

1975 No. 2181**MERCHANT SHIPPING****The Merchant Shipping Act 1974 (Jersey) Order 1975***Made - - - - 19th December 1975**Laid before Parliament 6th January 1976**Coming into Operation 1st February 1976*

At the Court at Buckingham Palace, the 19th day of December 1975

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by section 20(1) of the Merchant Shipping Act 1974(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Merchant Shipping Act 1974 (Jersey) Order 1975 and shall come into operation on 1st February 1976.

2.-- (1) In this Order "Jersey" means the Bailiwick of Jersey.

(2) The Interpretation Act 1889(b) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. Part I and sections 22, 23 and 24 of and Schedule 1 to the Merchant Shipping Act 1974 shall extend to Jersey subject to the exceptions, adaptations and modifications specified in the Schedule to this Order.

*N. E. Leigh.***SCHEDULE**
**EXCEPTIONS, ADAPTATIONS AND MODIFICATIONS IN THE EXTENSION OF
THE MERCHANT SHIPPING ACT 1974 TO JERSEY**

1. Unless the context otherwise requires, any reference to the Merchant Shipping Act 1974 or any other enactment shall be to that enactment as it has effect in Jersey.

2. Unless the context otherwise requires or except in any reference to Her Majesty's Government in the United Kingdom for any reference to the United Kingdom there shall be substituted a reference to Jersey.

 (a) 1974 c. 43.

(b) 1889 c. 63.

3. Unless the context otherwise requires for any reference to a court there shall be substituted a reference to the Inferior Number of the Royal Court.

4. In section 2(8) for the words "Secretary of State" there shall be substituted the words "the States" and the words "contained in a statutory instrument", the words "on summary conviction" and paragraph (c) shall be omitted.

5. In section 2(9) for the definition of "company" there shall be substituted the following definition:—

‘“company” means a company registered in pursuance of the Companies (Jersey) Laws, 1861 to 1968,’

and in the definition of "group" for the words in brackets there shall be substituted the words “, an Act of Parliament,” and paragraph 2 above shall not apply.

6. For section 2(10) there shall be substituted the following provision:—

“(10) In this section “sea” does not include any waters on the landward side of the baselines from which the territorial sea of the British Islands adjacent to Jersey is measured.”.

7. In section 3(1) for the words "Secretary of State" there shall be substituted the words "Harbours and Airport Committee of the States".

8. In section 3(4) for the words "Secretary of State" there shall be substituted the words "Harbours and Airport Committee of the States".

9. In section 3(5) the words "on summary conviction" shall be omitted.

10. In section 3(6) for the words after "liable" there shall be substituted the words "on conviction to a fine, or to imprisonment for a term not exceeding twelve months, or to both".

11. In section 5(6) paragraph (c) shall be omitted.

12. Section 6(1) shall be omitted.

13. For section 6(4) there shall be substituted the following provision:—

“(4) Subject to subsection (5) below Part II of the Judgments (Reciprocal Enforcement) (Jersey) Law, 1960, shall apply, whether or not it would so apply apart from this section, to any judgment given by a court in a Fund Convention country to enforce a claim in respect of liability incurred under any provision corresponding to section 4 or 5 of this Act; and in its application to such a judgment the said Part II shall have effect with the omission of paragraphs (2) and (3) of Article 6 of the Law of 1960.”.

14. In section 6(5) for the words "Part I of the Act of 1933" there shall be substituted the words "Part II of the Law of 1960".

15. For section 23(1) there shall be substituted the following subsection:—

“(1) This Act shall at any time be construed as one with such provisions of the Merchant Shipping Acts 1894 to 1971 as at that time have effect in Jersey.”.

16. In section 24(2) at the beginning there shall be inserted the words "Except for sections 3, 9, 22 and 23, which shall come into force forthwith,".

17. In section 24 subsections (4) and (5) shall be omitted.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order extends Part I and part of Part V of and Schedule I to the Merchant Shipping Act 1974 to the Bailiwick of Jersey with specified exceptions, adaptations and modifications.

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