4A)-(4C) inserted by S.I. 2003/2867 reg. 2 Sch. para. 24(1)(3)
- s. 252 modified by S.I. 2007/3463 art. 25 26
- s. 258-266 applied by S.I. 2007/3075 reg. 19
- s. 258-266 applied by S.I. 2007/3077 reg. 18
- s. 258-266 applied by S.I. 2007/3100 reg. 22
- s. 258-266 applied by S.I. 2010/2984 reg. 26
- s. 258-266 applied by S.I. 2010/2987 reg. 16
- s. 258-266 applied by S.I. 2010/737 reg. 19

- s. 258-266 applied (with modifications) by S.I. 2010/323 reg. 27
- s. 258-266 applied (with modifications) by S.I. 2010/330 reg. 20
- s. 258-266 applied (with modifications) by S.I. 2010/332 reg. 22
- s. 258 applied (with modifications) by S.I. 2011/2601 reg. 25(2)
- s. 258 modified by S.I. 2008/2924 reg. 26
- s. 258 259 modified by S.I. 2008/3257 reg. 36
- s. 258(1A) applied (with modifications) by S.I. 2009/2796 reg. 10(2)
- s. 258(3) applied (with modifications) by S.I. 2009/2796 reg. 10(2)
- s. 258(5) applied (with modifications) by S.I. 2009/2796 reg. 10(2)
- s. 259 applied by S.I. 2008/2924 reg. 17
- s. 259 modified by S.I. 2008/2924 reg. 26
- s. 259(1)(2) applied (with modifications) by S.I. 2009/2796 reg. 10(4)
- s. 259(5) applied (with modifications) by S.I. 2009/2796 reg. 10(4)
- s. 259(7) applied (with modifications) by S.I. 2009/2796 reg. 10(4)
- s. 259(9)-(12) applied (with modifications) by S.I. 2009/2796 reg. 10(4)
- s. 260(1)(2) applied (with modifications) by S.I. 2009/2796 reg. 10(4)
- s. 261-266 applied (with modifications) by S.I. 2009/2796 reg. 10(5)
- s. 264 amendment to earlier affecting provision SI 1995/1210 reg. 25 by S.I. 2011/2601 reg. 14(4)
- s. 264 applied by S.I. 2010/1075 reg. 12(7)(b)
- s. 264(6)(a) substituted by 2007 c. 15 Sch. 10 para. 26(2)
- s. 264(6)(b)(c) text amended by 2007 c. 15 Sch. 10 para. 26(3)
- s. 265 amendment to earlier affecting provision SI 1995/1210 reg. 25 by S.I. 2011/2601 reg. 14(4)
- s. 271(6) text amended by 2009 c. 25 Sch. 21 para. 34
- s. 273(1) s. 273 renumbered as s. 273(1) by 2009 c. 25 Sch. 21 para. 35(3)
- s. 273(1)(a) text amended by 2009 c. 25 Sch. 21 para. 35(2)
- s. 273(2) inserted by 2009 c. 25 Sch. 21 para. 35(3)
- s. 284 applied by 2006 c. 45 s. 55(3)
- s. 284 applied by S.I. 2010/2984 reg. 27(1)
- s. 284 applied (with modifications) by S.I. 2006/3223 reg. 26(4)
- s. 284 applied (with modifications) by S.I. 2006/3224 reg. 7(4)
- s. 284 applied (with modifications) by S.I. 2007/3075 reg. 20(1)
- s. 284 applied (with modifications) by S.I. 2007/3077 reg. 19(1)
- s. 284 applied (with modifications) by S.I. 2007/3100 reg. 23(1)
- s. 284 applied (with modifications) by S.I. 2008/2924 reg. 28(5)
- s. 284 applied (with modifications) by S.I. 2009/2796 reg. 12(5)
- s. 284 applied (with modifications) by S.I. 2010/2987 reg. 17(1)
- s. 284 applied (with modifications) by S.I. 2010/323 reg. 28
- s. 284 applied (with modifications) by S.I. 2010/330 reg. 21
- s. 284 applied (with modifications) by S.I. 2010/332 reg. 23
- s. 284 applied (with modifications) by S.I. 2010/680 reg. 22(2)
- s. 284 applied (with modifications) by S.I. 2011/2601 reg. 3(5)
- s. 284 modified by S.I. 2008/3257 s. 38(5)
- s. 284 power to apply (with modifications) conferred by S.I. 2006/2950 art. 5(f)
- s. 284(1)-(6) applied (with modifications) by S.I. 2004/1713 reg. 16(2)(3)
- s. 284(1)-(5) applied (with modifications) by S.I. 2006/2183 reg. 40
- s. 284(1)-(5) applied (with modifications) by S.I. 2006/2184 reg. 23
- s. 284(1)-(6)(8) applied by SI 1994/2464 reg. 11 (as substituted) by S.I. 2004/929 reg. 7
- s. 284(1)-(6) modified by S.I. 2003/2950 reg. 9
- s. 284(1)-(6) modified by S.I. 2005/2286 reg. 11
- s. 284(1)-(6) modified by SI 1996/3010 reg. 15(3) (as substituted) by S.I. 2004/930 reg. 7
- s. 284(1A)-(5) modified by SI 1996/2154 reg. 35A(2) (as inserted) by S.I. 2009/1210 reg. 4(11)
- s. 284(8) applied (with modifications) by S.I. 2004/1713 reg. 16(2)(3)
- s. 284(8) applied (with modifications) by S.I. 2006/2183 reg. 40

- s. 284(8) applied (with modifications) by S.I. 2006/2184 reg. 23
- s. 284(8) modified by S.I. 2003/2950 reg. 9
- s. 284(8) modified by S.I. 2005/2286 reg. 11
- s. 284(8) modified by SI 1996/2154 reg. 35A(2) (as inserted) by S.I. 2009/1210 reg. 4(11)
- s. 284(8) modified by SI 1996/3010 reg. 15(3) (as substituted) by S.I. 2004/930 reg. 7
- s. 297(3A) inserted by 2005 c. 4 Sch. 4 para. 239
- s. 302(1) applied (with modifications) by S.I. 2009/2796 reg. 20
- s. 302(3) applied (with modifications) by S.I. 2009/2796 reg. 20
- s. 303 repealed by 2005 c. 11 Sch. 4 para. 61 Sch. 5
- s. 306(2A)(c) text amended by 2011 c. 8 s. 1(3)
- s. 311 repealed by 2003 c. 20 s. 112(8) Sch. 8
- s. 313 applied by 2003 c. 20 s. 89(2)
- s. 315(2)-(5) modified by 2011 c. 8 s. 1(5)
- Sch. 5 Pt. 1 para. 4(a)(b) text amended by S.I. 2003/2559 art. 2(3)(a)
- Sch. 5 Pt. 1 para. 4(c) text amended by S.I. 2003/2559 art. 2(3)(b)
- Sch. 7 Pt. 2 para. 2A omitted by S.I. 2004/1273 art. 2
- Sch. 7 Pt. 2 para. 6 text amended by 2011 asp 7 Sch. 1 para. 6
- Sch. 13 para. 5 repealed by S.R. 2006/425 Sch. 6 para. 15 Sch. 7 Pt. 1
- Sch. 13 para. 24 repealed by 2006 c. 36 Sch. 9 Pt. 1
- Sch. 13 para. 11 repealed by 2009 c. 23 Sch. 22 Pt. 5(C)
- Sch. 13 para. 12 repealed by 2009 c. 23 Sch. 22 Pt. 5(C)
- Sch. 13 para. 38(a)(b) repealed by 2009 c. 23 Sch. 22 Pt. 5(A)
- Sch. 13 para. 5 repealed by S.I. 2005/1082 Sch. 5 para. 20 Sch. 6

**Changes and effects yet to be applied to the whole Act, associated Parts and Chapters:**

- Act power to modify or apply conferred by 2006 c. 8 s. 1(5)
- Blanket amendment text amended by S.I. 2011/1043 art. 3 6
- Act words substituted by 2005 c. 4 Sch. 11 para. 6
- Blanket Amendment words substituted by 2005 c. 4 Sch. 11 para. 1(2)
- Blanket Amendment words substituted by 2005 c. 4 Sch. 11 para. 5

**Whole provisions yet to be inserted into this Act (including any effects on those provisions):**

- Pt. 9A inserted by 2011 c. 8 s. 1(2)
- s. 108A inserted by 2003 c. 16 s. 1(1)
- s. 153A inserted by S.I. 2006/1244 reg. 5
- s. 156A inserted by S.I. 2006/1244 reg. 9
- s. 163A inserted by S.I. 2006/1244 reg. 17
- s. 163A(8) words substituted by S.I. 2009/1941 Sch. 1 para. 152(3)
- s. 176A 176B inserted by S.I. 2006/1265 art. 6
- Sch. 3A inserted by 2003 c. 16 Sch. 1
- Sch. 3A para. 1(2)(da) inserted by S.I. 2004/2110 reg. 22(1)
- Sch. 3A para. 11 substituted by S.I. 2009/1941 Sch. 1 para. 152(5)
- Sch. 5ZA inserted by S.I. 2006/1265 art. 12 Sch.
- Sch. 11ZA inserted by 2011 c. 8 s. 1(4) Sch.

**Commencement Orders yet to be applied to the Merchant Shipping Act 1995:**

**Commencement Orders bringing legislation that affects this Act into force:**

- S.I. 2003/3142 art. 2-4 commences (2002 c. 11 and 2003 c. 21)
- S.I. 2004/827 art. 2-4 commences (2003 c. 20)
- S.I. 2004/2304 art. 2 commences (2004 c. 21)
- S.I. 2004/2917 art. 2 commences (2004 c. 21)

- S.I. 2005/910 art. 3 commences (2003 c. 39)
- S.I. 2005/1126 art. 2 commences (2005 c. 11)
- S.I. 2006/1014 art. 2 Sch. 1 2 commences (2005 c. 4)
- S.I. 2007/204 art. 2-4 commences (2006 c. 28)
- S.I. 2007/499 art. 2 commences (2006 c. 45)
- S.I. 2007/1030 art. 2 commences (2006 c. 45)
- S.I. 2007/1375 art. 2 commences (2006 c. 28)
- S.I. 2008/1653 art. 2 commences (2007 c. 15)
- S.I. 2009/1604 art. 2 commences (2005 c. 4)
- S.I. 2009/3345 art. 2 commences (2009 c. 23)
- S.I. 2010/298 art. 2 Sch. commences (2009 c. 23)
- S.I. 2011/2329 art. 2 3 commences (2011 c. 5)
- S.S.I. 2005/392 art. 2 commences (2005 asp 5)
- S.S.I. 2011/268 art. 6 commences (2011 asp 7)
- S.R. 2006/257 art. 2 commences (S.I. 2006/1254 (N.I.))