



Merchant Shipping Act 1995

1995 CHAPTER 21

PART VI

PREVENTION OF POLLUTION

CHAPTER III

LIABILITY FOR OIL POLLUTION

Supplementary

166 Jurisdiction of United Kingdom courts and registration of foreign judgments.

(1) Paragraph 1(1)(d) of Schedule 1 to the ^{M1}Administration of Justice Act 1956 (Admiralty jurisdiction in claims for damage done by ships) shall be construed as extending to any claim in respect of a liability incurred under this Chapter, and the Admiralty jurisdiction of the Court of Session shall extend to any case arising out of any such claim.

(2) Where—

- (a) [^{F1}there is a discharge or escape of oil from a ship to which section 153 applies, or a discharge or escape of oil falling within section 154(1), which] does not result in any damage caused by contamination in the territory of the United Kingdom and no measures are reasonably taken to prevent or minimise such damage in that territory, or
- (b) any relevant threat of contamination [^{F2}falling within section 153(2) or 154(2)] arises but no measures are reasonably taken to prevent or minimise such damage in the territory of the United Kingdom,

no court in the United Kingdom shall entertain any action (whether in rem or in personam) to enforce a claim arising from any relevant damage or cost—

- (i) against the [^{F3}registered owner] of the ship, or

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(ii) against any person to whom section 156(1)(ii) applies, unless any such damage or cost resulted from anything done or omitted to be done as mentioned in that provision.

(3) In subsection (2) above, “relevant damage or cost” means—

- (a) in relation to any such discharge or escape as is mentioned in paragraph (a) of that subsection, any damage caused in the territory of another Liability Convention country by contamination resulting from the discharge or escape, or any cost incurred in taking measures to prevent or minimise such damage in the territory of another Liability Convention country,
- (b) in relation to any such threat of contamination as is mentioned in paragraph (b) of that subsection, any cost incurred in taking measures to prevent or minimise such damage in the territory of another Liability Convention country; or
- (c) any damage caused by any measures taken as mentioned in paragraph (a) or (b) above;

and section 156(2)(e) shall have effect for the purposes of subsection (2)(ii) above as if it referred to any person taking any such measures as are mentioned in paragraph (a) or (b) above.

[^{F4}(3A) Where—

- (a) there is a discharge or escape of bunker oil falling within section 153A(1) which does not result in any damage caused by contamination in the territory of the United Kingdom and no measures are reasonably taken to prevent or minimise such damage in that territory, or
- (b) any relevant threat of contamination falling within section 153A(2) arises but no measures are reasonably taken to prevent or minimise such damage in the territory of the United Kingdom,

no court in the United Kingdom shall entertain any action (whether in rem or in personam) to enforce a claim arising from any relevant damage or cost—

- (i) against the owner of the ship, or
- (ii) against any person to whom section 156(2A)(ii) applies, unless any such damage or cost resulted from anything done or omitted to be done as mentioned in that provision.

(3B) In subsection (3A) above, “relevant damage or cost” means—

- (a) in relation to any such discharge or escape as is mentioned in paragraph (a) of that subsection, any damage caused in the territory of another Bunkers Convention country by contamination resulting from the discharge or escape, or any cost incurred in taking measures to prevent or minimise such damage in the territory of another Bunkers Convention country;
- (b) in relation to any such threat of contamination as is mentioned in paragraph (b) of that subsection, any cost incurred in taking measures to prevent or minimise such damage in the territory of another Bunkers Convention country; or
- (c) any damage caused by any measures taken as mentioned in paragraph (a) or (b) above;

and section 156(2B)(d) shall have effect for the purpose of subsection (3A)(ii) above as if it referred to any person taking any such measures as are mentioned in paragraph (a) or (b) above.]

[^{F5}(4) Part I of the Foreign Judgments (Reciprocal Enforcement) Act 1933 shall apply, whether or not it would so apply apart from this section, to—

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- (a) any judgment given by a court in a Liability Convention country to enforce a claim in respect of a liability incurred under any provision corresponding to section 153; and
- (b) any judgment given by a court in a Bunkers Convention country to enforce a claim in respect of a liability incurred under any provision corresponding to section 153A;

and in its application to any such judgment that Part shall have effect with the omission of section 4(2) and (3) of that Act.]

Textual Amendments

- F1** Words in s. 166(2)(a) substituted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **20(2)(a)** (with reg. 1(5))
- F2** Words in s. 166(2)(b) inserted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **20(2)(b)** (with reg. 1(5))
- F3** Words in s. 166(2)(i) substituted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **20(2)(c)** (with reg. 1(5))
- F4** S. 166(3A)(3B) inserted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **20(3)** (with reg. 1(5))
- F5** S. 166(4) substituted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **20(4)** (with reg. 1(5))

Modifications etc. (not altering text)

- C1** s. 166 extended (with modifications) to Anguilla (30.11.1997) by [S.I. 1997/2580](#), art. 2, **Sch.**
- s. 166 extended (with modifications) to Bermuda (30.11.1997) by [S.I. 1997/2581](#), art. 2, **Sch.**
- s. 166 extended (with modifications) to the British Antarctic Territory (30.11.1997) by [S.I. 1997/2582](#), art. 2, **Sch.**
- s. 166 extended (with modifications) to the British Indian Ocean Territory (30.11.1997) by [S.I. 1997/2583](#), art. 2, **Sch.**
- s. 166 extended (with modifications) to the Falkland Islands (30.11.1997) by [S.I. 1997/2584](#), art. 2, **Sch.**
- s. 166 extended (with modifications) to the Pitcairn, Henderson, Ducie and Oneo Islands (30.11.1997) by [S.I. 1997/2585](#), arts. 2, 3, **Sch.**
- s. 166 extended (with modifications) to the Sovereign Bases Areas of Akrotiri and Dhekelia (30.11.1997) by [S.I. 1997/2587](#), art. 2, **Sch.**
- s. 166 extended (with modifications) to the South Georgia and the South Sandwich Islands (30.11.1997) by [S.I. 1997/2588](#), art. 2, **Sch.**
- s. 166 extended (with modifications) to the Turks and Caicos Islands (30.11.1997) by [S.I. 1997/2589](#), art. 2, **Sch.**
- s. 166 extended (with modifications) to the Virgin Islands (30.11.1997) by [S.I. 1997/2590](#), art. 2, **Sch.**
- S. 166 extended (with modifications) to Jersey (1.12.1997) by [S.I. 1997/2598](#), arts. 2, 3, **Sch. 1**
- S. 166 extended (with modifications) to Guernsey (11.3.1998) by [S.I. 1998/260](#), arts. 2, 3, **Sch. 1**
- S. 166 extended (with modifications) to the Cayman Islands (20.5.1998) by [S.I. 1998/1261](#), art. 2, **Sch.**
- S. 166 extended (with modifications) to Montserrat (20.5.1998) by [S.I. 1998/1262](#), art. 2, **Sch.**
- S. 166 extended (with modifications) to Saint Helena (20.5.1998) by [S.I. 1998/1263](#), art. 2, **Sch.**

Marginal Citations

- M1** 1956 c. 46.

Changes to legislation: *Merchant Shipping Act 1995, Cross Heading: Supplementary is up to date with all changes known to be in force on or before 19 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*

167 Government ships.

- (1) Nothing in the preceding provisions of this Chapter applies in relation to any warship or any ship for the time being used by the government of any State for other than commercial purposes.
- [^{F6}(2) In relation to a ship owned by a State and for the time being used for commercial purposes—
- (a) it shall be sufficient compliance with section 163(2) if there is in force a certificate issued by the government of that State and showing that the ship is owned by that State and that any liability for pollution damage as defined in Article I of the Liability Convention will be met up to the limit prescribed by Article V of that Convention; and
- (b) it shall be sufficient compliance with section 163A(2) if there is in force a certificate issued by the government of that State and showing that the ship is owned by that State and that any liability for pollution damage as defined in Article 1 of the Bunkers Convention will be met up to the limits set out in Chapter II of the Convention in Part I of Schedule 7.]
- (3) Every Liability Convention State shall, for the purposes of any proceedings brought in a court in the United Kingdom to enforce a claim in respect of a liability incurred under section 153, be deemed to have submitted to the jurisdiction of that court, and accordingly rules of court may provide for the manner in which such proceedings are to be commenced and carried on; but nothing in this subsection shall authorise the issue of execution, or in Scotland the execution of diligence, against the property of any State.
- [^{F7}(4) Every Bunkers Convention State shall, for the purposes of any proceedings brought in a court in the United Kingdom to enforce a claim in respect of a liability incurred under section 153A, be deemed to have submitted to the jurisdiction of that court, and accordingly rules of court may provide for the manner in which such proceedings are to be commenced and carried on; but nothing in this subsection shall authorise the issue of execution, or in Scotland, the execution of diligence, against the property of any State.]

Textual Amendments

- F6** S. 167(2) substituted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **21(2)** (with reg. 1(5))
- F7** S. 167(4) added (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **21(3)** (with reg. 1(5))

Modifications etc. (not altering text)

- C2** s. 167 extended (with modifications) to Anguilla (30.11.1997) by [S.I. 1997/2580](#), art. 2, [Sch.](#)
- s. 167 extended (with modifications) to Bermuda (30.11.1997) by [S.I. 1997/2581](#), art. 2, [Sch.](#)
- s. 167 extended (with modifications) to the British Antarctic Territory (30.11.1997) by [S.I. 1997/2582](#), art. 2, [Sch.](#)
- s. 167 extended (with modifications) to the British Indian Ocean Territory (30.11.1997) by [S.I. 1997/2583](#), art. 2, [Sch.](#)
- s. 167 extended (with modifications) to the Falkland Islands (30.11.1997) by [S.I. 1997/2584](#), art. 2, [Sch.](#)
- s. 167 extended (with modifications) to the Pitcairn, Henderson, Ducie and Oneo Islands (30.11.1997) by [S.I. 1997/2585](#), arts. 2, 3, [Sch.](#)

Changes to legislation: Merchant Shipping Act 1995, Cross Heading: Supplementary is up to date with all changes known to be in force on or before 19 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

- s. 167 extended (with modifications) to the Sovereign Base Areas of Akrotiri and Dhekelia (30.11.1997) by [S.I. 1997/2587](#), [art. 2](#), [Sch.](#)
- s. 167 extended (with modifications) to the South Georgia and the South Sandwich Islands (30.11.1997) by [S.I. 1997/2588](#), [art. 2](#), [Sch.](#)
- s. 167 extended (with modifications) to the Turks and Caicos Islands (30.11.1997) by [S.I. 1997/2589](#), [art. 2](#), [Sch.](#)
- s. 167 extended (with modifications) to the Virgin Islands (30.11.1997) by [S.I. 1997/2590](#), [art. 2](#), [Sch.](#)
- S. 167 extended (with modifications) to Jersey (1.12.1997) by [S.I. 1997/2598](#), [arts. 2, 3](#), [Sch. 1](#)
- S. 167 extended (with modifications) to Guernsey (11.3.1998) by [S.I. 1998/260](#), [arts. 2, 3](#), [Sch. 1](#)
- S. 167 extended (with modifications) to the Cayman Islands (20.5.1998) by [S.I. 1998/1261](#), [art. 2](#), [Sch.](#)
- S. 167 extended (with modifications) to Montserrat (20.5.1998) by [S.I. 1998/1262](#), [art. 2](#), [Sch.](#)
- S. 167 extended (with modifications) to Saint Helena (20.5.1998) by [S.I. 1998/1262](#), [art. 2](#), [Sch.](#)

168 Limitation of liability under section [^{F8}153A or] 154.

For the purposes of section 185 any liability incurred under [^{F9}section 153A or 154] shall be deemed to be a liability to damages in respect of such damage to property as is mentioned in paragraph 1(a) of Article 2 of the Convention in Part I of Schedule 7.

Textual Amendments

- F8** Words in s. 168 heading inserted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), [regs. 1\(2\)](#), [22\(a\)](#) (with [reg. 1\(5\)](#))
- F9** Words in s. 168 substituted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), [regs. 1\(2\)](#), [22\(b\)](#) (with [reg. 1\(5\)](#))

Modifications etc. (not altering text)

- C3**
 - s. 168 extended (with modifications) to Anguilla (30.11.1997) by [S.I. 1997/2580](#), [art. 2](#), [Sch.](#)
 - s. 168 extended (with modifications) to Bermuda (30.11.1997) by [S.I. 1997/2581](#), [art. 2](#), [Sch.](#)
 - s. 168 extended (with modifications) to the British Antarctic Territory (30.11.1997) by [S.I. 1997/2582](#), [art. 2](#), [Sch.](#)
 - s. 168 extended (with modifications) to the British Indian Ocean Territory (30.11.1997) by [S.I. 1997/2583](#), [art. 2](#), [Sch.](#)
 - s. 168 extended (with modifications) to the Falkland Islands (30.11.1997) by [S.I. 1997/2584](#), [art. 2](#), [Sch.](#)
 - s. 168 extended (with modifications) to the Pitcairn, Henderson, Ducie and Oneo Islands (30.11.1997) by [S.I. 1997/2585](#), [arts. 2, 3](#), [Sch.](#)
 - s. 168 extended (with modifications) to the Sovereign Base Areas of Akrotiri and Dhekelia (30.11.1997) by [S.I. 1997/2587](#), [art. 2](#), [Sch.](#)
 - s. 168 extended (with modifications) to the South Georgia and South Sandwich Islands (30.11.1997) by [S.I. 1997/2588](#), [art. 2](#), [Sch.](#)
 - s. 168 extended (with modifications) to the Turks and Caicos Islands (30.11.1997) by [S.I. 1997/2589](#), [art. 2](#), [Sch.](#)
 - s. 168 extended (with modifications) to the Virgin Islands (30.11.1997) by [S.I. 1997/2590](#), [art. 2](#), [Sch.](#)
 - S. 168 extended (with modifications) to Jersey (1.12.1997) by [S.I. 1997/2598](#), [arts. 2, 3](#), [Sch. 1](#)
 - S. 168 extended (with modifications) to Guernsey (11.3.1998) by [S.I. 1998/260](#), [arts. 2, 3](#), [Sch. 1](#)
 - S. 168 extended (with modifications) to the Cayman Islands (20.5.1998) by [S.I. 1998/1261](#), [art. 2](#), [Sch.](#)
 - S. 168 extended (with modifications) to Montserrat (20.5.1998) by [S.I. 1998/1262](#), [art. 2](#), [Sch.](#)
 - S. 168 extended (with modifications) to Saint Helena (20.5.1998) by [S.I. 1998/1263](#), [art. 2](#), [Sch.](#)

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169 Saving for recourse actions.

Nothing in this Chapter shall prejudice any claim, or the enforcement of any claim, a person incurring any liability under this Chapter may have against another person in respect of that liability.

Modifications etc. (not altering text)

- C4** s. 169 extended (with modifications) to Anguilla (30.11.1997) by [S.I. 1997/2580](#), art. 2, [Sch.](#)
 s. 169 extended (with modifications) to Bermuda (30.11.1997) by [S.I. 1997/2581](#), art. 2, [Sch.](#)
 s. 169 extended (with modifications) to the British Antarctic Territory (30.11.1997) by [S.I. 1997/2582](#), art. 2, [Sch.](#)
 s. 169 extended (with modifications) to the British Indian Ocean Territory (30.11.1997) by [S.I. 1997/2583](#), art. 2, [Sch.](#)
 s. 169 extended (with modifications) to the Falkland Islands (30.11.1997) by [S.I. 1997/2584](#), art. 2, [Sch.](#)
 s. 169 extended (with modifications) to the Pitcairn, Henderson, Ducie and Oneo Islands (30.11.1997) by [S.I. 1997/2585](#), art. 2, [Sch.](#)
 s. 169 extended (with modifications) to the Sovereign Base Areas of Akrotiri and Dhekelia (30.11.1997) by [S.I. 1997/2587](#), arts. 2, 3, [Sch.](#)
 s. 169 extended (with modifications) to the South Georgia and South Sandwich Islands (30.11.1997) by [S.I. 1997/2588](#), art. 2, [Sch.](#)
 s. 169 extended (with modifications) to the Turks and Caicos Islands (30.11.1997) by [S.I. 1997/2589](#), art. 2, [Sch.](#)
 s. 169 extended (with modifications) to the Virgin Islands (30.11.1997) by [S.I. 1997/2590](#), art. 2, [Sch.](#)
 S. 169 extended (with modifications) to Jersey (1.12.1997) by [S.I. 1997/2598](#), arts. 2, 3, [Sch. 1](#)
 S. 169 extended (with modifications) to Guernsey (11.3.1998) by [S.I. 1998/260](#), arts. 2, 3, [Sch. 1](#)
 S. 169 extended (with modifications) to the Cayman Islands (20.5.1998) by [S.I. 1998/1261](#), art. 2, [Sch.](#)
 S. 169 extended (with modifications) to Montserrat (20.5.1998) by [S.I. 1998/1262](#), art. 2, [Sch.](#)
 S. 169 extended (with modifications) to Saint Helena (20.5.1998) by [S.I. 1998/1263](#), art. 2, [Sch.](#)

170 Interpretation.

(1) In this Chapter [^{F10}(except this subsection)]—

[^{F11}“bunker oil” means any hydrocarbon mineral oil (including lubricating oil) which is carried by a ship and used or intended to be used for the operation or propulsion of that ship and any residues of such oil;]

“the court” means the High Court or, in Scotland, the Court of Session;

“damage” includes loss;

“oil” means persistent hydrocarbon mineral oil [^{F12}, except in the term “bunker oil”];

“owner” [^{F13}has the meaning given by section 153A(7);

“registered owner” means] the person or persons registered as the owner of the ship or, in the absence of registration, the person or persons owning the ship, except that, in relation to a ship owned by a State which is operated by a person registered as the ship’s operator, it means the person registered as its operator;

“relevant threat of contamination” [^{F14}includes (unless a contrary intention appears)—

(a) a relevant threat of contamination falling within section 153(2) (as defined in section 153(2A));

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- (b) a relevant threat of contamination falling within section 153A(2) (as defined in section 153A(4)); and
 - (c) a relevant threat of contamination falling within section 154(2) (as defined in section 154(2B)); and
- “ship” (subject to section 154(5)) means any sea-going vessel or sea-borne craft of any type whatsoever.
- (2) In relation to any damage or cost resulting from the discharge or escape of any oil [^{F15}or bunker oil] from a ship, or from a relevant threat of contamination, references in this Chapter to the owner [^{F16}or the registered owner] of the ship are references to the owner [^{F17}or the registered owner (as the case may be)] at the time of the occurrence or first of the occurrences resulting in the discharge or escape or (as the case may be) in the threat of contamination.
 - (3) References in this Chapter in its application to Scotland—
 - (a) to payment into court, shall be construed as references to the payment to the Accountant of Court for Consignation (within the meaning of the Court of Session Consignations (Scotland) Act 1895; and
 - (b) to costs, shall be construed as references to expenses.
 - (4) References in this Chapter to the territory of any country include the territorial sea of that country and—
 - (a) in the case of the United Kingdom, any area [^{F18}specified by virtue of section 129(2)(b)] and
 - (b) in the case of any other Liability Convention country [^{F19}or Bunkers Convention country], the exclusive economic zone of that country established in accordance with international law, or, if such a zone has not been established, such area adjacent to the territorial sea of that country and extending not more than 200 nautical miles from the baselines from which the breadth of that sea is measured as may have been determined by that State in question in accordance with international law.

Textual Amendments

- F10** Words in s. 170(1) inserted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **23(2)(a)** (with reg. 1(5))
- F11** Words in s. 170(1) inserted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **23(2)(b)** (with reg. 1(5))
- F12** Words in s. 170(1) inserted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **23(2)(c)** (with reg. 1(5))
- F13** Words in s. 170(1) substituted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **23(2)(d)** (with reg. 1(5))
- F14** Words in s. 170(1) substituted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **23(2)(e)** (with reg. 1(5))
- F15** Words in s. 170(2) inserted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **23(3)(a)** (with reg. 1(5))
- F16** Words in s. 170(2) inserted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **23(3)(b)** (with reg. 1(5))
- F17** Words in s. 170(2) inserted (21.11.2008) by [The Merchant Shipping \(Oil Pollution\) \(Bunkers Convention\) Regulations 2006 \(S.I. 2006/1244\)](#), regs. 1(2), **23(3)(c)** (with reg. 1(5))
- F18** Words in s. 170(4)(a) substituted (17.7.1997) by 1997 c. 28, s. 29(1), **Sch. 6 para. 5**; S.I. 1997/1539, **art. 2, Sch.**

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F19 Words in s. 170(4)(b) inserted (21.11.2008) by **The Merchant Shipping (Oil Pollution) (Bunkers Convention) Regulations 2006 (S.I. 2006/1244)**, regs. 1(2), **23(4)** (with reg. 1(5))

Modifications etc. (not altering text)

- C5** s. 170 extended (with modifications) to Anguilla (30.11.1997) by **S.I. 1997/2580, art. 2, Sch.**
s. 170 extended (with modifications) to Bermuda (30.11.1997) by **S.I. 1997/2581, art. 2, Sch.**
s. 170 extended (with modifications) to the British Antarctic Territory (30.11.1997) by **S.I. 1997/2582, art. 2, Sch.**
s. 170 extended (with modifications) to the British Indian Ocean Territory (30.11.1997) by **S.I. 1997/2583, art. 2, Sch.**
s. 170 extended (with modifications) to the Falkland Islands (30.11.1997) by **S.I. 1997/2584, art. 2, Sch.**
s. 170 extended (with modifications) to the Pitcairn, Henderson, Ducie and Oneo Islands (30.11.1997) by **S.I. 1997/2585, arts. 2, 3, Sch.**
s. 170 extended (with modifications) to the Sovereign Base Areas of Akrotiri and Dhekelia (30.11.1997) by **S.I. 1997/2587, art. 2, Sch.**
s. 170 extended (with modifications) to the South Georgia and South Sandwich Islands (30.11.1997) by **S.I. 1997/2588, art. 2, Sch.**
s. 170 extended (with modifications) to the Turks and Caicos Islands (30.11.1997) by **S.I. 1997/2589, art. 2, Sch.**
s. 170 extended (with modifications) to the Virgin Islands (30.11.1997) by **S.I. 1997/2590, art. 2, Sch.**
S. 170 extended (with modifications) to Jersey (1.12.1997) by **S.I. 1997/2598, arts. 2, 3, Sch. 1**
S. 170 extended (with modifications) to Guernsey (11.3.1998) by **S.I. 1998/260, arts. 2, 3, Sch. 1**
S. 170 extended (with modifications) to the Cayman Islands (20.5.1998) by **S.I. 1998/1261, art. 2, Sch.**
S. 170 extended (with modifications) to Montserrat (20.5.1998) by **S.I. 1998/1262, art. 2, Sch.**
S. 170 extended (with modifications) to Saint Helena (20.5.1998) by **S.I. 1998/1263, art. 2, Sch.**

171 Transitory text of this Chapter and power to make transitional provisions.

- (1) Until such day as the Secretary of State may by order appoint, the provisions set out in Schedule 4 as Chapter III shall have effect instead of the foregoing provisions of this Chapter; and references in that Schedule to a section whose number is included in that Schedule is a reference to the section so included.
- (2) Notwithstanding subsection (1) above, Her Majesty may by Order in Council make such provision as appears to Her Majesty to be appropriate in connection with the implementation of any transitional provisions contained in the 1992 Protocol or the Conventions which they amend; and any such Order may in particular provide, in relation to occurrences of any description specified in the Order—
 - (a) for specified provisions of this Chapter, whether as contained in this Chapter or in the Chapter III set out in Schedule 4, to have effect;
 - (b) for any such provisions to have effect subject to specified modifications.
- (3) In subsection (2) above—

“the 1992 Protocol” means the Protocol of 1992 to amend the International Convention for Oil Pollution Damage 1969 signed in London on 27th November 1992; and

“specified” means specified in the Order.

Changes to legislation: Merchant Shipping Act 1995, Cross Heading: Supplementary is up to date with all changes known to be in force on or before 19 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](#)

Subordinate Legislation Made

P1 S. 171(1) power exercised (30.5.1996) by [S.I. 1996/1210](#), **art. 2**

Changes to legislation:

Merchant Shipping Act 1995, Cross Heading: Supplementary is up to date with all changes known to be in force on or before 19 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.

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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.)