EXPLANATORY MEMORANDUM TO

THE TERRITORIAL SEA ACT 1987 (GUERNSEY) (AMENDMENT) ORDER 2015

2015 No. 827

1. This explanatory memorandum has been prepared by the Foreign and Commonwealth Office and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

The purpose of this instrument is to make a correction to the Territorial Sea Act 1987 (Guernsey) Order 2014 which extended certain provisions of the Territorial Sea Act 1987 to Guernsey.

3. Matters of special interest to the Joint Committee on Statutory Instruments

None.

4. Legislative Context

The Order is made under the power given in section 4(4) of the Territorial Sea Act 1987, which enables the provisions of the Act to be extended to the Channel Islands and the Isle of Man.

5. Territorial Extent and Application

This Order amends the 2014 Order which extends certain provisions of the Territorial Sea Act 1987 to Guernsey.

6. European Convention on Human Rights

As the instrument is not subject to Parliamentary procedure and does not amend primary legislation, no statement is required.

7. Policy background

7.1. The 2014 Order extended to Guernsey certain provisions of the Territorial Sea Act 1987. The principal reason for this was to enable the making of a further Order to bring up to date the current Orders defining the baselines from which the territorial sea is measured.

7.2. This Order makes a minor correction to the Territorial Sea At (Guernsey) Order 2014, to clarify that the reference to “territorial sea” in section 1(1)(b) of the Territorial Sea Act 1987 as extended means the territorial sea adjacent to the Bailiwick of Guernsey.

8. Consultation outcome

The Ministry of Justice and the Guernsey authorities have been consulted and are content.

9. Guidance

The necessity for guidance is not foreseen.

10. Impact

An impact assessment has not been prepared for this instrument as no impact on businesses, charities, voluntary bodies or the public sector.

11. Regulating small business

The legislation does not apply to small business.

12. Monitoring & review

No specific need for monitoring or review is foreseen.

13. Contact

Alice Lacourt at the Foreign and Commonwealth Office, tel: 020 7008 1073 or email: alice.lacourt@fco.gsi.gov.uk, can answer any queries regarding the instrument.