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 STATUTORY INSTRUMENTS
 

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1977 No. 1241

## MERCHANT SHIPPING

**The Merchant Shipping Act 1974 (Guernsey) (Amendment)  
Order 1977**

*Made* - - - - - 26th July 1977  
*Laid before Parliament* 3rd August 1977  
*Coming into Operation* 1st September 1977

At the Court at Buckingham Palace, the 26th day of July 1977

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by section 20(1) of the Merchant Shipping Act 1974(a) and section 738(1) of the Merchant Shipping Act 1894(b) (read with section 23(1) of the Act of 1974), 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 Act 1974 (Guernsey) (Amendment) Order 1977 and shall come into operation on 1st September 1977.

2. In the Schedule to the Merchant Shipping Act 1974 (Guernsey) Order 1975(c) for paragraphs 5 and 6 there shall be substituted the following provisions:—

‘5. In section 2(9) for the definition of “company” and “group” there shall be substituted the following definitions:—

“company” means a company registered in pursuance of—

- (a) the Law of Guernsey entitled “Loi relative aux Sociétés Anonymes ou à Responsabilité Limitée” registered on the Records of the Island of Guernsey on the 21st day of March, 1908; or
- (b) the Law of Alderney entitled “Loi relative aux Sociétés Anonymes ou à Responsabilité Limitée” registered on the Records of the Island of Guernsey on the 22nd day of May, 1894

or a body incorporated under the Law of the United Kingdom or of any other country;

“group” in relation to companies, means a holding company and its subsidiaries as defined by section 154 of the Companies Act 1948, an Act of Parliament (or for companies in Northern Ireland section 148 of the Companies Act (Northern Ireland)

(a) 1974 c. 43.

(b) 1894 c. 60.

(c) S.I. 1975/2182 (1975 III, p. 8212).

1960 (an Act of the Parliament of Northern Ireland)) subject, in the case of a company incorporated in Guernsey or elsewhere outside the United Kingdom, to any necessary modifications of those definitions;

6. For section 2(10) there shall be substituted the following provision:—  
“(10) In this section “sea” does not include any waters on the landward side of the base-lines from which the territorial sea of the British Islands adjacent to Guernsey is measured.”’

*N. E. Leigh,*

Clerk of the Privy Council.

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#### EXPLANATORY NOTE

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

This Order amends the Merchant Shipping Act 1974 (Guernsey) Order 1975 which extended certain provisions of the Merchant Shipping Act 1974 to the Bailiwick of Guernsey with exceptions, adaptations and modifications specified in the Schedule to that Order.

It substitutes in the Schedule to the Order of 1975—

- (a) for paragraph 5 a new paragraph which redefines two expressions. “Company” is redefined to include a body incorporated otherwise than under the laws in force in the Bailiwick of Guernsey, whether under the law of the United Kingdom or of any other country. “Group” in relation to companies is redefined in terms which reflect the new definition of “company”;
- (b) for paragraph 6 a new paragraph omitting a textual transposition which had occurred in the Schedule to the Order of 1975.

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