



Jersey

**TERRITORIAL SEA ACT 1987 (JERSEY)  
ORDER 1997**

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**APPENDIX**



Jersey

# **TERRITORIAL SEA ACT 1987 (JERSEY) ORDER 1997**

**Jersey Order in Council 8/1997**

**THE TERRITORIAL SEA ACT 1987 (JERSEY) ORDER 1997**

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*(Registered on the 14th day of March 1997)*

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**At the Court at Buckingham Palace**

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12th February 1997

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**PRESENT**

**The Queen's Most Excellent Majesty in Council**

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**HER MAJESTY**, in exercise of the powers conferred upon Her by section 4(4) of the Territorial Sea Act 1987, is pleased, by and with the advice of the Her Privy Council, to order, and it is hereby ordered, as follows –

- 1.** This Order may be cited as the Territorial Sea Act 1987 (Jersey) Order 1997 and shall come into force on 31st March 1997.
- 2.** The Territorial Sea Act 1987 shall extend to the Bailiwick of Jersey with the exceptions, adaptations and modifications specified in the Schedule to this Order.

**N.H. NICHOLLS**

*Clerk of the Privy Council.*

*SCHEDULE*

(Article 2)

**EXCEPTIONS, ADAPTATIONS AND MODIFICATIONS IN THE EXTENSION OF THE TERRITORIAL  
SEA ACT 1987 TO THE BAILIWICK OF JERSEY**

1. Any reference to an enactment shall be construed, unless the contrary intention appears, as a reference to it as it has effect in the Bailiwick of Jersey.

2. In section 1 –

(a) in subsections (1)(a), (2), (5) and (6), for “United Kingdom” there shall be substituted “Bailiwick of Jersey”;

(b) in subsection (1) there shall be added at the end the following provisions –

“Provided that –

(i) the seaward limit of the territorial sea adjacent to the Bailiwick of Jersey between Point 1 and Point 13 indicated in Schedule 3 to this Act shall consist of a series of straight lines joining, in the sequence given, Points 1 to 13 indicated in Schedule 3 to this Act; and

(ii) the seaward limit of the territorial sea adjacent to the Bailiwick of Jersey shall be the median line where the baselines from which the breadth of the territorial sea adjacent to the Bailiwick of Jersey is measured are less than 24 nautical miles from the baselines from which the breadth of the territorial sea adjacent to the French Republic is measured.”;

(c) in subsection (3), for “Secretary of State” there shall be substituted “Lieutenant Governor”;

(d) in subsections (4) and (5), for “coming into force of this section” there shall be substituted “extension of this section to the Bailiwick of Jersey”;

(e) in subsections (5) and (6), after “enactment” there shall be inserted “contained in an Act of Parliament”;

(f) in subsection (7) there shall be inserted after “In this section”, “and in Schedule 3 to this Act –

(a) “median line” is a line every point of which is equidistant from the nearest points of the baselines from which the breadth of the territorial sea adjacent to the Bailiwick of Jersey and the French Republic respectively is measured;  
(b)”,

and there shall be added at the end of the subsection:

“(c) “straight line” means a loxodromic line; and

(d) all positions given by means of co-ordinates are defined on European Datum (1st adjustment 1950)”.

3. For section 2 there shall be substituted the following section –

**“2. Enactments and provisions not affected**

Nothing in section 1 above, or in any Order in Council made under that section, shall affect the operation of any enactment contained in an Act of Parliament, or any provision made under such an enactment, which relates to sea fisheries and which is passed or made before the extension of section 1 above to the Bailiwick of Jersey or the date on which such Order comes into force.”.

4. In section 3, subsections (1) to (3) shall be omitted.

5. In section 4, subsections (2) to (4) shall be omitted.

6. Schedule 1 shall be omitted.

7. In Schedule 2, the entries relating to the Customs and Excise Management Act 1979 and the Alcoholic Liquor Duties Act 1979 shall be omitted.

8. At the end of Schedule 2 there shall be added –

*“SCHEDULE 3*

*(Section 1(1)(i))*

**LIST OF POINTS**

<b>Point</b>	<b>Position of Point</b>	
1	49°13'15"N	02°33'33"W
2	49°14'55"N	02°31'21"W
3	49°16'34"N	02°28'53"W
4	49°18'30"N	02°22'03"W
5	49°18'53"N	02°20'56"W
6	49°20'16"N	02°18'41"W
7	49°21'20"N	02°16'54"W
8	49°22'19"N	02°15'02"W
9	49°22'23"N	02°14'57"W
10	49°23'01"N	02°13'43"W
11	49°24'26"N	02°10'17"W
12	49°25'24"N	02°08'00"W
13	49°27'38"N	02°05'51"W

”.

**ELIZABETH II**



**TERRITORIAL SEA ACT 1987**

**1987 CHAPTER 49**

**AN ACT** to provide for the extent of the territorial sea adjacent to the British Islands.

[15th May 1987]

**BE IT ENACTED** by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows<sup>2</sup> –

**Extension of territorial sea**

**1.-(1)** Subject to the provisions of this Act –

- (a) the breadth of the territorial sea adjacent to the [Bailiwick of Jersey] shall for all purposes be 12 nautical miles; and
- (b) the baselines from which the breadth of that territorial sea is to be measured shall for all purposes be those established by Her Majesty by Order in Council.

[Provided that –

- (i) the seaward limit of the territorial sea adjacent to the Bailiwick of Jersey between Point 1 and Point 13 indicated in Schedule 3 to this Act shall consist of a series of straight lines joining, in the sequence given, Points 1 to 13 indicated in Schedule 3 to this Act; and
- (ii) the seaward limit of the territorial sea adjacent to the Bailiwick of Jersey shall be the median line where the baselines from which the breadth of the territorial sea adjacent to the Bailiwick of Jersey is measured are less than 24 nautical miles from the baselines from which the breadth of the territorial sea adjacent to the French Republic is measured.]

(2) Her Majesty may, for the purpose of implementing any international agreement or otherwise, by Order in Council provide that any part of the territorial sea adjacent to the [Bailiwick of Jersey] shall extend to such line other than that provided for by subsection (1) above as may be specified in the Order.

(3) In any legal proceedings a certificate issued by or under the authority of the [Lieutenant Governor] stating the location of any baseline established under subsection (1) above shall be conclusive of what is stated in the certificate.

(4) As from the [extension of this section to the Bailiwick of Jersey] the Territorial Waters Order in Council 1964 and the Territorial Waters (Amendment) Order in Council 1979 shall have effect for all purposes as if they were Orders in Council made by virtue of subsection (1)(b) above; and subsection (5) below shall apply to those Orders as it applies to any other instrument.

(5) Subject to the provisions of this Act, any enactment [contained in an Act of Parliament] or instrument which (whether passed or made before or after the [extension of this section to the Bailiwick of Jersey] contains a reference (however worded) to the territorial sea adjacent to, or to any part of, the [Bailiwick of Jersey] shall be construed in accordance with this section and with any provision made, or having effect as if made, under this section.

(6) Without prejudice to the operation of subsection (5) above in relation to a reference to the baselines from which the breadth of the territorial sea adjacent to the [Bailiwick of Jersey] is measured, nothing in that subsection shall require any reference in any enactment [contained in an Act of Parliament] or instrument to a specified distance to be construed as a reference to a distance equal to the breadth of that territorial sea.

(7) In this section [and in Schedule 3 to this Act –

(a) “median line” is a line every point of which is equidistant from the nearest points of the baselines from which the breadth of the territorial sea adjacent to the Bailiwick of Jersey and the French Republic respectively is measured;

(b)] “nautical miles” means international nautical miles of 1,852 metres;

[(c) “straight line” means a loxodromic line; and

(d) all positions given by means of co-ordinates are defined on European Datum (1st adjustment 1950).]

#### **[Enactments and provisions not affected**

2. Nothing in section 1 above, or in any Order in Council made under that section, shall affect the operation of any enactment contained in an Act of Parliament, or any provision made under such an enactment, which relates to sea fisheries and which is passed or made before the extension of section 1 above to the Bailiwick of Jersey or the date on which such Order comes into force.]

#### **Amendments and repeals**

3.-(1) \* \* \* \* \*

(2) \* \* \* \* \*

(3) \* \* \* \* \*

(4) The enactments mentioned in Schedule 2 to this Act are hereby repealed to the extent specified in the third column of that Schedule.

#### **Short title, commencement and extent**

4.-(1) This Act may be cited as the Territorial Sea Act 1987.

(2) \* \* \* \* \*

(3) This Act extends to Northern Ireland.

(4) \* \* \* \* \*

*SCHEDULES*

*SCHEDULE 1*

\* \* \* \* \*



*SCHEDULE 2*

## (Section 3)

**Repeals**

<b>Chapter</b>	<b>Short title</b>	<b>Extent of repeal</b>
41 & 42 Vict c 73	The Territorial Waters Jurisdiction Act 1878	In section 7, the definition of “the territorial waters of Her Majesty’s dominions”, including the words from “and for the purpose of any offence” to “the territorial waters of Her Majesty’s dominions”.
1967 c 41	The Marine, &c, Broadcasting Offences Act 1967 <sup>3</sup>	Section 9(2)
1967 c 72	The Wireless Telegraphy Act 1967 <sup>4</sup>	Section 9(1)
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*[SCHEDULE 3***(Section 1(1)(i))****LIST OF POINTS**

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12	49°25'24"N	02°08'00"W
13	49°27'38"N	02°05'51"W .]

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<sup>2</sup> Deletions and words in square brackets indicate adaptations and modifications made by the Territorial Sea Act 1987 (Jersey) Order 1997.

<sup>3</sup> Volume 1966–1967, page 746.

<sup>4</sup> Volume 1968–1969, page 30.