STATUTORY INSTRUMENTS

1968 No. 892

CONTINENTAL SHELF

The Continental Shelf (Jurisdiction) Order 1968

Made - - - -	*7th June* 1968
Laid before Parliament	13*th June* 1968
Coming into Operation	1*st July* 1968

At the Court at Buckingham Palace, the 7th day of June 1968

Present,

The Queen's Most Excellent Majesty in Council

Whereas, by sections 3, 6 and 7 of the Continental Shelf Act 1964(**a**), Her Majesty is enabled by Order in Council to make provision for the determination of questions arising out of acts or omissions taking place in areas outside the territorial waters of the United Kingdom designated by Order in Council for the purposes of the said Act, and for treating, for the purposes of the Wireless Telegraphy Act 1949(**b**) and the Radioactive Substances Act 1960(**c**), installations in such areas as being in England, Scotland or Northern Ireland:

And whereas, by the Continental Shelf (Designation of Areas) Order 1964(**d**) and the Continental Shelf (Designation of Additional Areas) Order 1965(**e**), several such areas have been so designated and, by the Continental Shelf (Jurisdiction) Order 1965(**f**), provision in respect of those areas is made for the matters aforesaid:

And whereas, by the Continental Shelf (Designation of Additional Areas) Order 1968(**g**), a further area has been so designated, in consequence whereof it is expedient that further provision should be made for those matters:

Now, therefore, Her Majesty, in exercise of the powers conferred on Her by the said sections 3, 6 and 7, 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 1968.

(2) The Interpretation Act 1889(**h**) 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;

"co-ordinate" means a co-ordinate on European datum;

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

(**a**) 1964 c. 29. (**b**) 1949 c. 54. (**c**) 1960 c. 34.
(**d**) S.I. 1964/697 (1964 II, p. 1340). (**e**) S.I. 1965/1531 (1965 II, p. 4447).
(**f**) S.I. 1965/1881 (1965 III, p. 5676). (**g**) S.I. 1968/891 (1968 II, p. 2371). (**h**) 1889 c. 63.

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; "the sixth designated area" means the area described in paragraph (4) of that Schedule; and "the seventh designated area" means the area designated by the Continental Shelf (Designation of Additional Areas) Order 1968; and a reference to a designated area shall include a reference to any of these areas.

"the Scottish border" means, in relation to the first and second designated areas, latitude 55° 50′ N.; in relation to the fifth designated area, a line joining the following co-ordinates:—

(1) 54° 30′ 00″ N.: 5° 00′ 00″ W.;

(2) 54° 30′ 00″ N.: 4° 05′ 29″ W.;

(3) 54° 36′ 03″ N.: 3° 55′ 14″ W.;

and, in relation to the seventh designated area, latitude 54° 30′ N.;

"the Northern Irish border" means, in relation to the seventh designated area, a line joining the following co-ordinates:—

(1) 55° 20′ N.: 6° 00′ W.;

(2) 55° 10′ N.: 5° 48′ W.;

(3) 55° 00′ N.: 5° 36′ W.;

(4) 54° 50′ N.: 5° 24′ W.;

(5) 54° 40′ N.: 5° 12′ W.;

(6) 54° 30′ N.: 5° 00′ W.;

(7) 54° 20′ N.: 5° 00′ W.;

(8) 54° 10′ N.: 5° 12′ W.;

(9) 54° 00′ N.: 5° 24′ W.;

"the English area" means the areas included in the third and fourth designated areas, those parts of the first, second and fifth designated areas which lie south of the Scottish border and that part of the seventh designated area which lies south of the Scottish and east of the Northern Irish border;

"the Scottish area" means the areas included in the sixth designated area, those parts of the first, second and fifth designated areas which lie north of the Scottish border and that part of the seventh designated area which lies north of the Scottish and east of the Northern Irish border;

"the Northern Irish area" means that part of the seventh designated area which lies west of the Northern Irish border.

Application of English, Scottish and Northern Irish law

2. Subject to section 3(1) of the Act, the law in force in England shall apply for the determination of questions to which section 3(2) of the Act refers arising out of acts or omissions taking place in the English area; the law in force in Scotland shall apply for the determination of such questions arising out of acts or omissions taking place in the Scottish area; and the law in force in Northern Ireland shall apply for the determination of such questions arising out of acts or omissions taking place in the Northern Irish 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 ; 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 ; and Her Majesty's High Court of Justice in Northern Ireland shall have such jurisdiction for the determination of any such questions so falling to be determined in accordance with the law in force in Northern Ireland, as it would have if the acts or omissions in question had taken place in Northern Ireland.

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 the English area and any waters in a designated area within 500 metres of such an installation (not being waters lying in the Scottish or Northern Irish area and within 500 metres of an installation in either of those areas) shall be deemed to be situated in England ; any installation in the Scottish area and any such waters within 500 metres of such an installation (not being waters lying in the English or Northern Irish area and within 500 metres of an installation in either of those areas) shall be deemed to be situated in Scotland ; and any installation in the Northern Irish area and any waters lying within 500 metres of such an installation (not being waters lying within the English or Scottish area and within 500 metres of an installation in either of those areas) shall be deemed to be situated in Northern Ireland.

Revocation of previous Order

5. The Continental Shelf (Jurisdiction) Order 1965 is hereby revoked.

Commencement

6. This Order shall come into force on 1st July 1968.

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, 1965 and 1968 into English, Scottish and Northern Irish parts to which English, Scottish and Northern Irish civil law are applied respectively, and confers jurisdiction accordingly on the High Court, the Court of Session and the High Court in Northern Ireland. The Order also provides for installations in an English, Scottish or Northern Irish part to be treated, for the purposes of the Wireless Telegraphy Act 1949 and the Radioactive Substances Act 1960, as being in England, Scotland or Northern Ireland, as the case may be. The Order accordingly revokes and re-enacts the corresponding provisions made in the Continental Shelf (Jurisdiction) Order 1965 for the areas designated by the Continental Shelf (Designation of Areas) Orders of 1964 and 1965.