

Island of



Guernsey

Ordinance of the States

IV
2013

Made 30th January, 2013

Coming into Operation 4th February, 2013

The Merchant Shipping (Bailiwick of Guernsey) Law, 2002, (Commencement) Ordinance, 2013

The Merchant Shipping (Bailiwick of Guernsey) Law, 2002 (Commencement) Ordinance, 2013

THE STATES, on the representations of the Public Services Department, and in exercise of the powers conferred on them by sections 289 and 297 of the Merchant Shipping (Bailiwick of Guernsey) Law, 2002^a and all other powers enabling them in that behalf, hereby order:-

Commencement of Part III of, and paragraphs 1, 3 and 5 of Schedule 11 to, the Law.

1. Part III of, and paragraphs 1, 3 and 5 of Schedule 11 to, the Merchant Shipping (Bailiwick of Guernsey) Law, 2002 ("**the Law**") shall come into force on 4th February, 2013.

Commencement of certain repeals in Schedule 10 to the Law.

2. Section 296 of the Law shall come into force on 4th February, 2013 only to the extent necessary to give effect to the commencement of those paragraphs of Schedule 11 mentioned in section 1 above, and to the repeal of certain provisions listed in Schedule 10, as set out in the following tables -

(a) Acts of Parliament listed in Part I of Schedule 10

<i>Act of Parliament</i>	<i>Extent of repeal to be commenced</i>
Merchant Shipping Act 1894 ^b	Part II (excluding sections 251 – 258)
Merchant Shipping Act 1906 ^c	Part III, Part IV and sections 60 - 64

^a No. VIII of 2004; as amended by Ordres en Conseil Vol. XL, p. 15; Order in Council No. XIII of 2010; and Recueil d'Ordonnances Tome XXIX, p. 406.

^b An Act of Parliament (57 & 58 Vict. C. 60).

^c An Act of Parliament (6 Edw. 7 c. 48).

(b) Orders in Council listed in Part II of Schedule 10

<i>Order in Council</i>	<i>Extent of repeal to be commenced</i>
(o) Merchant Shipping Act 1970 (Guernsey) Order 1981 ^d	The whole Order
(p) Merchant Shipping Act 1979 (Guernsey) Order 1981 ^e	The whole Order

(c) Guernsey Enactments listed in Part III of Schedule 10

<i>Guernsey Enactment</i>	<i>Extent of repeal to be commenced</i>
Merchant Shipping (Guernsey) Law, 1915 ^f	Part I

Repeal of 1970 Ordinance.

3. The Passenger Vessels (Bailiwick of Guernsey) Ordinance^g, 1970 is repealed.

Extent.

4. This Ordinance has effect throughout the Bailiwick of Guernsey.

Savings.

5. (1) For the avoidance of doubt, sections 1 to 3 do not affect –

^d S.I. 1981/1809 (see Ordres en Conseil Vol. XXVII, p. 361).

^e S.I. 1981/1810 (see Ordres en Conseil Vol. XXVII, p. 364).

^f Ordres en Conseil Vol. V, p. 189.

^g Recueil d'Ordonnances Tome XVI, p. 516; as amended by Tome XIX, p. 268); Tome XXVI, p. 469; Tome XXIX, p. 406.

- (a) any right, privilege, obligation or liability incurred under the provisions listed there ("**the repealed provisions**"),
- (b) any penalty, forfeiture or punishment incurred in respect of any offence under the repealed provisions,
- (c) any investigation or legal proceeding in respect of any such liability, penalty, forfeiture or punishment,

and any such investigation or legal proceeding may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if this Ordinance had not been made.

(2) Any person who before the date of the commencement of this Ordinance is charged with an offence under the repealed provisions shall be proceeded against, tried and punished in respect of that offence as if this Ordinance had not been made.

Citation and commencement.

6. This Ordinance may be cited as the Merchant Shipping (Bailiwick of Guernsey) Law, 2002 (Commencement) Ordinance, 2013, and shall come into force on 4th February, 2013.

J.TORODE,
Her Majesty's Greffier.

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