

## SCHEDULES

### SCHEDULE 1

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

##### *Power to detain dangerously unsafe ship*

- 2 (1) Section 95 of the 1995 Act (power to detain dangerously unsafe ship) is amended as follows.
- (2) For subsection (1) there is substituted—
- “(1) Where a ship which is—
- (a) in a port in the United Kingdom, or
  - (b) at sea in United Kingdom waters,
- appears to a relevant inspector to be a dangerously unsafe ship, the ship may be detained.”
- (3) At the beginning of subsection (2) there is inserted “ Subject to subsection (2A) below ”, and after that subsection there is inserted—
- “(2A) The power of detention conferred by subsection (1)(b) 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 subsection (3)(c), for “prohibit the ship from going to sea” there is substituted “ require the ship to comply with the terms of the notice ”.

**Changes to legislation:**

There are currently no known outstanding effects for the Merchant Shipping and Maritime Security Act 1997, Paragraph 2.