

1987 No. 2197

**CONTINENTAL SHELF
TERRITORIAL SEA**

The Civil Jurisdiction (Offshore Activities) Order 1987

Made - - - - *18th December 1987*

Laid before Parliament *8th January 1988*

Coming into force *1st February 1988*

At the Court at Buckingham Palace, the 18th day of December 1987

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 23 of the Oil and Gas (Enterprise) Act 1982(a) and sections 6 and 7 of the Continental Shelf Act 1964(b), is pleased by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation and interpretation

1.—(1) This Order may be cited as the Civil Jurisdiction (Offshore Activities) Order 1987.

(2) In this Order—

“the Act” means the Oil and Gas (Enterprise) Act 1982;

“co-ordinate” means a co-ordinate on European datum (1st Adjustment 1950);

“Dividing Line” means the dividing line as defined in Article 1 of the Agreement between the United Kingdom and the Federal Republic of Germany relating to the Delimitation of the Continental Shelf under the North Sea between the two countries, signed in London on 25 November 1971(c);

“installation” includes an installation in transit;

“line”, in relation to any list of co-ordinates in this Order, unless it is otherwise provided, means a loxodromic line;

“relevant act” means an act or omission taking place on, under or above the offshore area in connection with any activity mentioned in section 23(2) of the Act;

“offshore area” means—

(a) tidal waters and parts of the sea adjacent to the United Kingdom up to the seaward limits of territorial waters;

(b) waters in any area for the time being designated under section 1(7) of the Continental Shelf Act 1964; and

(c) in relation to installations which are maintained in waters falling within paragraph (a) or (b) above, waters in a foreign sector of the continental shelf which are adjacent to such waters;

“the Scottish border” means—

(a) 1982 c. 23.

(b) 1964 c. 29.

(c) Treaty Series No. 7 (1973) Cmnd. 5192.

(a) in the North Sea, a line—

(i) joining the following co-ordinates—

- (1) 55° 48' 45"N; 2° 01' 54"W
- (2) 55° 49' 50"N; 1° 59' 58"W
- (3) 55° 50' 43"N; 1° 58' 09"W
- (4) 55° 50' 47"N; 1° 57' 55"W
- (5) 55° 53' 20"N; 1° 48' 28"W
- (6) 55° 53' 29"N; 1° 47' 54"W
- (7) 55° 55' 04"N; 1° 43' 32"W,

(ii) then following, in a south easterly direction, the seaward limits of United Kingdom territorial waters until the position 55° 50' 00"N; 1° 27' 31"W, and

(iii) then following, in an easterly direction, the parallel of latitude 55° 50' 00"N until its intersection with the Dividing Line;

(b) in the Irish Sea, a line joining the following co-ordinates—

- (1) 54° 37' 54"N; 3° 50' 46"W
- (2) 54° 37' 37"N; 3° 51' 04"W
- (3) 54° 37' 00"N; 3° 52' 04"W
- (4) 54° 36' 11"N; 3° 53' 51"W
- (5) 54° 33' 17"N; 4° 00' 10"W
- (6) 54° 32' 51"N; 4° 01' 06"W
- (7) 54° 31' 55"N; 4° 03' 08"W
- (8) 54° 30' 03"N; 4° 04' 24"W,

then following the seaward limit of United Kingdom territorial waters to

- (9) 54° 30' 22"N; 4° 04' 50"W
- (10) 54° 30' 00"N; 4° 05' 29"W
- (11) 54° 30' 00"N; 5° 00' 00"W;

“the Northern Irish border” means a line joining the following co-ordinates—

- (1) 55° 26' 40"N; 6° 34' 37"W
- (2) 55° 23' 36"N; 6° 04' 16"W
- (3) 55° 20' 00"N; 6° 00' 00"W
- (4) 55° 10' 00"N; 5° 48' 00"W
- (5) 55° 00' 00"N; 5° 36' 00"W
- (6) 54° 50' 00"N; 5° 24' 00"W
- (7) 54° 40' 00"N; 5° 12' 00"W
- (8) 54° 30' 00"N; 5° 00' 00"W
- (9) 54° 26' 54"N; 5° 00' 00"W
- (10) 54° 20' 00"N; 5° 00' 00"W
- (11) 54° 10' 00"N; 5° 12' 00"W
- (12) 54° 00' 00"N; 5° 24' 00"W;

“the English area” means such of the offshore area adjacent to England and Wales which lies to the south of the Scottish border and east of the Northern Irish border together with the internal waters of England and Wales in so far as they are tidal or constitute parts of the sea;

“the Scottish area” means such of the offshore area adjacent to Scotland which lies to the north of the Scottish border and east of the Northern Irish border together with the internal waters of Scotland in so far as they are tidal or constitute parts of the sea;

“the Northern Irish area” means such of the offshore area adjacent to Northern Ireland which lies to the west of the Northern Irish border together with the internal waters of Northern Ireland in so far as they are tidal or constitute parts of the sea.

Application of English, Scottish and Northern Irish law

2. Subject to the provisions of any Order made under section 22(1) of the Act with respect to the application of criminal law—

- (a) the law in force in England and Wales shall apply for the determination of questions arising out of relevant acts taking place in the English area;
- (b) the law in force in Scotland shall apply for the determination of questions arising out of relevant acts taking place in the Scottish area; and
- (c) the law in force in Northern Ireland shall apply for the determination of questions arising out of relevant acts taking place in the Northern Irish area.

Jurisdiction

3.—(1) The High Court shall have such jurisdiction for the determination of any questions arising out of a relevant act which, under Article 2(a) above, fall to be determined in accordance with the law in force in England and Wales as it would have if the relevant act had taken place in England or Wales.

(2) The Court of Session shall have such jurisdiction for the determination of any questions arising out of a relevant act which, under Article 2(b) above, fall to be determined in accordance with the law in force in Scotland as it would have if the relevant act had taken place in Scotland.

(3) The High Court in Northern Ireland shall have such jurisdiction for the determination of any questions arising out of a relevant act which, under Article 2(c) above, fall to be determined in accordance with the law in force in Northern Ireland as it would have if the relevant act had taken place in Northern Ireland.

Application of Wireless Telegraphy Act 1949 and the Radioactive Substances Act 1960

4. For the purposes of the Wireless Telegraphy Act 1949(a), the Radioactive Substances Act 1960(b) and any regulations or orders under either of those Acts (subject, however, in the case of such regulations or orders made hereafter, to any contrary intention appearing therein) any installation in the English area and any waters in the offshore area within 500 metres of such an installation (not being waters lying in the Scottish or Northern Irish area and within 500 metres of an installation in either of those areas) shall be deemed to be situated in England and Wales; any installation in the Scottish area and any such waters within 500 metres of such an installation (not being waters lying in the English or Northern Irish area and within 500 metres of an installation in either of those areas) shall be deemed to be situated in Scotland; and any installation in the Northern Irish area and any such waters lying within 500 metres of such an installation (not being waters lying within the English or Scottish area and within 500 metres of an installation in either of those areas) shall be deemed to be situated in Northern Ireland.

Commencement

5. This Order shall come into force on 1st February 1988.

G.I. de Deney
Clerk of the Privy Council

(a) 1949 c. 54.
(b) 1960 c. 34.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order divides United Kingdom territorial waters and waters within areas designated as part of the United Kingdom continental shelf under the Continental Shelf Act 1964 into English, Scottish and Northern Irish parts to which English, Scottish and Northern Irish civil law is applied respectively, and confers jurisdiction accordingly on the High Court in England and Wales, the Court of Session and the High Court in Northern Ireland. The Order also provides for installations in an English, Scottish or Northern Irish part to be treated, for the purposes of the Wireless Telegraphy Act 1949 and the Radioactive Substances Act 1960, as being in England, Scotland or Northern Ireland as the case may be. The Order replaces and re-enacts the substance of similar provisions of earlier Jurisdiction Orders made under section 3 of the Continental Shelf Act 1964, which, however, applied only in designated areas.

The Continental Shelf (Designation of Areas) Orders 1964 to 1987 have been made under the 1964 Act (S.I. 1964/697, 1965/1531, 1968/891, 1971/594, 1974/1489, 1976/1153, 1977/1871, 1978/178, 1029, 1979/1447, 1982/1072, 1987/1265).

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