

**1983 No. 1701****MERCHANT SHIPPING****The Merchant Shipping Act 1983 (Guernsey) Order 1983**

*Made* - - - - 18th November 1983

*Laid before Parliament* 28th November 1983

*Coming into Operation* 1st January 1984

At the Court of Saint James, the 18th day of November 1983

Present,

The Counsellors of State in Council

Whereas Her Majesty, in pursuance of the Regency Acts 1937 to 1953, was pleased, by Letters Patent dated the 3rd day of November 1983, to delegate to the six Counsellors of State therein named or any two or more of them full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval for anything for which Her Majesty's approval in Council is required:

Now, therefore, Her Majesty Queen Elizabeth The Queen Mother and His Royal Highness The Prince Charles, Prince of Wales, being authorised thereto by the said Letters Patent, and in pursuance of section 8(1) of the Merchant Shipping Act 1983(a), by and with the advice of Her Majesty's Privy Council do on Her Majesty's behalf order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Merchant Shipping Act 1983 (Guernsey) Order 1983 and shall come into operation on 1st January 1984.

2. In this Order, "Guernsey" means the Bailiwick of Guernsey and the territorial waters adjacent thereto.

3. It is hereby directed that section 5, section 9 so far as it relates to any ship registered under section 5, and sections 10 and 11 of, and the Schedule to, the Merchant Shipping Act 1983 shall extend to Guernsey with the exceptions, adaptations and modifications specified in the Schedule to this Order.

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

## SCHEDULE

## Article 3.

EXCEPTIONS, ADAPTATIONS AND MODIFICATIONS TO THE MERCHANT  
SHIPPING ACT 1983 AS EXTENDED TO GUERNSEY

1. Unless the contrary intention appears, any reference to an enactment shall be construed as a reference to that enactment as it has effect in Guernsey.
2. In section 5(1)—
  - (a) for the words “Secretary of State” there shall be substituted the words “States Board of Administration”;
  - (b) for the words “the United Kingdom” in the first place where they occur there shall be substituted the word “Guernsey”; and
  - (c) after the words “the United Kingdom” in the second place where they occur there shall be added the words “, Guernsey or the Bailiwick of Jersey”.
3. In section 5(3), for the words “the United Kingdom” there shall be substituted the word “Guernsey”.
4. In section 5(6), the words “determined with the approval of the Treasury” shall be omitted.
5. In section 5(9), for the definition of “fishing vessel” there shall be substituted the following definition:—

““fishing vessel” means a vessel which is for the time being used for or in connexion with sea fishing but does not include a vessel used for fishing otherwise than for profit”.
6. Sections 10(3) and 11(3) and (4) shall be omitted.
7. In paragraph 2 of the Schedule—
  - (a) in sub-paragraph (j), the words from “being fees” to the end of the sub-paragraph shall be omitted; and
  - (b) in sub-paragraph (k), for the words “Secretary of State” there shall be substituted the words “States Board of Administration”.
8. In paragraph 3 of the Schedule—
  - (a) in sub-paragraph (3), for all the words after “punishable” there shall be substituted the words “with a fine not exceeding £1,000”; and
  - (b) in sub-paragraph (4), for all the words after “punishable” there shall be substituted the words “with a fine not exceeding £200”.
9. In paragraph 4(2) of the Schedule, for the words “Secretary of State” there shall be substituted the words “States Board of Administration”.
10. In paragraph 5 of the Schedule, for the words “the United Kingdom” there shall be substituted the word “Guernsey”.

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order extends to the Bailiwick of Guernsey provisions of the Merchant Shipping Act 1983 with exceptions, adaptations and modifications. The provisions extended are principally those concerned with setting up a special register for small ships.

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