

PROJET DE LOI

ENTITLED

The Merchant Shipping (Guernsey) Law, 1953 *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. However, while it is believed to be accurate and up to date, it is not authoritative and has no legal effect, having been prepared in-house for the assistance of the Law Officers. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.

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* Ordres en Conseil Vol. XV, p. 472; as amended by the Merchant Shipping (Guernsey) Law, 1970 (Ordres en Conseil Vol. XXII, p. 404). This Law is prospectively repealed by the Merchant Shipping (Bailiwick of Guernsey) Law, 2002 (No. VIII of 2004).

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ARRANGEMENT OF SECTIONS

1. Definition of "the principal Law".
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3. Amendment of Part I of principal Law.
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6. Rating of seamen.
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THE STATES, in pursuance of their Resolution of the twenty-ninth day of April, nineteen hundred and fifty-three, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Bailiwick of Guernsey.

Definition of "the principal Law".

1. In this Law the expression "**the principal Law**" means the Law entitled "Loi relative à la Marine Marchande dans le Bailliage de l'Île de Guernesey" registered on the sixth day of June, nineteen hundred and sixteen.

NOTE

The Law is prospectively repealed by the Merchant Shipping (Bailiwick of Guernsey) Law, 2002, section 296, Schedule 10, Part III.

Definition of "the Minister" in principal Law.

2. ...

NOTE

Section 2 was repealed by the Merchant Shipping (Guernsey) Law, 1970, section 4, with effect from 2nd November, 1970.

Amendment of Part I of principal Law.

3. In Part I of the principal Law the words "MASTERS AND OFFICERS" being the heading of that Part are hereby repealed and there are hereby substituted therefor the words "MASTERS, OFFICERS AND SEAMEN".

Definition of "the Minister" in Safety Convention.

4. ...

NOTE

Section 4 was repealed by the Merchant Shipping (Guernsey) Law, 1970, section 4, with effect from 2nd November, 1970.

"the Minister" substituted for " Board of Trade", etc.

5. ...

NOTE

Section 5 was repealed by the Merchant Shipping (Guernsey) Law, 1970, section 4, with effect from 2nd November, 1970.

Rating of seamen.

6. There is hereby inserted after section two of the principal Law (which relates to the production of certificates of competency to a Superintendent of Customs) the following section –

"Rating of seamen.

2A. (1) A seaman engaged in any British ship registered in the Bailiwick shall not be rated as A.B. unless he is the holder of a certificate of competency.

(2) In this section the expression "**certificate of**

competency" means –

- (a) a certificate of competency as A.B. granted in pursuance of regulations made by the Minister under section five of the Merchant Shipping Act, 1948, before, on or after the commencement of this section, or
- (b) a certificate of competency as A.B. granted under any provision made by the law of any part of Her Majesty's dominions outside the United Kingdom for the grant of certificates of competency as A.B. and which by virtue of any Order in Council made by Her Majesty under the said section five before, on or after the commencement of this section has the same effect as if granted in pursuance of such regulations as aforesaid.

(3) A Superintendent of Customs or other officer duly authorised by the Minister before whom, at any time, a seaman is engaged in any British ship registered in the Bailiwick, shall refuse to enter the seaman as A.B. on the agreement with the crew unless the seaman produces a certificate of competency or such other proof that he is the holder of such a certificate as may appear to the Superintendent of Customs or other officer duly authorised by the Minister to be satisfactory."

Citation.

7. The principal Law may be cited as the Merchant Shipping (Guernsey) Law, 1915, and the principal Law, the Merchant Shipping (Wireless Telegraphy) French Ships Order, 1926, the Merchant Shipping (Guernsey) Order, 1927, the Order in Council of the tenth day of November, 1932, fixing January 1st, 1933, as the appointed day for the commencement of Parts I and II of the Merchant Shipping (Safety and Load Line Conventions) Act, 1932, the Order in Council of the fifteenth day of December, 1932, declaring that the Governments of certain countries have ratified the Load Line Convention, the Order in Council of the seventh day of February, 1933, declaring that the Governments of Iceland and Cuba have ratified the Load Line Convention, the Merchant Shipping Load Line Convention (Guernsey) Order, 1933, the Merchant Shipping Safety Convention (Guernsey) No. 1 Order, 1935, the Merchant Shipping Safety Convention (Guernsey) No. 2 Order, 1935, the Merchant Shipping (Helm Orders) Order, 1935, the Merchant Shipping Act, 1937, and this Law may be cited together as the Merchant Shipping (Guernsey) Laws, 1915 to 1953.

NOTE

The Law received Royal Sanction on 1st August, 1953 and was registered on the Records of the Island of Guernsey and came into force on 5th October, 1953.
