

ORDER IN COUNCIL

ratifying a Projet de Loi

ENTITLED

The Merchant Shipping (Guernsey) Law, 1970

(Registered on the Records of the Island of Guernsey
on the 16th day of June, 1970.)



1970.

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1970

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 16th day of June, 1970, before John Henry Loveridge, Esquire, C.B.E., Deputy Bailiff; present:—Bertram Guy Blampied, Esquire, O.B.E., Claude Fortescue Nason, Stanley Walter Gavey, Esquires, Gilbert Carey de Jersey, Esquire, C.B., Albert Victor Dorey, Esquire, Laurence Francis de Vic Carey, Esquire, C.B., C.B.E., William Burton Fox, Esquire, Edward James Lainé, Esquire, C.B.E., D.F.C., Edward Martel, Jean Le Pelley and Walter Francis Robin, Esquires, Jurats.

The Deputy Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 4th day of February, 1970, ratifying a *Projet de Loi* entitled "The Merchant Shipping (Guernsey) Law, 1970", the Court, after the reading of the said Order in Council and after having heard Her Majesty's Comptroller thereon, ordered that the said Order in Council be registered on the records of this Island and that an extract of this present Act, together with a copy of the said Order in Council, be sent by Her Majesty's Greffier to the Clerk of the Court of Alderney and to the Seneschal of Sark for registration on the records of those Islands respectively, of which Order in Council the tenor followeth:—

At the Court at Buckingham Palace

The 4th day of February 1970

PRESENT,

The Queen's Most Excellent Majesty

LORD PRESIDENT
LORD BROWN
MR SECRETARY THOMAS
MR SILKIN
MR MELLISH
MR DELL
SIR ARTHUR IRVINE
SIR LESLIE O'BRIEN

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 2nd day of January 1970, in the words following, viz.:—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 22nd day of February 1952, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—

‘1. That, in pursuance of their Resolution of the 27th day of October 1965, the States of Deliberation at a meeting held on the 30th day of July 1969, approved a Bill or “Projet de Loi” entitled “The Merchant Shipping (Guernsey) Law, 1970” which Bill is designed to apply to the Bailiwick of Guernsey, and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. 2. That the States of the Island of Alderney at a meeting held on

the 9th day of September 1969, considered the said Bill or "Projet de Loi" when a Resolution was passed agreeing to the application of the same to Alderney. 3. That the Chief Pleas of the Island of Sark at a meeting held on the 1st day of October 1969, considered the said Bill or "Projet de Loi" when a Resolution was passed agreeing to the application of the same to Sark. 4. That the said Bill or "Projet de Loi" is in the words and figures set forth in the Schedule hereunto annexed. And most humbly praying that Your Majesty might be graciously pleased to grant Your Royal Sanction to the Bill or "Projet de Loi" of the States of Guernsey entitled "The Merchant Shipping (Guernsey) Law, 1970" and to order that the same shall have force of law in the Bailiwick of Guernsey.'

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HER MAJESTY having taken the said Report into consideration is pleased, by and with the advice of Her Privy Council, to approve of and ratify the said Projet de Loi and to order, as it is hereby ordered, that the same shall have the force of Law within the Bailiwick of Guernsey.

AND HER MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed), be entered upon the Register of the Island of Guernsey and observed accordingly.

AND the Lieutenant-Governor and Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other Her Majesty's Officers for the time being in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

W. G. Agnew.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

The Merchant Shipping (Guernsey) Law, 1970

THE STATES, in pursuance of their Resolution of the twenty-seventh day of October, nineteen hundred and sixty-five, 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.

1. That part of the principal Law^(a) headed "DEFINITIONS" is hereby amended as follows, that is to say:—

Amend-
ments
to principal
Law.

- (a) the definition of the expression "the Minister" is hereby repealed and the following definition is hereby substituted therefor—

"The expression "the Board of Trade" means the Lords of the Committee for the time being of the Privy Council appointed for the consideration of matters relating to trade and foreign plantations.";

- (b) the definition of the expression "The Supervisor" is hereby repealed and the following definition is hereby substituted therefor—

"The expression "the Board" means the States Board of Administration."

(a) Ordres en Conseil Vol. V, p. 189; Vol. XV, p. 472.

Amend-
ments to
Order of
1935.

2. Subsection (1) of section thirty-eight of the First Schedule to the Order of 1935(b) is hereby amended as follows, that is to say:—

- (a) immediately after the definition of the expression “Act of 1915” there is hereby inserted the following additional definition—

““the Board” means the States Board of Administration;”;

- (b) the definition of the expression “the Minister” is hereby repealed and the following definition is hereby substituted therefor—

““the Board of Trade” means the Lords of the Committee for the time being of the Privy Council appointed for the consideration of matters of trade and foreign plantations;”;

- (c) the definition of the expression “the Supervisor” is hereby repealed.

Amend-
ments to
Law of
1915 and
Order of
1935.

3. In the principal Law and in the Order of 1935:—

- (a) for any reference to “the Minister” there is hereby substituted a reference to “the Board of Trade”;
- (b) for any reference to a “Ministry of Transport inspector” there is hereby substituted a reference to a “Board of Trade inspector”; and
- (c) for any reference to “the Supervisor” there is hereby substituted a reference to “the Board”.

(b) Ordres en Conseil Vol. X, p. 201; Vol. XV, p. 472.

4. Section two, section four and section five of the Merchant Shipping (Guernsey) Law, 1953(c), are hereby repealed. Repeals.

5. (1) In this Law, the following expressions have the meanings hereby respectively assigned to them, that is to say:— Interpretation.

“the principal Law” means the Law entitled
 “Loi relative à la Marine Marchande dans
 le Bailliage de l’Ile de Guernesey” registered
 on the sixth day of June, nineteen hundred
 and sixteen;

“the Order of 1935” means the Merchant Ship-
 ping Safety Convention (Guernsey) No. 1
 Order, 1935.

(2) Any reference in this Law to any other enactment shall be construed as including a reference to that enactment as amended, repealed and replaced, extended or applied by or under any other enactment including this Law.

6. This Law may be cited as the Merchant Shipping (Guernsey) Law, 1970, and this Law and the Merchant Shipping (Guernsey) Laws, 1915 to 1957, may be cited together as the Merchant Shipping (Guernsey) Laws, 1915 to 1970. Citation and collective title.

7. This Law shall come into force on such date as the States may by Ordinance appoint. Commencement.

R. H. VIDELO,

Her Majesty’s Greffier.