



Prevention of Oil Pollution Act 1971

1971 CHAPTER 60

Enforcement

17 Oil records

- (1) The Secretary of State may make regulations requiring oil record books to be carried in ships registered in the United Kingdom and requiring the master of any such ship to record in the oil record book carried by it—
 - (a) the carrying out, on board or in connection with the ship, of such of the following operations as may be prescribed, that is to say, operations relating to—
 - (i) the loading of oil cargo, or
 - (ii) the transfer of oil cargo during a voyage, or
 - (iii) the discharge of oil cargo, or
 - (iv) the ballasting of oil tanks (whether cargo or bunker fuel tanks) and the discharge of ballast from, and cleaning of, such tanks, or
 - (v) the separation of oil from water, or from other substances, in any mixture containing oil, or
 - (vi) the disposal of any oil or water, or any other substance, arising from operations relating to any of the matters specified in the preceding sub-paragraphs, or
 - (vii) the disposal of any other oil residues;
 - (b) any occasion on which oil or a mixture containing oil is discharged from the ship for the purpose of securing the safety of any vessel, or of preventing damage to any vessel or cargo, or of saving life;
 - (c) any occasion on which oil or a mixture containing oil is found to be escaping, or to have escaped, from the ship in consequence of damage to the ship, or by reason of leakage.
- (2) The Secretary of State may make regulations requiring the keeping of records relating to the transfer of oil to and from vessels while they are within the seaward limits of the territorial waters of the United Kingdom; and the requirements of any regulations

made under this subsection shall be in addition to the requirements of any regulations made under subsection (1) of this section.

- (3) Any records required to be kept by regulations made under subsection (2) of this section shall, unless the vessel is a barge, be kept by the master of the vessel, and shall, if the vessel is a barge, be kept, in so far as they relate to the transfer of oil to the barge, by the person supplying the oil and, in so far as they relate to the transfer of oil from the barge, by the person to whom the oil is delivered.
- (4) Regulations under this section requiring the carrying of oil record books or the keeping of records may—
 - (a) prescribe the form of the oil record books or records and the nature of the entries to be made in them;
 - (b) require the person providing or keeping the books or records to retain them for a prescribed period;
 - (c) require that person, at the end of the prescribed period, to transmit the books or records to a place or person determined by or under the regulations;
 - (d) provide for the custody or disposal of the books or records after their transmission to such a place or person.
- (5) If any ship fails to carry such an oil record book as it is required to carry under this section the owner or master shall be liable on summary conviction to a fine not exceeding £500 if any person fails to comply with any requirements imposed on him by or under this section, he shall be liable on summary conviction to a fine not exceeding £500 ; and if any person makes an entry in any oil record book carried or record kept under this section which is to his knowledge false or misleading in any material particular, he shall be liable on summary conviction to a fine not exceeding £500, or imprisonment for a term not exceeding six months, or both, or on conviction on indictment to a fine or to imprisonment for a term not exceeding two years or both.
- (6) In any proceedings under this Act—
 - (a) any oil record book carried or record kept in pursuance of regulations made under this section shall be admissible as evidence, and in Scotland shall be sufficient evidence, of the facts stated in it;
 - (b) any copy of an entry in such an oil record book or record which is certified by the master of the ship in which the book is carried or by the person by whom the record is required to be kept to be a true copy of, the entry shall be admissible as evidence, and in Scotland shall be sufficient evidence, of the facts stated in the entry;
 - (c) any document purporting to be an oil record book carried or record kept in pursuance of regulations made under this section, or purporting to be such a certified copy as is mentioned in the preceding paragraph, shall, unless the contrary is proved, be presumed to be such a book, record or copy, as the case may be.