
STATUTORY INSTRUMENTS

1996 No. 3010

**The Merchant Shipping (Dangerous or Noxious
Liquid Substances in Bulk) Regulations 1996**

Suspension of proceedings at flag state request

17.—(1) This regulation relates to an alleged offence of contravening regulation 5 by a ship which is not a United Kingdom ship, in relation to a discharge beyond the United Kingdom's territorial sea.

(a) (2) (a) Any proceedings for such an offence shall be suspended if the Court is satisfied that the Flag State has instituted proceedings corresponding to the proceedings in United Kingdom in respect of the discharge, within six months of the institution of proceedings in the United Kingdom.

(b) Subparagraph (a) above does not apply—

(i) where the discharge resulted in major damage to the United Kingdom; or

(ii) the Secretary of State certifies that the Flag State has repeatedly disregarded its obligation to enforce effectively the requirements of the Convention in respect of its ships.

(3) Where proceedings instituted by the Flag State have been brought to a conclusion, the suspended proceedings shall be terminated.