

UK POWERS OF INTERVENTION

Powers of Intervention Schedule 3A para 1, MSA 1995 as amended

Power to Intervene and Issue Directions

For purposes of preventing / reducing risk to safety or of pollution by a hazardous substance

- Directions to take any action of any kind whatsoever - includes destruction of a vessel.
- Safety – applies in UK territorial waters (12nm).
- Pollution - applies up to 200 miles from UK coast or international median line.

Powers of Intervention Schedule 3A para 22 (2), MSA 1995 as amended

Hazardous Substances

- Means oil.
- Includes pollution by any other substance which is prescribed by the Secretary of State by Order.
- Includes any other substance which creates a hazard to health, harms living resources or marine life, damages amenities or interferes with lawful use of the sea.

Powers of Intervention Schedule 3A para 3, MSA 1995 as amended

Power to Require Ships to be Moved

For purpose of securing safety of a ship, other ships, any persons or property, or reducing such risk

- Directions that ship is / is not to be moved from a specific place, or over a specific route.
- Can direct a ship to be removed from UK territorial waters.
- Directions to owners / master /person in possession of ship.
- Applies in UK territorial waters only (12 nm).

Powers of Intervention

Schedule 3A para 2, MSA 1995 as amended

Direction to Persons in Control of Coastal Land or Premises

For purpose of removing, or reducing a risk to safety or of pollution following an accident

- Direction to grant access or facilities in relation to any ship, anything which is or was on the ship including any person.
- Includes:
 - Permitting persons to land.
 - Making facilities available for undertaking repairs or other works.
 - Making facilities available for the landing, storage and disposal of cargo or of other things.

Powers of Intervention

The Offshore installations (Emergency Pollution Control) Regulations 2002

Offshore Installations: Powers to Intervene and Issue Directions

For purpose of preventing or reducing the risk of pollution

- Applies all of S.137 MSA 1995 to offshore installations.
- Directions can be given to operators, managers, servants or agents of operators of ANY offshore installation.
- Applies UK Continental Shelf.

**Powers of Intervention
Schedule 3A para 4, MSA 1995 as amended**

Action in Lieu of a Direction

Where SoS is entitled to give a direction, or has given one, which has not achieved, or is not likely to achieve, a sufficient result

Can take such action as appears necessary or expedient for the purpose of which a Direction was, or could have been, given:

- Persons can enter land or make use of facilities.
- Can do anything which could be authorised by a Direction.
- Includes taking control over a ship or offshore installation.
- Includes making arrangements for destruction.

**Powers of Intervention
S.100A MSA 1995 as amended**

Power to Establish a Temporary Exclusion Zone

For purpose of preventing significant damage to persons or property, or pollution or reducing such risk.

- Applies to any ship, structure or other thing.
- Must be wrecked, damaged or in distress.
- Zone may be defined geographically or in relation to a casualty.
- Cannot include areas outside of UK Pollution Control Zone (200 miles).
- Must be reviewed.