
STATUTORY INSTRUMENTS

2024 No. 509

The Merchant Shipping (Anti-Fouling Systems) Regulations 2024

PART 4

Enforcement

Offences and penalties

12.—(1) Any contravention of—

- (a) regulation 6(1), (2) or (4) (prohibitions and requirements for ships);
- (b) regulation 7(3)(a) or (b), or (6) (AFS-Certificates: ships of 400 gross tonnage or above);
- (c) regulation 8(3) (AFS-Declarations: ships of less than 400 gross tonnage);
- (d) regulation 10(1) or (2) (availability of certificates and other documents),

is an offence by the owner and master in respect of each case of non-compliance.

(2) Any contravention of regulation 9(3) (alteration etc. of a certificate) is an offence by the person in question.

(3) An offence under paragraph (1) or (2) is punishable—

- (a) on summary conviction—
 - (i) in England and Wales by a fine; or
 - (ii) in Scotland or Northern Ireland by a fine not exceeding the statutory maximum; or
- (b) on conviction on indictment by a fine.

(4) It is a defence for a person charged with an offence under this regulation to prove that the person charged took all reasonable steps to avoid the commission of the offence.