

Status: This version of this cross heading contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the Merchant
Shipping and Maritime Security Act 1997, Paragraph 6. (See end of Document for details)

SCHEDULES

SCHEDULE 1

AMENDMENTS OF MERCHANT SHIPPING ACT 1995 RELATING TO INSPECTION AND DETENTION OF SHIPS

PROSPECTIVE

Powers of detention under provisions relating to load lines

- 6 (1) Schedule 3 to the 1995 Act (load lines) is amended as follows.
- (2) In paragraph 3 (compliance with load line rules by United Kingdom ships) in sub-paragraph (3)—
- (a) after “sub-paragraph (1) above” there is inserted “proceeds or”, and
 - (b) after “sub-paragraph (1)(a) and (b) above” there is inserted “and which is in United Kingdom waters”.
- (3) In paragraph 13 (compliance with load line rules by other ships)—
- (a) in sub-paragraph (4)—
 - (i) after “this paragraph” there is inserted “proceeds or”, and
 - (ii) after “sub-paragraphs (1)(a) or (b) above” there is inserted “and which is in United Kingdom waters”, and
 - (b) after that sub-paragraph there is inserted—
 - “(4A) The power of detention conferred by sub-paragraph (4) above is not exercisable in relation to a qualifying foreign ship while the ship is exercising—
 - (a) the right of innocent passage, or
 - (b) the right of transit passage through straits used for international navigation.”
- (4) In paragraph 17 (inspection)—
- (a) in sub-paragraphs (1) and (2), for “any port in the United Kingdom” there is substituted “United Kingdom waters”, and
 - (b) after sub-paragraph (2) there is inserted—
 - “(2A) No power of inspection conferred by sub-paragraph (1) or (2) above is exercisable in relation to a qualifying foreign ship while the ship is exercising—
 - (a) the right of innocent passage, or
 - (b) the right of transit passage through straits used for international navigation.”

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