



Merchant Shipping Act 1995

1995 CHAPTER 21

PART VI

PREVENTION OF POLLUTION

CHAPTER III

LIABILITY FOR OIL POLLUTION

Liability

153 Liability for oil pollution in case of tankers.

- (1) Where, as a result of any occurrence, any oil is discharged or escapes from a ship to which this section applies, then (except as otherwise provided by this Chapter) the [^{F1}registered owner] of the ship shall be liable—
 - (a) for any damage caused outside the ship in the territory of the United Kingdom by contamination resulting from the discharge or escape; and
 - (b) for the cost of any measures reasonably taken after the discharge or escape for the purpose of preventing or minimising any damage so caused in the territory of the United Kingdom by contamination resulting from the discharge or escape; and
 - (c) for any damage caused in the territory of the United Kingdom by any measures so taken.
- (2) Where, as a result of any occurrence, there arises a grave and imminent threat of damage being caused outside a ship to which this section applies by the contamination that might result if there were a discharge or escape of oil from the ship, then (except as otherwise provided by this Chapter) the [^{F1}registered owner] of the ship shall be liable—
 - (a) for the cost of any measures reasonably taken for the purpose of preventing or minimising any such damage in the territory of the United Kingdom; and

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- (b) for any damage caused outside the ship in the territory of the United Kingdom by any measures so taken;

^{F2} ...

[^{F3}(2A) In this Chapter, such a threat is referred to as a relevant threat of contamination falling within subsection (2) of this section.]

- (3) Subject to subsection (4) below, this section applies to any ship constructed or adapted for carrying oil in bulk as cargo.

- (4) Where any ship so constructed or adapted is capable of carrying other cargoes besides oil, this section shall apply to any such ship—

- (a) while it is carrying oil in bulk as cargo; and
 (b) unless it is proved that no residues from the carriage of any such oil remain in the ship, while it is on any voyage following the carriage of any such oil, but not otherwise.

- (5) Where a person incurs a liability under subsection (1) or (2) above he shall also be liable for any damage or cost for which he would be liable under that subsection if the references in it to the territory of the United Kingdom included the territory of any other Liability Convention country.

- (6) Where—

- (a) as a result of any occurrence, a liability is incurred under this section by the [^{F1}registered owner] of each of two or more ships, but
 (b) the damage or cost for which each of the [^{F1}registered owners] would be liable cannot reasonably be separated from that for which the other or others would be liable,

each of the [^{F1}registered owners] shall be liable, jointly with the other or others, for the whole of the damage or cost for which the [^{F1}registered owners] together would be liable under this section.

^{F4}(7)

^{F4}(8)

Textual Amendments

- F1** Words in s. 153 substituted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **4(2)** (with reg. 1(5))
- F2** Words in s. 153(2) omitted (21.11.2008) by virtue of [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **4(3)** (with reg. 1(5))
- F3** S. 153(2A) inserted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **4(4)** (with reg. 1(5))
- F4** S. 153(7)(8) omitted (21.11.2008) by virtue of [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **4(5)** (with reg. 1(5))

Modifications etc. (not altering text)

- C1** S. 153 extended (with modifications) to Anguilla (30.11.1997) by [S.I. 1997/2580](#), art. 2, **Sch.**
 S. 153 extended (with modifications) to Bermuda (30.11.1997) by [S.I. 1997/2581](#), art. 2, **Sch.**
 S. 153 extended (with modifications) to the British Antarctic Territory (30.11.1997) by [S.I. 1997/2582](#), art. 2, **Sch.**

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- S. 153 extended (with modifications) to the British Indian Ocean Territory (30.11.1997) by [S.I. 1997/2583](#), [art. 2](#), [Sch.](#)
- S. 153 extended (with modifications) to the Falkland Islands (30.11.1997) by [S.I. 1997/2584](#), [art. 2](#), [Sch.](#)
- S. 153 extended (with modifications) to the Pitcairn, Henderson, Ducie, and Oeno Islands (30.11.1997) by [S.I. 1997/2585](#), [arts. 2, 3](#), [Sch.](#)
- S. 153 extended (with modifications) to the Sovereign Base Areas of Akrotiri and Dhekelia (30.11.1997) by [S.I. 1997/2587](#), [art. 2](#), [Sch.](#)
- S. 153 extended (with modifications) to South Georgia and the South Sandwich Islands (30.11.1997) by [S.I. 1997/2588](#), [art. 2](#), [Sch.](#)
- S. 153 extended (with modifications) to the Turks and Caicos Islands (30.11.1997) by [S.I. 1997/2589](#), [art. 2](#), [Sch.](#)
- S. 153 extended (with modifications) to the Virgin Islands (30.11.1997) by [S.I. 1997/2590](#), [art. 2](#), [Sch.](#)
- S. 153 extended (with modifications) to Jersey (1.12.1997) by [S.I. 1997/2598](#), [arts. 2, 3](#), [Sch. 1](#)
- S. 153 extended (with modifications) to Guernsey (11.3.1998) by [S.I. 1998/260](#), [arts. 2, 3](#), [Sch. 1](#)
- S. 153 extended (with modifications) to the Cayman Islands (20.5.1998) by [S.I. 1998/1261](#), [art. 2](#), [Sch.](#)
- S. 153 extended (with modifications) to Montserrat (20.5.1998) by [S.I. 1998/1262](#), [art. 2](#), [Sch.](#)
- S. 153 extended (with modifications) to Saint Helena (20.5.1998) by [S.I. 1998/1263](#), [art. 2](#), [Sch.](#)

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

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

- s. 145(2)(a)(ia) inserted by [2003 c. 44 Sch. 36 para. 13\(2\)](#)
- s. 145(2)(a)(ia) words substituted by [2015 c. 2 Sch. 11 para. 16\(2\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 145(2)(a)(ia) by 2003 c. 44, Sch. 36 para. 13 is still prospective.)
- s. 145(2A) inserted by [2003 c. 44 Sch. 36 para. 13\(3\)](#)
- s. 145(2A) words substituted by [2015 c. 2 Sch. 11 para. 16\(3\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 145(2A) by 2003 c. 44, Sch. 36 para. 13 is still prospective.)