
 STATUTORY INSTRUMENTS

1966 No. 1186

CHANNEL ISLANDS

The Admiralty Jurisdiction (Guernsey) Order 1966

Made - - - - 20th September 1966

Coming into Operation 1st November 1966

At the Court at Balmoral, the 20th day of September 1966

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by section 56(1) of the Administration of Justice Act 1956(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. The provisions of Part I of the Administration of Justice Act 1956 shall extend to the Bailiwick of Guernsey subject to the exceptions, adaptations and modifications specified in the Schedule to this Order.

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

3. This Order may be cited as the Admiralty Jurisdiction (Guernsey) Order 1966 and shall come into operation on 1st November 1966.

W. G. Agnew.

SCHEDULE

EXCEPTIONS, ADAPTATIONS AND MODIFICATIONS IN PART I OF THE ADMINISTRATION OF JUSTICE ACT 1956 AS EXTENDED TO THE BAILIWICK OF GUERNSEY

1. Any reference to any provision of Part I of the Administration of Justice Act 1956 shall be construed as a reference to that provision as extended to the Bailiwick by this Order, and any reference in that Part to any other enactment shall be construed as a reference to that enactment as it has effect in the Bailiwick at the date of the making of this Order.

2.—(1) In the marginal note to section 1 for the words "the High Court" there shall be substituted the words "the appropriate Bailiwick court".

(2) In section 1(1)—

- (a) for the words “the High Court” where they first occur there shall be substituted the words “the appropriate Bailiwick court”;
- (b) in paragraph (s) the words “or for droits of Admiralty,” shall be omitted;
- (c) for the words from “which either was vested” to the end of the subsection there shall be substituted the words “in respect of ships or aircraft which was vested in the appropriate Bailiwick court immediately before the commencement of the Admiralty Jurisdiction (Guernsey) Order 1966”.

(3) In section 1(2) for the words “the High Court” there shall be substituted the words “the appropriate Bailiwick court”.

3. Section 2 shall be omitted.

4. In section 3—

- (a) in subsections (1), (3), (5), (6) and (7) for the words “the High Court, the Liverpool Court of Passage” there shall be substituted the words “the appropriate Bailiwick court”;
- (b) in subsection (2) for the words “the High Court” there shall be substituted the words “the appropriate Bailiwick court”;
- (c) in subsection (4) for the words “the High Court and (where there is such jurisdiction) the Admiralty jurisdiction of the Liverpool Court of Passage” there shall be substituted the words “the appropriate Bailiwick court”;
- (d) in subsection (8) for the words “England and Wales” there shall be substituted the words “the Bailiwick”.

5.—(1) In section 4(1)—

- (a) for the words “England and Wales” where they first occur there shall be substituted the words “any Island of the Bailiwick” and where they occur subsequently there shall be substituted the words “that Island”;
- (b) in paragraph (b) for the word “port” there shall be substituted the word “harbour”;
- (c) in the definition of the expression “inland waters” for the words “the United Kingdom” there shall be substituted the words “any of the Islands of the Bailiwick”;
- (d) after the said definition there shall be inserted the following definition:—
“Island” includes any dependency of an Island;’
- (e) for the definition of “port” there shall be substituted the following definition:—
“harbour” means—
 - (i) as respects the Island of Guernsey, the harbour of Saint Peter Port or the harbour of Saint Sampson as defined in the Harbour Dues (Saint Peter Port and Saint Sampson) Law 1957;
 - (ii) as respects the Island of Alderney, the area to the southward of a line drawn from the north eastern end of the submerged portion of the Alderney Breakwater to the Outer Grois Rock;
 - (iii) as respects the Island of Sark, Le Creux Harbour and the area within two hundred feet of the Jetty of La Maseline Harbour;’
- (f) the definition of “charges” shall be omitted.

(2) In section 4(2) for the words “England and Wales” where they first occur there shall be substituted the words “the Bailiwick” and for the words “in any court outside England and Wales” there shall be substituted the words “in any other court whether within or without the Bailiwick”.

(3) In section 4(5) for the words "the High Court" there shall be substituted the words "the appropriate Bailiwick court".

(4) Section 4(6) shall be omitted.

6. In section 6 and in the marginal note thereof for the words "England and Wales" there shall be substituted the words "the Bailiwick".

7. Section 7(1) and (2) shall be omitted.

8. In section 8(1)—

(a) before the definition of "ship" there shall be inserted the following definitions:—

“the Bailiwick” means the Bailiwick of Guernsey;

“the appropriate Bailiwick court” means—

(i) as respects the Islands of Guernsey, Herm and Jethou, the Royal Court sitting as an Ordinary Court;

(ii) as respects the Island of Alderney, the Court of Alderney;

(iii) as respects the Island of Sark, the Court of the Seneschal of Sark;’;

(b) for the definition of "collision regulations" there shall be substituted the following definition:—

“collision regulations” means regulations under section 418 of the Merchant Shipping Act 1894(a) or any enactment for the time being in force in any of the Islands of the Bailiwick relating to lights and signals to be carried, or the steps for avoiding collision to be taken, by vessels navigating within any harbour or the approaches thereto;’;

(c) after the definition of "master" there shall be inserted the following definition:—

“superintendent” has the same meaning as in the Merchant Shipping Act 1894;’.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order extends to the Bailiwick of Guernsey, with exceptions, adaptations and modifications, Part I of the Administration of Justice Act 1956 (Admiralty Jurisdiction and other Provisions as to Ships).