STATUTORY INSTRUMENTS

1964 No. 930

CONTINENTAL SHELF

The Continental Shelf (Jurisdiction) Order 1964

Made - - - -	*23rd June* 1964
Laid before Parliament	*29th June* 1964
Coming into Operation	*1st July* 1964

At the Court at Buckingham Palace, the 23rd day of June 1964

Present,

The Queen's Most Excellent Majesty in Council

Whereas by the Continental Shelf (Designation of Areas) Order 1964(a) an area was designated outside the territorial waters of the United Kingdom in which the rights of the United Kingdom with respect to the sea bed and subsoil and their natural resources might be exercised;

And Whereas it is desirable that provision should be made for the determination of questions arising out of acts or omissions taking place in that area, for the conferring of jurisdiction on the courts of England and Scotland for that purpose and for the treating, for the purposes of the Wireless Telegraphy Act 1949(b) and for the purposes of the Radioactive Substances Act 1960(c), of installations in that area as being in England or Scotland;

Now, therefore, Her Majesty, in exercise of the powers conferred on Her by sections 3, 6 and 7 of the Continental Shelf Act 1964(d), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Interpretation

1.—(1) This Order may be cited as the Continental Shelf (Jurisdiction) Order 1964.

(2) The Interpretation Act 1889(e) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(3) In this Order—

"the Act" means the Continental Shelf Act 1964;

"the designated area" means the area designated by the Continental Shelf (Designation of Areas) Order 1964;

"the border" means latitude 55° 50′ North;

"the English area" and "the Scottish area" mean those parts of the designated area lying, respectively, south and north of the border.

Application of English and Scottish law

2. Subject to section 3(1) of the Act, the law in force in England shall apply for the determination of questions arising out of acts or omissions taking place in the English area and the law in force in Scotland shall apply for the determination of questions arising out of acts or omissions taking place in the Scottish area.

(a) S.I. 1964/697 (1964 II, p. 1340). (b) 12 & 13 Geo. 6. c. 54. (c) 8 & 9 Eliz. 2. c. 34.
(d) 1964 c. 29. (e) 52 & 53 Vict. c. 63.

Jurisdiction

3. The High Court shall have such jurisdiction for the determination of any questions to which section 3(2) of the Act refers and which, under the last foregoing Article, fall to be determined in accordance with the law in force in England, as it would have if the acts or omissions in question had taken place in England, and the Court of Session shall have such jurisdiction for the determination of any such questions so falling to be determined in accordance with the law in force in Scotland, as it would have if the acts or omissions in question had taken place in Scotland.

Application of Wireless Telegraphy Act 1949

4. For the purposes of the Wireless Telegraphy Act 1949 and any regulations made thereunder (subject, however, in the case of any such regulations made hereafter, to any contrary intention appearing therein) any installation in the English area and any waters in the designated area within 500 metres of such an installation (not being waters lying north of the border and within 500 metres of an installation in the Scottish area) shall be deemed to be situated in England and any installation in the Scottish area and any such waters within 500 metres of such an installation (not being waters lying south of the border and within 500 metres of an installation in the English area) shall be deemed to be situated in Scotland.

Application of Radioactive Substances Act 1960

5. For the purposes of the Radioactive Substances Act 1960 and any regulations and orders made thereunder (subject, however, in the case of any such regulations or orders made hereafter, to any contrary intention appearing therein) any installation in the English area and any waters in the designated area within 500 metres of such an installation (not being waters lying north of the border and within 500 metres of an installation in the Scottish area) shall be deemed to be situated in England and any installation in the Scottish area and any such waters within 500 metres of such an installation (not being waters lying south of the border and within 500 metres of an installation in the English area) shall be deemed to be situated in Scotland.

Commencement

6. This Order shall come into force on 1st July 1964.

W. G. Agnew.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order divides the area designated as part of the United Kingdom Continental Shelf by the Continental Shelf (Designation of Areas) Order 1964 into an English and a Scottish part to which English and Scottish civil law are applied respectively, and confers jurisdiction accordingly on the High Court and the Court of Session. The Order also provides for an installation in the English or Scottish part to be treated, for the purposes of the Wireless Telegraphy Act 1949 and for the purposes of the Radioactive Substances Act 1960, as being in England or Scotland, as the case may be.