

1982 No. 1669
MERCHANT SHIPPING
The Prevention of Oil Pollution (Shipping Casualties) (Overseas Territories) Order 1982

<i>Made - - - -</i>	<i>24th November 1982</i>
<i>Laid before Parliament</i>	<i>2nd December 1982</i>
<i>Coming into Operation</i>	<i>31st December 1982</i>

At the Court at Buckingham Palace, the 24th day of November 1982

Present,
The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by section 16(1) of the Prevention of Oil Pollution Act 1971(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 Prevention of Oil Pollution (Shipping Casualties) (Overseas Territories) Order 1982 and shall come into operation on 31st December 1982.

2. Subject to the exceptions, adaptations and modifications in Article 3 of this Order, sections 12 to 15 of the Prevention of Oil Pollution Act 1971 as extended by the Prevention of Oil Pollution Act 1971 (Overseas Territories) Order 1982(b) to each of the territories, any one of which is in this Order referred to as “the Territory”, specified in the Schedule to this Order shall apply to a ship—

(a) which is not a ship registered in the Territory; and

(b) which is for the time being outside the territorial waters of the Territory;

in any case where the Governor, High Commissioner, Civil Commissioner or Administrator as the case may be is satisfied that there is a need to protect the coast of the Territory or the waters in or adjacent to the Territory up to the seaward limits of territorial waters against grave and imminent danger of oil pollution.

(a) 1971 c. 60.

(b) S.I. 1982/1668.

3. In respect of a ship to which the said sections 12 to 15 are applied by Article 2 of this Order the power conferred on the Governor, High Commissioner, Civil Commissioner or Administrator as the case may be by subsection (2) of section 12 to give directions shall only be exercisable in relation to—

(a) an individual who is a citizen of the United Kingdom and Colonies; or

(b) a body corporate which is established under the laws of the Territory and subsection (2) of section 14 shall only apply to such an individual or body corporate.

N. E. Leigh,
Clerk of the Privy Council.

SCHEDULE

Article 2

Anguilla

British Antarctic Territory

British Virgin Islands

Cayman Islands

Falkland Islands and Dependencies

Montserrat

Pitcairn, Henderson, Ducie and Oeno Islands

Saint Helena and Dependencies

Sovereign Base Areas of Akrotiri and Dhekelia

Turks and Caicos Islands

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order applies sections 12 to 15 of the Prevention of Oil Pollution Act 1971 as extended to the territories specified in the Schedule to ships not registered in the Territory and which are outside the territorial waters of the Territory. Section 12 enables the Governor, High Commissioner, Civil Commissioner or Administrator as the case may be to give directions, or take action, to prevent or reduce oil pollution or risk of oil pollution, which threatens the Territory on a large scale as a result of a shipping casualty. Section 13 enables persons unreasonably suffering loss or damage as a result of such directions or action to recover compensation.

Sections 12 to 15 only apply under this Order where the Governor etc. is satisfied that there is a grave and imminent danger of oil pollution from which the coast and waters of the Territory are to be protected. The power to give directions and the offence of obstruction only relate to individuals who are citizens of the United Kingdom and Colonies or bodies corporate established under the laws of the Territory.

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