



## **OIL POLLUTION ACT 1986**

### **MERCHANT SHIPPING (INTERVENTION CONVENTION) ORDER 2001**

*Approved by Tynwald : 12<sup>th</sup> July 2001*

*Coming into operation : 1<sup>st</sup> August 2001*

In exercise of the powers conferred on the Department of Trade and Industry by section 14(1)(c) and (3)(a) of the Oil Pollution Act 1986 <sup>(a)</sup>, and of all other enabling powers, and after consultation with the Secretary of State the following Order is hereby made:-

#### **Citation, and commencement**

1. This Order may be cited as the Merchant Shipping (Intervention Convention ) Order 2001 and, subject to section 17 of the 1986 Act, shall come into operation on 1<sup>st</sup> August 2001.

#### **Interpretation**

2. In this Order -

“the 1986 Act” means the Oil Pollution Act 1986;

“the 1973 Protocol” means the Protocol relating to the Intervention on the High Seas in cases of Marine Pollution by Substances other than Oil as amended by MEPC resolution 49(31).

#### **Effect given to the 1973 Protocol**

3. This Order gives effect to the 1973 Protocol.

- (a) 1986 c.12. Functions now transferred to the Department of Trade and Industry by the Transfer of Functions (Marine Administration) Order 1997 (SD 51/97).

Price : 30 p. Price Code: A

**Powers of intervention in cases of pollution by substances other than oil**

4. (1) Sections 6 and 9 of the 1986 Act shall apply for the purpose mentioned in article 3 and, for that purpose, any reference in those sections to oil pollution shall include a reference to pollution by -
- (a) any other substance which is enumerated in the list of substances annexed to the 1973 Protocol, and
  - (b) any other substance which is liable to create hazards to human health, to harm living resources and marine life, to damage amenities or to interfere with other legitimate uses of the sea.
- (2) The powers conferred on the Department by sections 6 and 7 of the 1986 Act may be exercised with regard to a substance referred to in paragraph (1) (b) only if it can be shown that under the circumstances at the time of the exercise of those powers, the polluting substance could reasonably be taken to pose a grave and imminent danger analogous to that posed by any of the substances mentioned in paragraph (1) (a).

Dated 12<sup>th</sup>. June, 2001

*David North,*

Minister for Trade and Industry

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order gives effect the Protocol relating to the Intervention on the High Seas in cases of Marine Pollution by Substances other than Oil as amended by MEPC resolution 49(31).

Any references in sections 6 and 7 of the Oil Pollution Act 1986 to oil pollution are to be construed as including a reference to pollution by other pollutants as listed in the annex to the 1973 Protocol.

Copies of the Protocol can be obtained from the International Maritime Organisation, 4 Albert Embankment, London SE1 7SR.