1965 No. 1881

CONTINENTAL SHELF

The Continental Shelf (Jurisdiction) Order 1965

Made - - - -	*29th October* 1965
Laid before Parliament	*4th November* 1965
Coming into Operation	*15th November* 1965

At the Court at Buckingham Palace, the 29th day of October 1965

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, by the Continental Shelf (Jurisdiction) Order 1964(b), provision was 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(c) and the Radioactive Substances Act 1960(d), of installations in that area as being in England or Scotland:

And Whereas, by the Continental Shelf (Designation of Additional Areas) Order 1965(e), further such areas were so designated, in relation to which it is desirable that provision should be made for the matters aforesaid:

Now, therefore, Her Majesty, in exercise of the powers conferred on Her by sections 3, 6 and 7 of the Continental Shelf Act 1964(f), 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 1965.

(2) The Interpretation Act 1889(g) 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 first designated area" means the area designated by the Continental Shelf (Designation of Areas) Order 1964, "the second designated

(a) S.I. 1964/697 (1964 II, p. 1340).
(b) S.I. 1964/930 (1964 II, p. 2086).
(c) 12, 13 & 14 Geo. 6. c. 54.
(d) 8 & 9 Eliz. 2. c. 34.
(e) S.I. 1965/1531 (1965 II, p. 4447).
(f) 1964 c. 29.
(g) 52 & 53 Vict. c. 63.

area" means the area described in paragraph (1) of the Schedule to the Continental Shelf (Designation of Additional Areas) Order 1965, "the third designated area" means the area described in paragraph (2)(*a*) of that Schedule, "the fourth designated area" means the area described in paragraph (2)(*b*) of that Schedule, "the fifth designated area" means the area described in paragraph (3) of that Schedule, and "the sixth designated area" means the area described in paragraph (4) of that Schedule, and any reference to a designated area shall be construed as a reference to any of those areas;

"the border" means, in relation to the first and second designated areas, latitude 55° 50′ North and, in relation to the fifth designated area, a line joining the co-ordinates (1) 54° 30′ 00″ North, 5° 00′ 00″ West, (2) 54° 30′ 00″ North, 4° 05′ 29″ West, and (3) 54° 36′ 03″ North, 3° 55′ 14″ West, on European Datum;

"English area" means those parts of the first, second or fifth designated areas lying south of the border, or the third or fourth designated area;

"Scottish area" means those parts of the first, second or fifth designated areas lying north of the border, or the sixth designated area.

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 an 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 a Scottish area.

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 *and the Radioactive Substances Act* 1960

4. For the purposes of the Wireless Telegraphy Act 1949, the Radioactive Substances Act 1960 and any regulations or orders made under either of those Acts (subject, however, in the case of any such regulations or orders made hereafter, to any contrary intention appearing therein) any installation in an English area and any waters in a 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 a Scottish area) shall be deemed to be situated in England and any installation in a 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 an English area) shall be deemed to be situated in Scotland.

Revocation of previous Order

5. The Continental Shelf (Jurisdiction) Order 1964 is hereby revoked.

Commencement

6. This Order shall come into force on 15th November 1965.

W. G. Agnew.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order divides the areas designated as part of the United Kingdom Continental Shelf by the Continental Shelf (Designation of Areas) Orders 1964 and 1965 into English and Scottish parts 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 installations in an English or Scottish part to be treated, for the purposes of the Wireless Telegraphy Act 1949 and the Radioactive Substances Act 1960, as being in England or Scotland, as the case may be. The Order accordingly revokes and re-enacts the corresponding provisions made for the area designated by the Order of 1964.