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WELSH STATUTORY INSTRUMENTS

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**2011 No. 559**

**The Marine Licensing (Exempted  
Activities) (Wales) Order 2011**

**PART 3**

Activities to which article 4 (exemption from  
need for marine licence) applies, and conditions

**Rights of foreign vessels etc under international law**

**33.**—(1) Article 4 applies to an activity to the extent that it is carried on in exercise of a right under rules of international law, by or in relation to—

- (a) a third country vessel;
  - (b) a warship, naval auxiliary, other vessel or aircraft owned or operated by a State and used, for the time being, only on government non-commercial service (whether or not the warship, naval auxiliary or other vessel is a third country vessel).
- (2) In paragraph (1), “third country vessel” means a vessel which—
- (a) is flying the flag of, or is registered in, any State or territory (other than Gibraltar) which is not a member State; and
  - (b) is not registered in a member State.