

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

**THE MERCHANT SHIPPING (MISCELLANEOUS REPEALS, ETC.)
(BAILIWICK OF GUERNSEY) ORDINANCE, 2018**

The States are asked to decide:-

Whether they are of the opinion to approve the draft Ordinance entitled "The Merchant Shipping (Miscellaneous Repeals, etc.) (Bailiwick of Guernsey) Ordinance, 2018", and to direct that the same shall have effect as an Ordinance of the States.

This proposition has been submitted to Her Majesty's Procureur for advice on any legal or constitutional implications in accordance with Rule 4(1) of the Rules of Procedure of the States of Deliberation and their Committees.

EXPLANATORY MEMORANDUM

This Ordinance repeals the Passenger Vessels (Bailiwick of Guernsey) Ordinance, 1970, and the remaining parts of the Merchant Shipping (Guernsey) Law, 1915 that are still in force, and suspends the operational provisions of the Hired Boats and Passenger Boats (Guernsey) Law, 1989. The provisions repealed and suspended no longer reflect modern practice, and will be replaced by regulations made under the Merchant Shipping (Bailiwick of Guernsey) Law, 2002 and the implementation of a commercial vessels code, which will have effect under those regulations.

The Ordinance will have effect from 1 February 2019.

The Merchant Shipping (Miscellaneous Repeals, etc.) (Bailiwick of Guernsey) Ordinance, 2018

THE STATES, in pursuance of their Resolution of the 8th February, 2018^a, and in exercise of the powers conferred on them by sections 289, 296(1) and 297(2) of the Merchant Shipping (Bailiwick of Guernsey) Law, 2002^b, section 20 of the Hired Boats and Passenger Boats (Guernsey) Law, 1989^c, and all other powers enabling them in that behalf, hereby order:-

Repeal of Passenger Vessel Ordinance.

1. The Passenger Vessels (Bailiwick of Guernsey) Ordinance, 1970^d is repealed.

Repeal of Merchant Shipping (Guernsey) Law, 1915.

2. Section 296 of the Merchant Shipping (Bailiwick of Guernsey) Law, 2002 ("**the 2002 Law**") shall come into force on 1st February, 2019, only to the extent necessary to give effect to the repeal of the Merchant Shipping (Guernsey) Law, 1915^e listed in Part III of Schedule 10 to the 2002 Law.

^a Article VII of Billet d'État No. V of 2018.

^b Order in Council No. VIII of 2004; as amended by Order in Council No. I of 2000; No. XIII of 2010; No. VIII of 2015; Ordinance No. XXXIII of 2003; No. XXXV of 2009; No. LIV of 2012; and No. IX of 2016.

^c Ordres en Conseil Vol. XXXI, p. 256; as amended by Ordres en Conseil Vol. XXXI, p. 278; Ordinance No. XXXIII of 2003; and No. IX of 2016.

^d Recueil d'Ordonnances Tome XVI, p. 516; as amended by Recueil d'Ordonnances Tome XIX, p. 268; Tome XXVI, p. 469; and Ordinance No. XXXIII of 2003.

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

Suspension of certain provisions of Hired Boats Law.

3. Sections 1, 4, 5, 6, 9, 10 and 11 of the Hired Boats and Passenger Boats (Guernsey) Law, 1989 are suspended in respect of all boats.

Extent.

4. (1) Subject to subsection (2), this Ordinance has effect throughout the Bailiwick of Guernsey.

(2) Section 3 has effect in Guernsey, Herm and Jethou only.

Citation.

5. This Ordinance may be cited as the Merchant Shipping (Miscellaneous Repeals, etc.) (Bailiwick of Guernsey) Ordinance, 2018.

Commencement.

6. This Ordinance shall come into force on the 1st February, 2019.