

*These notes refer to the Deregulation Act 2015 (c.20)
which received Royal Assent on 26 March 2015*

DEREGULATION ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 55: Removal of duty to order re-hearing of marine accident investigations

251. This section repeals that part of section 269(1) of the Merchant Shipping Act 1995 which requires the Secretary of State to order the rehearing of a formal investigation into a marine accident if new and important evidence which could not be produced at the investigation has been discovered. The Secretary of State would retain the discretionary power in that subsection to reopen any formal investigation and would continue to be subject to the subsection's requirement to reopen such an investigation where there are grounds for suspecting a miscarriage of justice.
252. Consequently, in the event of new and important evidence relating to a marine accident being discovered, the Secretary of State would be able to evaluate the likely benefits of reopening an inquiry in the light of the particular circumstances. For example, where a considerable period of time has elapsed since the accident, there may be little of practical value that could be learned from the evidence that would enhance current maritime safety.
253. This section, like section 269 of the Merchant Shipping Act 1995, forms part of the law of England and Wales, Scotland and Northern Ireland. It comes into force at the end of the period of 2 months beginning with the day on which the Act is passed.