

BILLET D'ÉTAT No. I, 2013

30th JANUARY 2013

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The Income Tax (Guernsey) (Approval of Agreement with Malta) Ordinance, 2013

THE STATES, in exercise of the powers conferred on them by section 75C of the Income Tax (Guernsey) Law, 1975, as amended^a, and all other powers enabling them in that behalf, hereby order:-

Approval of Agreements.

1. The agreement providing for the obtaining and exchanging of information in relation to tax made between the States of Guernsey and the Government of Malta, signed on the 12th March, 2012 is, pursuant to section 75C of the Income Tax (Guernsey) Law, 1975, as amended, hereby specified for the purposes of that Law.

Citation.

2. This Ordinance may be cited as the Income Tax (Guernsey) (Approval of Agreement with Malta) Ordinance, 2013.

Commencement.

3. This Ordinance shall come into force on the 30th January, 2013.

^a Ordres en Conseil Vol. XXV, p. 124; section 75C was inserted by section 5 of the Income Tax (Guernsey) (Amendment) Law, 2005 (Order in Council No. XVII of 2005).

The Civil Contingencies Law, 2012 (Commencement) (Bailiwick of Guernsey) Ordinance, 2013

THE STATES, in exercise of the powers conferred on them by sections 24 and 27(3) of the Civil Contingencies (Bailiwick of Guernsey) Law, 2012^a, and all other powers enabling them in that behalf, hereby order:-

Commencement of Law.

1. The Civil Contingencies (Bailiwick of Guernsey) Law, 2012 shall come into force on 4th February, 2013.

Interpretation.

2. (1) The Interpretation (Guernsey) Law, 1948^b applies to the interpretation of this Ordinance throughout the Bailiwick.

(2) Any reference in this Ordinance to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

Citation.

3. This Ordinance may be cited as the Civil Contingencies Law, 2012 (Commencement) (Bailiwick of Guernsey) Ordinance, 2013.

^a Order in Council No XIV of 2012.

^b Ordres en Conseil Vol. XIII, p. 355.

The Civil Contingencies Authority (Form of Oath and Affirmation) (Bailiwick of Guernsey) Ordinance, 2013

THE STATES, in exercise of the powers conferred on them by sections 23(6) and 24 of the Civil Contingencies (Bailiwick of Guernsey) Law, 2012, and all other powers enabling them in that behalf, hereby order:-

Form of oath or affirmation.

1. The oath or affirmation required to be taken by a permanent or temporary member of the Civil Contingencies Authority under the Civil Contingencies (Bailiwick of Guernsey) Law, 2012 is the oath or affirmation set out in the Schedule.

Interpretation.

2. (1) The Interpretation (Guernsey) Law, 1948^a applies to the interpretation of this Ordinance throughout the Bailiwick.

(2) Any reference in this Ordinance to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

Citation.

3. This Ordinance may be cited as the Civil Contingencies Authority (Form of Oath and Affirmation) (Bailiwick of Guernsey) Ordinance, 2013.

^a Ordres en Conseil Vol. XIII, p. 355.

Commencement.

4. This Ordinance shall come into force on 4th February, 2013.

SCHEDULE

Section 1.FORM OF OATH OR AFFIRMATION FOR MEMBERS OF THE CIVIL
CONTINGENCIES AUTHORITY

"You swear and promise on the faith and truth that you owe to God [or "*You promise*"] that you will impartially and to the best of your ability execute the duties of member of the Civil Contingencies Authority.

That you will exercise the powers entrusted to you under the Civil Contingencies (Bailiwick of Guernsey) Law, 2012 and as a member of the Civil Contingencies Authority only as appears necessary to you for the due execution of your duties.

That you will not disclose any document or information available to you under the Civil Contingencies (Bailiwick of Guernsey) Law, 2012 or as a member of the Civil Contingencies Authority, except in the performance of your duties, or to persons who have also taken an oath or affirmation under that Law, or for the purposes of a prosecution for an offence arising under that Law (or any order or regulation made under it), or in any other case required by law."

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.