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STATUTORY INSTRUMENTS

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**2019 No. 42**

**The Merchant Shipping (Prevention  
of Oil Pollution) Regulations 2019**

**PART 3**

**Requirements for Control of Operational Pollution—Control of Discharge of Oil**

**Exceptions for damage to a ship or its equipment in internal or controlled waters**

**22.** The provisions of regulations 25 and 26 do not apply to any discharge of oil or oily mixture from an excepted ship into a part of the sea which is within the United Kingdom or its controlled waters which results from damage to a ship or its equipment if—

- (a) the damage was caused by a person who was not connected with the excepted ship's business and who was acting—
  - (i) with intent;
  - (ii) recklessly; or
  - (iii) with serious negligence;
- (b) all reasonable precautions were taken after the damage, or discovery of the discharge, to prevent or minimise the discharge; and
- (c) neither the owner nor the master of the excepted ship acted—
  - (i) with intent to cause damage; or
  - (ii) recklessly and with knowledge that damage would probably result.