



Prevention of Oil Pollution Act 1971

1971 CHAPTER 60

General provisions for preventing oil pollution

2 Discharge of oil into United Kingdom waters.

(1) If any oil or mixture containing oil is discharged as mentioned in the following paragraphs into waters to which this section applies, then, subject to the provisions of this Act, the following shall be guilty of an offence, that is to say—

- (a)^{F1}
- (c) if the discharge is from a place on land, the occupier of that place, unless he proves that the discharge was caused as mentioned in paragraph (d) of this subsection;
- (d) if the discharge is from a place on land and is caused by the act of a person who is in that place without the permission (express or implied) of the occupier, that person;
- (e) if the discharge takes place otherwise than as mentioned in the preceding paragraphs and is the result of any operations for the exploration of the sea-bed and subsoil or the exploitation of their natural resources, the person carrying on the operations.

(2) This section applies to the following waters, that is to say,—

- (a) the whole of the sea within the seaward limits of the territorial waters of the United Kingdom; and
- (b) all other waters (including inland waters) which are within those limits and are navigable by sea-going ships.

^{F2F3}(2A)

^{F3}(2B)

(3) In this Act “place on land” includes anything resting on the bed or shore of the sea, or of any other waters to which this section applies, and also includes anything afloat (other than a vessel) if it is anchored or attached to the bed or shore of the sea or of any such waters; and “occupier”, in relation to any such thing as is mentioned in the preceding provisions of this subsection, if it has no occupier, means the owner thereof,

Changes to legislation: There are currently no known outstanding effects for the Prevention of Oil Pollution Act 1971, Section 2. (See end of Document for details)

and, in relation to a railway wagon or road vehicle, means the person in charge of the wagon or vehicle and not the occupier of the land on which the wagon or vehicle stands.

- (4) A person guilty of an offence under this section shall be liable [^{F4}on summary conviction to a fine not exceeding £50,000 or on conviction on indictment to a fine][^{F4}on summary conviction, or on conviction on indictment, to a fine].

Textual Amendments

- F1** S. 2(1)(a)(b) repealed by S.I. 1983/1106, art. 2, **Sch.**
- F2** S. 2(2A)(2B) inserted by Prevention of Oil Pollution Act 1986 (c. 6, SIF 111), s. **1(1)**
- F3** S. 2(2A)(2B) repealed (1.1.1996) by 1995 c. 21, ss. 314(1), 316(2), **Sch. 12** (with s. 312(1), Sch. 14 para. 1)
- F4** Words in s. 2(4) substituted (E.W.) (12.3.2015) by The Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Fines on Summary Conviction) Regulations 2015 (S.I. 2015/664), reg. 1(1), **Sch. 4 para. 6(2)** (with reg. 5(1))

Modifications etc. (not altering text)

- C1** S. 2 excluded (20.8.2005) by Offshore Petroleum Activities (Oil Pollution Prevention and Control) Regulations 2005 (S.I. 2005/2055), regs. 1, **18(1)**
- C2** S. 2(2A)(2B) extended with modifications by S.I. 1989/1350, art. 3, **Sch. 2**
- C3** S. 2(4) extended by S.I. 1983/1106, **art. 4** and S.I. 1983/1398, **regs. 2(1)(2)**, 34(2)
- C4** S. 2(4) extended with modifications by S.I. 1989/1350, art. 3, **Sch. 2**

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