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SCHEDULES

SCHEDULE 4

CONTROL OF CRAFT IN DESIGNATED AREAS, ETC.

Power to obtain information as to vessels

- 5 (1) In this paragraph—
- “owner” means the owner of a vessel and any person having any interest in a vessel (whether as joint owner, lessee, mortgagee or otherwise) and includes a person letting a vessel for hire whether or not that person owns the vessel; and
- “vessel” means any vessel named or identified in a notice under this paragraph.
- (2) Where, with a view to performing a function conferred or imposed on it by or under any enactment, the Corporation considers that it ought to have information as to the master or the owner, as the case may be, of any vessel which is or has been in the designated areas, it may serve a notice on any person reasonably believed by it to be the master or owner, or to have been the master or owner at any date specified in the notice, requiring the recipient to furnish to the Corporation within a period specified in the notice (which shall not be less than 14 days beginning with the day on which the notice is served) the following information:—
- (a) the name and address of any person whom the recipient of the notice believes to be the master or owner of the vessel, or to have been such master or owner at any date specified in the notice; or
- (b) the capacity in which any person who is or has been or is believed by the recipient of the notice to be or have been the master has or takes command, charge, possession or management of the vessel, or had or took such command, charge, possession or management at any date specified in the notice; or
- (c) the nature of the interest in or control over the vessel, at any date specified in the notice, of any person who is or has been or is believed by the recipient of the notice to be or have been the owner.
- (3) A notice under this paragraph shall—
- (a) name or otherwise identify the vessel in respect of which it is served;
- (b) specify the function for the purpose of the performance of which the notice is served; and
- (c) specify the enactment by or under which that function is to be performed.
- (4) A person who—
- (a) fails, without reasonable excuse, to comply with the requirements of a notice served on him under sub-paragraph (2) above; or

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- (b) in furnishing any information in compliance with such a notice makes a statement which he knows to be false in a material particular or recklessly makes a statement which is false in a material particular;

shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

- (5) A person shall not be guilty of an offence under sub-paragraph (4) (a) above if—
- (a) he has never been the master or owner of the vessel in respect of which the notice is served; or
 - (b) he ceased to be the master or owner of the vessel more than 6 months before the date upon which the notice is served on him.