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STATUTORY INSTRUMENTS

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**1995 No. 2498**

**The Merchant Shipping (Reporting Requirements for Ships Carrying Dangerous or Polluting Goods) Regulations 1995**

**Offences**

15.—(1) If there is any contravention of regulation 5(1), 6 or 9(3) or 10 so far as it relates to 9(4) in respect of a ship the operator of that ship shall be guilty of an offence and liable on summary conviction to a fine not exceeding the statutory maximum and on conviction on indictment to a fine.

(2) Any operator who in purported compliance with regulation 5(1), 6 or 9(3) makes a notification or report which he knows to be false in a material particular shall be guilty of an offence and liable on summary conviction to a fine not exceeding the statutory maximum, or on conviction on indictment to a fine.

(3) If the master of a ship contravenes regulation 5(1), 7, 8, 9(1) or (4), 10 so far as it relates to 9(1) or (4), or 12 he shall be guilty of an offence, and liable on summary conviction to a fine not exceeding the statutory maximum, or on conviction on indictment to a fine.

(4) Any master who —

- (a) in purported compliance with regulation 5(1) makes a notification; or
- (b) in purported compliance with regulation 8 or 9 makes a notification; or
- (c) in purported compliance with regulation 12 makes available a check list,

which he knows to be false in a material particular shall be guilty of an offence and liable on summary conviction to a fine not exceeding the statutory maximum.

(5) If a pilot contravenes the provisions of regulation 13 or 14 above, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(6) It shall be a good defence to a charge under this regulation to prove that the person charged took all reasonable steps to avoid committing the offence.