



Merchant Shipping Act 1995

1995 CHAPTER 21

PART IX

SALVAGE AND WRECK

CHAPTER II

WRECK

Vessels in distress

234 Power to pass over adjoining land.

- (1) In circumstances where this section applies by virtue of section 231 in relation to any vessel, all persons may, subject to subsections (3) and (4) below, for the purpose of—
- (a) rendering assistance to the vessel,
 - (b) saving the lives of shipwrecked persons, or
 - (c) saving the cargo or equipment of the vessel,
- pass and repass over any adjoining land without being subject to interruption by the owner or occupier and deposit on the land any cargo or other article recovered from the vessel.
- (2) The right of passage conferred by subsection (1) above is a right of passage with or without vehicles.
- (3) No right of passage is conferred by subsection (1) above where there is some public road equally convenient.
- (4) The rights conferred by subsection (1) above shall be so exercised as to do as little damage as possible.

Changes to legislation: Merchant Shipping Act 1995, Section 234 is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (5) Any damage sustained by an owner or occupier of land in consequence of the exercise of the rights conferred by this section shall be a charge on the vessel, cargo or articles in respect of or by which the damage is caused.
- (6) Any amount payable in respect of such damage shall, in case of dispute, be determined and shall, in default of payment, be recoverable in the same manner as the amount of salvage is determined and recoverable under this Part.
- (7) If the owner or occupier of any land—
- (a) impedes or hinders any person in the exercise of the rights conferred by this section;
 - (b) impedes or hinders the deposit on the land of any cargo or other article recovered from the vessel; or
 - (c) prevents or attempts to prevent any cargo or other article recovered from the vessel from remaining deposited on the land for a reasonable time until it can be removed to a safe place of public deposit;
- he shall be liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.

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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.)