

2019 No. 1109

MERCHANT SHIPPING

**The Merchant Shipping (Falkland Islands) (Amendment) Order
2019**

Made - - - - - *10th July 2019*

Laid before Parliament *17th July 2019*

Coming into force in accordance with article 1

At the Court at Buckingham Palace, the 10th day of July 2019

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred by section 315(3) of the Merchant Shipping Act 1995(a), is pleased by and with the advice of Her Privy Council, to order as follows:

Citation and commencement

1. This Order may be cited as the Merchant Shipping (Falkland Islands) (Amendment) Order 2019 and comes into force on the same day as the Falkland Islands Maritime Ordinance 2017(b) comes into force.

Amendment of secondary legislation

2. The Schedule (instruments to be amended) has effect.

Revocation

3. The following instruments are revoked—

- (a) The Merchant Shipping (Confirmation of Legislation) (Falkland Islands) Order 1987(c).
- (b) The Merchant Shipping (Confirmation of Legislation) (Falkland Islands) Order 1989(d).
- (c) The Merchant Shipping (Confirmation of Legislation) (Falkland Islands) Order 1992(e).
- (d) The Merchant Shipping (Confirmation of Legislation) (Falkland Islands) Order 2003(f).

(a) 1995 c.21.

(b) The Maritime Ordinance 2017 (No. 20 of 2017), was enacted by the Legislature of the Falkland Islands and was confirmed by article 2 of S.I. 2018/1159.

(c) S.I. 1987/1827.

(d) S.I. 1989/845.

(e) S.I. 1992/1717.

(f) S.I. 2003/1877.

SCHEDULE

Article 2

Instruments to be amended

Amendment of the Shipowners' Liability (Colonial Territories) Order in Council 1963

1. In the Shipowners' Liability (Colonial Territories) Order in Council 1963(a), in Schedule 1 omit "Falklands Islands and Dependencies" and insert "South Georgia and the South Sandwich Islands" after "Saint Helena and Dependencies".

Amendment of the Merchant Shipping (Tonnage) (Overseas Territories) Order 1971

2. In the Merchant Shipping (Tonnage) (Overseas Territories) Order 1971(b), in Schedule 2, omit "Falklands Islands (Colony and Dependencies)".

Amendment of the Merchant Shipping Act 1979 (Falkland Islands) Order 1980

3. In the Merchant Shipping Act 1979 (Falkland Islands) Order 1980(c), in article 4, for "the Falkland Islands and its Dependencies" substitute "South Georgia and the South Sandwich Islands".

Amendment of the Prevention of Oil Pollution (Shipping Casualties) (Overseas Territories) Order 1982

4. In the Prevention of Oil Pollution (Shipping Casualties) (Overseas Territories) Order 1982(d), in the Schedule, omit "Falkland Islands and Dependencies" and insert "South Georgia and the South Sandwich Islands" after "Pitcairn, Henderson, Ducie and Oeno Islands".

Amendment of the Merchant (Tonnage) (Overseas Territories) Order 1988

5. In the Merchant (Tonnage) (Overseas Territories) Order 1988(e), in Schedule 1, omit "Falkland Islands".

Amendment of the Merchant Shipping Act 1970 (Overseas Territories) Order 1988

6.—(1) The Merchant Shipping Act 1970 (Overseas Territories) Order 1988(f) is amended as follows.

- (2) In paragraph 14 of Schedule 1, omit the column headed "Falkland Islands"
- (3) In Schedule 2 omit "Falkland Islands".

(a) S.I. 1963/1632.
(b) S.I. 1971/383 (1971 1, p. 1175)
(c) S.I.1980/1513, amended by S.I.1981/424.
(d) S.I.1982/1669.
(e) S.I. 1988/1085.
(f) S.I. 1988/1086.

Amendment of the Merchant Shipping Act 1979 (Overseas Territories) Order 1989

7. In the Merchant Shipping Act 1979 (Overseas Territories) Order 1989(a), in Schedule 1 (territories) omit “Falkland Islands”.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends and revokes legislation which has been applied to the Falkland Islands through Orders in Council. The Order is being made because the Falkland Islands Government are bringing into force new legislation, the Falkland Islands Maritime Ordinance 2017 (“Maritime Ordinance”), to replace the provisions being revoked in article 3. The amendments being made by the provisions in the Schedule will ensure that the existing legislation will continue to apply to South Georgia and the South Sandwich Islands. The Order will come into force at the same time as the Maritime Ordinance.

The Maritime Ordinance can be accessed on the Falkland Islands Statute Law Database at <https://www.legislation.gov.fk> or on request from the Maritime & Coastguard Agency of Spring Place, 105 Commercial Road, Southampton SO15 1EG.

An impact assessment has not been produced for this instrument as no, or no significant impact on the private, voluntary or public sector is foreseen. An Explanatory Memorandum has been produced for this instrument and is published alongside this instrument at www.legislation.gov.uk.

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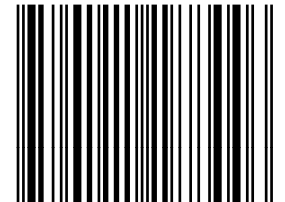
(a) S.I. 1989/2400.

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