



Jersey

L.40/2003

SHIPPING (AMENDMENT) (JERSEY) LAW 2003**Arrangement****Article**

1	Interpretation.....	459
2	Article 1 amended	459
3	Article 2 amended	459
4	Article 11 amended	460
5	“British connection” substituted for “Jersey connection”	460
6	Schedule 9 amended	460
7	Schedule 10 amended	461
8	Citation and commencement.....	461



Jersey

SHIPPING (AMENDMENT) (JERSEY) LAW 2003

A LAW to amend the Shipping (Jersey) Law 2002.¹

Adopted by the States

20th May 2003

Sanctioned by Order of Her Majesty in Council

8th October 2003

Registered by the Royal Court

7th November 2003

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following Law –

1 Interpretation

In this Law “the principal Law” means the Shipping (Jersey) Law 2002.²

2 Article 1 amended

In the principal Law in Article 1³ –

(a) before the definition “certificate” there shall be inserted the following definition –

“ ‘British connection’ has the meaning given in Article 10(1)(a);”;

(b) the definition “Jersey connection” shall be deleted; and

(c) before the definition “surveyor of ships” there shall be inserted the following definition –

“ ‘small ship’ means a ship that is less than 24 metres in length when its ‘length’ is determined in accordance with the Tonnage Regulations;”.

3 Article 2 amended

(1) In Article 2(1)(b)(i) of the principal Law⁴ there shall be substituted for the expression “British citizens” the expression “a person”.

- (2) Article 2(2) of the principal Law⁵ shall be repealed.

4 Article 11 amended

For Article 11(2)(a) of the principal Law⁶ there shall be substituted the following sub-paragraph –

- “(a) shall so constitute the register as to distinguish, in separate parts, registration of fishing vessels and registration of small ships, and may otherwise divide the register into parts so as to distinguish between classes or descriptions of ships;”.

5 “British connection” substituted for “Jersey connection”

- (1) In the provisions of the principal Law mentioned in paragraph (2) there shall be substituted for the expression “Jersey connection” the expression “British connection”.
- (2) Those provisions are –
- (a) the heading to Article 17;⁷
 - (b) Articles 10(1)(a) (where twice occurring), 12(2)(b), 12(3)(b), 13(1)(c), 13(1)(i), 13(2)(e), 17(1), 17(2) and 17(3);⁸ and
 - (c) in Schedule 1 to the principal Law, paragraphs 3(1), 3(2)(b), 4(1) (where twice occurring) and 5(1).⁹

6 Schedule 9 amended

Schedule 9 to the principal Law¹⁰ is amended by adding at the end the following heading and paragraph –

“Registration of ships

- 4.-(1) A ship that immediately before the commencement of Part 3 of this Law was on a register maintained in Jersey under the Merchant Shipping Acts 1894 to 1983 of the United Kingdom, as those Acts at that time applied to Jersey (in this paragraph referred to as “the 1894 to 1983 Acts”), is to be taken, on that commencement, to have been registered under Part 3 of this Law.
- (2) Likewise, if immediately before the commencement of Part 3 of this Law a mortgage was registered in Jersey on a ship in accordance with the 1894 to 1983 Acts, the mortgage is to be taken, on that commencement, to have been registered in accordance with this Law and, subject to sub-paragraph (3), shall have effect accordingly.
- (3) Paragraph 9 of Schedule 1 (which applies where two or more mortgages are registered in respect of the same ship) shall apply where sub-paragraph (2) has effect as if the mortgages had been registered on the date they were registered under the 1894 to 1983 Acts.

- (4) For the purposes of the Registration Regulations a ship to which sub-paragraph (1) applies is to be taken to have been registered on the date on which it was registered under the 1894 to 1983 Acts.
- (5) Despite sub-paragraph (1) –
 - (a) the Registrar may, in accordance with the Registrar’s powers to do so under this Law or the Registration Regulations, cancel the registration of a ship to which that sub-paragraph applies; and
 - (b) the Registrar shall cancel the registration of a ship to which sub-paragraph (1) applies if the ship is not owned to the prescribed extent by a person or persons qualified to own a Jersey ship.”.

7 Schedule 10 amended

Paragraph 3(2) of Schedule 10 to the principal Law¹¹ is repealed

8 Citation and commencement

- (1) This Law may be cited as the Shipping (Amendment) (Jersey) Law 2003.
- (2) This Law shall come into force on such day or days as the States may by Act appoint.
- (3) Different days may be appointed under paragraph (2) for different purposes or for different provisions of this Law.

M.N. DE LA HAYE

Greffier of the States.

¹ *Volume 2002, page 801.*

² *Volume 2002, page 801.*

³ *Volume 2002, page 815.*

⁴ *Volume 2002, page 820.*

⁵ *Volume 2002, page 821.*

⁶ *Volume 2002, page 827.*

⁷ *Volume 2002, page 835.*

⁸ *Volume 2002, pages 827, 829, 830, 831, 832 and 835.*

⁹ *Volume 2002, pages 1027 and 1028.*

¹⁰ *Volume 2002, page 1159.*

¹¹ *Volume 2002, page 1160.*