

1988 No. 1991

MERCHANT SHIPPING

MASTERS AND SEAMEN

**The Merchant Shipping (Certification of Deck Officers
and Marine Engineer Officers) (Guernsey) Order 1988**

Made - - - - 14th November 1988

Laid before Parliament 23rd November 1988

Coming into force 1st January 1989

At the Court at Buckingham Palace, the 14th day of November 1988

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of section 738 of the Merchant Shipping Act 1894(a), section 94 of the Merchant Shipping Act 1970(b) and section 47(1) of the Merchant Shipping Act 1979(c), 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 Merchant Shipping (Certification of Deck Officers and Marine Engineer Officers) (Guernsey) Order 1988 and shall come into force on 1st January 1989.

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

3. It is hereby directed that-

(a) subject to the exceptions, adaptations and modifications specified in Schedule 1 to this Order, the Merchant Shipping (Certification of Deck Officers) Regulations 1985(d), and

(b) subject to the exceptions, adaptations and modifications specified in Schedule 2 to this Order, the Merchant Shipping (Certification of Marine Engineer Officers and Licensing of Marine Engine Operators) Regulations 1986(e),

shall extend to Guernsey as part of the law there and shall apply to ships registered in Guernsey and to masters and seamen employed in them as they apply to ships registered in the United Kingdom and to masters and seamen employed in them.

(a) 1894 c.60.
(d) S.I. 1985/1306.

(b) 1970 c.36.
(e) S.I. 1986/1935.

(c) 1979 c.39.

4. The Merchant Shipping (Certification of Deck Officers and Marine Engineer Officers) (Guernsey) Order 1981(a) is hereby revoked.

G. I. de Deney
Clerk of the Privy Council

SCHEDULE 1

Article 3(a)

EXCEPTIONS, ADAPTATIONS AND MODIFICATIONS IN THE
EXTENSION OF THE MERCHANT SHIPPING (CERTIFICATION OF
DECK OFFICERS) REGULATIONS 1985 TO GUERNSEY AND TO SHIPS
REGISTERED THERE

1. Any reference to an Act of Parliament or to a provision of such an Act or to any instrument in force under such an Act shall, unless the contrary intention appears, be construed—
 - (a) if it extends to Guernsey, as a reference to it as it has effect in Guernsey;
 - (b) if it does not so extend, as a reference to it as it has effect in the United Kingdom.
2. In regulation 1(1), the words “and shall come into operation on 21st September 1985” shall be omitted.
3. In regulation 2(1)—
 - (a) in the definition of “GRT” and in the definition of “length”, for the words “Merchant Shipping (Tonnage) Regulations 1982”(b) there shall be substituted the words “Merchant Shipping (Tonnage) (Guernsey) Regulations 1988”; and
 - (b) at the end there shall be inserted the following definition:—

““United Kingdom ship” has the same meaning as in section 21(2) of the Merchant Shipping Act 1979(c).”.
4. In regulation 3(1), for sub-paragraph (b) there shall be substituted the following sub-paragraph:—

“(b) all other ships which carry passengers—

 - (i) between places in Guernsey or between Guernsey and the United Kingdom or the Isle of Man or the Bailiwick of Jersey; or
 - (ii) on a voyage which begins and ends at the same place in Guernsey and on which the ship calls at no place outside Guernsey.”.
5. In regulation 5(1), after the words “the United Kingdom” there shall be inserted the words “and Guernsey”.
6. In regulation 17(1), for the words “the United Kingdom” wherever they occur there shall be substituted the word “Guernsey”.

(a) S.I. 1981/1812.

(b) S.I. 1982/841.

(c) Section 21(2) is modified in its extension to Guernsey by the Merchant Shipping Act 1979 (Guernsey) Order 1981 (S.I. 1981/1810).

EXCEPTIONS, ADAPTATIONS AND MODIFICATIONS IN THE
EXTENSION OF THE MERCHANT SHIPPING (CERTIFICATION OF
MARINE ENGINEER OFFICERS AND LICENSING OF MARINE ENGINE
OPERATORS) REGULATIONS 1986 TO GUERNSEY AND TO SHIPS
REGISTERED THERE

1. Any reference to an Act of Parliament or to a provision of such an Act or to any instrument in force under such an Act shall, unless the contrary intention appears, be construed—
 - (a) if it extends to Guernsey, as a reference to it as it has effect in Guernsey;
 - (b) if it does not so extend, as a reference to it as it has effect in the United Kingdom.

2. In regulation 1(1), the words “and shall come into operation on 15th December 1986” shall be omitted.

3. In regulation 2(1)—
 - (a) in the definition of “GRT” and in the definition of “length”, for the words “Merchant Shipping (Tonnage) Regulations 1982” there shall be substituted the words “Merchant Shipping (Tonnage) (Guernsey) Regulations 1988”; and
 - (b) at the end there shall be inserted the following definition:—

“ “United Kingdom ship” has the same meaning as in section 21(2) of the Merchant Shipping Act 1979.”.

4. In regulation 3(1), for sub-paragraph (b) there shall be substituted the following sub-paragraph:—

“(b) all other ships which carry passengers—

 - (i) between places in Guernsey or between Guernsey and the United Kingdom or the Isle of Man or the Bailiwick of Jersey; or
 - (ii) on a voyage which begins and ends at the same place in Guernsey and on which the ship calls at no place outside Guernsey.”.

5. In regulation 6(2), after the words “the United Kingdom” there shall be inserted the words “and Guernsey”.

6. In regulation 14(2)(a), for the words “13th November 1986” there shall be substituted “14th November 1988”.

7. In regulation 19(1), for the words “the United Kingdom” wherever they occur there shall be substituted the word “Guernsey”.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes and replaces the Merchant Shipping (Certification of Deck Officers and Marine Engineer Officers) (Guernsey) Order 1981. Subject to the exceptions, adaptations and modifications specified in the Schedule thereto, the Order extends to the Bailiwick of Guernsey as part of its law, and applies to ships registered there and to masters and seamen employed in them, the Merchant Shipping (Certification of Deck Officers) Regulations 1985 and the Merchant Shipping (Certification of Marine Engineer Officers and Licensing of Marine Engine Operators) Regulations 1986.

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