

STATES OF JERSEY

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DRAFT BOATS AND SURF-RIDING (CONTROL) (AMENDMENT No. 26) (JERSEY) REGULATIONS 200

Lodged au Greffe on 20th April 2004
by Harbours and Airport Committee

STATES GREFFE



Jersey

DRAFT BOATS AND SURF-RIDING (CONTROL) (AMENDMENT No. 26) (JERSEY) REGULATIONS 200

Report

The current Regulations make certain references to enactments that will be repealed on the coming into force of the Shipping (Jersey) Law 2002. To correct these matters three changes are recommended as follows –

Regulation 2 will remove the reference to the Merchant Shipping (Jersey) Act 1916 and the definition therein of a passenger steamer.

Regulation 3 replaces the phrase “passenger steamer” with the more correct “passenger ship.” The old terminology links with the definition in the 1916 Act and is now defunct.

Regulation 4 removes the reference to the Merchant Shipping Act 1894. It also corrects the anomaly whereby a boat formally registered in Jersey as a British ship could avoid the insurance requirements imposed by the local regulations.

The Committee recognises that, small as they may be, these changes are important to ensure the consistency and effectiveness of Jersey maritime legislation.

These Draft Regulations have no implications for the financial or manpower resources of the States.

Explanatory Note

These Regulations amend the Boats and Surf-Riding (Control) (Jersey) Regulations 1969 to take account of the Shipping (Jersey) Law 2002.



Jersey

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Arrangement

Regulation

- 1 Interpretation
- 2 Regulation 19 amended
- 3 Regulation 21 amended
- 4 Regulation 26 amended
- 5 Citation and commencement



Jersey

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Made

[date to be inserted]

Coming into force

in accordance with Regulation 5(2)

THE STATES, in exercise of the powers conferred upon them by the Order in Council of 26th December 1851,^[1] Article 49 of the Road Traffic (Jersey) Law 1956^[2] and Article 4 of the Harbours (Administration) (Jersey) Law 1961,^[3] have made the following Regulations –

1 Interpretation

In these Regulations “principal Regulations” means the Boats and Surf-Riding (Control) (Jersey) Regulations 1969^[4]

2 Regulation 19 amended

Regulation 19 of the principal Regulations is amended by omitting the definition of “passenger boat” and substituting the following definition –

“ ‘passenger boat’ means a boat designed to carry more than 12 passengers;”.

3 Regulation 21 amended

In Regulation 21 of the principal Regulations for “passenger steamer’s certificate” there shall be substituted “passenger ship’s certificate”.

4 Regulation 26 amended

Regulation 26(1) of the principal Regulations is amended by omitting the definition of “speed boat” and substituting the following definition –

“speed boat” means a vessel which –

- (a) is mechanically propelled;
- (b) is under 30 feet in overall length; and
- (c) is designed for or capable of travelling on the sea at a speed in excess of 12 knots.”

5 Citation and commencement

- (1) These Regulations may be cited as the Boats and Surf-Riding (Control) (Amendment No. 26) (Jersey) Regulations 200.

(2) They shall come into force on the same day as the Shipping (Jersey) Law 2002.

[1] *Recueil des Lois. Tomes I–III. page 196.*

[2] *Recueil des Lois. Volume 1951–1960. page 636.*

[3] *Recueil des Lois, Volume 1961-1962, page 165, Volume 1998, page 424, Volume 2000, page 865 and Volume 2002, page 492.*

[4] *Nos. 5239, 5550, 5634, 6352, 7268, 7649, 7688, 8312, 8674, 9049, 9417, 3/2002, 113/2002, 174/2002 and 152/2003.*