



Jersey

SHIPPING (IMO CONVENTIONS) (JERSEY) AMENDMENT LAW 202-

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SHIPPING (IMO CONVENTIONS) (JERSEY) AMENDMENT LAW 202-

A LAW to amend the [Shipping \(Jersey\) Law 2002](#), the [Shipping \(Oil Pollution\) \(Liability and Compensation\) \(Jersey\) Law 2015](#) and the [Employment \(Jersey\) Law 2003](#) in relation to the implementation of International Maritime Organization conventions, and for connected purposes.

<i>Adopted by the States</i>	<i>26 March 2026</i>
<i>Sanctioned by Order of His Majesty in Council</i>	<i>[date to be inserted]</i>
<i>Registered by the Royal Court</i>	<i>[date to be inserted]</i>
<i>Coming into force</i>	<i>[date to be inserted]</i>

THE STATES, subject to the sanction of His Most Excellent Majesty in Council, have adopted the following Law –

PART 1

SHIPPING (JERSEY) LAW 2002 AMENDED

1 Shipping (Jersey) Law 2002 amended

This Part amends the [Shipping \(Jersey\) Law 2002](#).

2 **Article 117 (power to give effect to Convention) amended**

For Article 117(1) there is substituted –

- (1) The States may by Regulations –
 - (a) give effect to –
 - (i) the Convention on or after its ratification by the United Kingdom; and
 - (ii) a revision of the Convention –
 - (A) that appears to the Minister to have been agreed to by the Government of the United Kingdom; and
 - (B) if the Convention is amended by a procedure for tacit acceptance of revisions (the “tacit acceptance procedure”),

that appears to the Minister to have been recognised by the Government of the United Kingdom as having effect (regardless of whether the Government of the United Kingdom objected to that revision under the tacit acceptance procedure); and

- (b) provide that, if the Convention is replaced by another international agreement, a reference to it in the Regulations is construed as a reference to that other international agreement.
- (1A) If Regulations make provision in exercise of the power in paragraph (1), they may make provision about when the revision, or other international agreement, is treated as having effect in Jersey.
- (1B) For the purposes of paragraphs (1) and (1A), “international agreement” means an international convention or treaty issued by the International Maritime Organization that has been ratified by the United Kingdom on behalf of Jersey, or an agreement made under such a convention or treaty.

3 Article 186 (functions of Minister in relation to marine pollution) amended

In Article 186(6) –

- (a) for the definition “offshore installation” there is substituted –
“offshore installation” has the meaning given in regulation 3 of the Offshore Installations and Pipeline Works (Management and Administration) Regulations 1995 of the United Kingdom (S.I. 1995/738);
- (b) for the definition “pipeline” there is substituted –
“pipeline” has the meaning given in article 6(2) of the Health and Safety at Work etc. Act 1974 (Application outside Great Britain) Order 2013 of the United Kingdom (S.I. 2013/240), but excluding the words “but not including a pipeline of which no initial or terminal point is situated in the United Kingdom, within the territorial sea adjacent to the United Kingdom, or within a designated area”;

4 Article 196 (general provisions relating to the making of subordinate legislation) amended

In Article 196 –

- (a) after paragraph (1) there is inserted –
 - (1A) If Regulations make provision in exercise of the power in paragraph (1)(a), they may make provision for the application of the instrument as it has effect in the United Kingdom from time to time.
 - (1B) The States may by Regulations provide that if an Order makes provision in exercise of the power in paragraph (1)(a), it may make provision for the application of the instrument as it has effect in the United Kingdom from time to time.
- (b) after paragraph (3) there is inserted –
 - (4) The States may by Regulations provide for the Minister to have a power or duty to make, by Order, any provision that the States may make by Regulations under this Law (other than provision that may be made by Regulations under paragraph (1A) or (1B) or this paragraph).

5 Article 196A (implementation of international agreements) inserted

After Article 196 there is inserted –

196A Implementation of international agreements

- (1) In this Article, “international agreement” means an international convention or treaty issued by the International Maritime Organization that has been ratified by the United Kingdom on behalf of Jersey, or an agreement made under such a convention or treaty.
- (2) The States may by Regulations make provision that appears to them to be necessary or expedient for the purposes of –
 - (a) implementing an international agreement; and
 - (b) dealing with matters arising out of or related to an international agreement.
- (3) Regulations under paragraph (2) may amend any enactment and make any other provision that may be made by a Law.
- (4) Paragraph (5) applies if Regulations or an Order made under this Law (“subordinate legislation”) give effect to, or otherwise refer to, an international agreement.
- (5) The subordinate legislation may –
 - (a) refer to the international agreement as amended –
 - (i) by any revision that appears to the Minister to have been agreed to by the Government of the United Kingdom; and
 - (ii) if the international agreement may be amended by a procedure for tacit acceptance of revisions (the “tacit acceptance procedure”), by any revision that appears to the Minister to have been recognised by the Government of the United Kingdom as having effect (regardless of whether the Government of the United Kingdom objected to that revision under the tacit acceptance procedure); and
 - (b) provide that, if the international agreement is replaced by another international agreement, a reference to it in that subordinate legislation is construed as a reference to that other international agreement.
- (6) If subordinate legislation makes provision in exercise of the power in paragraph (5), it may make provision about when the revision, or other international agreement, is treated as having effect in Jersey.
- (7) Nothing in this Law affects the duties of the Minister under the Treaties (Jersey) Law 202-.

6 Article 201 (repeals, consequential amendments, transitional and savings provisions) amended

For Article 201(3) there is substituted –

- (3) Article 5 of the [Legislation \(Jersey\) Law 2021](#) applies to an Act or subordinate legislation of the United Kingdom that applies to Jersey, by virtue of its own provision or by Order in Council and of being registered in the Royal Court, as it applies to Jersey legislation.

PART 2**SHIPPING (OIL POLLUTION) (LIABILITY AND COMPENSATION) (JERSEY) LAW 2015**
AMENDED**7 Article 35 (Regulations) of Shipping (Oil Pollution) (Liability and Compensation) (Jersey) Law 2015 substituted**

For Article 35 of the Shipping (Oil Pollution) (Liability and Compensation) (Jersey) Law 2015 there is substituted –

35 Implementation of international agreements

- (1) In this Article, “international agreement” means –
 - (a) the Fund Convention;
 - (b) the Liability Convention;
 - (c) the Supplementary Fund Protocol;
 - (d) the International Convention on Tonnage Measurement of Ships 1969; and
 - (e) any other international convention or treaty issued by the International Maritime Organization that has been ratified by the United Kingdom on behalf of Jersey, or an agreement made under such a convention or treaty.
- (2) The States may by Regulations make provision that appears to them to be necessary or expedient for the purposes of –
 - (a) implementing an international agreement; and
 - (b) dealing with matters arising out of or related to an international agreement.
- (3) Regulations under paragraph (2) may amend any enactment and make any other provision that may be made by a Law.
- (4) Regulations under paragraph (2) may in particular amend this Law to provide that –
 - (a) a reference in this Law, or in Regulations or an Order made under it, to an international agreement –
 - (i) is to that international agreement as amended –
 - (A) by any revision that appears to the Minister to have been agreed to by the Government of the United Kingdom; and
 - (B) if the international agreement may be amended by a procedure for tacit acceptance of revisions (the “tacit acceptance procedure”), by any revision that appears to the Minister to have been recognised by the Government of the United Kingdom as having effect (regardless of whether the Government of the United Kingdom objected to that revision under the tacit acceptance procedure); and
 - (ii) if that international agreement is replaced by another international agreement, is construed as a reference to that other international agreement; and

- (b) Regulations or an Order made under this Law may make reference to an international agreement as described in sub-paragraph (a).
- (5) If Regulations or an Order make provision as described in paragraph (4), they may make provision about when the revision, or other international agreement, is treated as having effect in Jersey.
- (6) Nothing in this Law affects the duties of the Minister under the Treaties (Jersey) Law 202-.

PART 3

EMPLOYMENT (JERSEY) LAW 2003 AMENDED

8 Article 10 (rest period) of Employment (Jersey) Law 2003 amended

After Article 10(5) of the Employment (Jersey) Law 2003 there is inserted –

- (5A) But if Article 34 (fitness for duty) of the Shipping (Standards of Training, Certification and Watchkeeping) (Jersey) Order 2021 (the “2021 Order”) applies to an employee –
 - (a) paragraphs (1) to (2B) and (3) to (5) do not apply in relation to the employee; and
 - (b) paragraph (2C) applies in relation to the employee with the following modifications –
 - (i) for “the entitlement conferred by paragraph (1) or (2)” there is substituted “the entitlement conferred by Article 34 of the 2021 Order”; and
 - (ii) for “in accordance with paragraph (2B)” there is substituted “in accordance with Article 34(9) of the 2021 Order”.

PART 4

CITATION AND COMMENCEMENT

9 Citation and commencement

This Law may be cited as the Shipping (IMO Conventions) (Jersey) Amendment Law 202- and comes into force on a day to be specified by the Minister for Sustainable Economic Development by Order.