

STATES OF JERSEY



DRAFT SHIPPING (IMO CONVENTIONS) (JERSEY) AMENDMENT LAW 202-(P.36/2026): COMMENTS

**Presented to the States on 20th March 2026
by the Economic and International Affairs Scrutiny Panel**

STATES GREFFE

COMMENTS

Introduction

The Draft Shipping (IMO Conventions) (Jersey) Amendment Law 202- [\[P.36/2026\]](#) ('the draft Law') was lodged *au Greffe* on 10th February 2026 by the Minister for Sustainable Economic Development ('the Minister') and is scheduled for debate on 24th March 2026.

The Panel understands that the purpose of the draft Law is to update Jersey's maritime legislation so that it properly reflects the international convention, [International Maritime Organisation](#) (IMO), to which Jersey is a member of the. By modernising this legislative framework, the draft Law indicates that Jersey's standing within the [Red Ensign Group](#) would be strengthened and that the Island would be in a better position ahead of the forthcoming audit of its Maritime Administration in 2026

Panel Observations

The Panel requested by [correspondence](#) an overview of the Draft Shipping (IMO Conventions) (Jersey) Amendment Law 202-. The Panel was informed by the Minister that, in 2022, Jersey underwent an audit under the IMO Instruments Implementation Code (III Code). The III Code establishes a global standard to ensure that states meet their responsibilities as flag, port, and coastal states under the international conventions they have committed to, such as the [International Convention for the Safety of Life at Sea](#) (SOLAS) and the [International Convention for the Prevention of Pollution from Ships](#) (MARPOL)

Audit findings – legislative shortcomings

The audit concluded that Jersey's maritime legislation did not accurately reflect the international conventions to which it is a party. The Panel understands that this occurred because updates to relevant IMO conventions were not properly incorporated into Jersey's maritime law when it was drafted. As a result, the IMO provisions included in Jersey's legislation remain in their original outdated form rather than reflecting their current versions. Since IMO conventions are typically revised every few years, Jersey's legislation has fallen significantly behind these updates, leaving it below IMO standards, and therefore, non-compliant with the III Code

The Minister advised the Panel that in order to address this finding, a legislative project had been initiated, consisting of two propositions. Firstly, the draft Shipping (IMO Conventions) (Jersey) Amendment Law 202- will provide the States Assembly, through amendments to primary law, with the power to amend relevant regulations with ambulatory references (effectively mechanisms that provide for the incorporation of external documents, for example standards or guidelines, into legislation as they change over time). Secondly, the Draft Shipping (IMO Conventions) (Jersey) Amendment Law 202- will provide the building blocks for subordinate legislation, such as the regulations and orders that sit under the primary law, to be amended to include ambulatory references. The Minister went on to inform the Panel that:

"once the project is complete, any reference to an IMO Convention will always reference the current version of the IMO convention or UK legislation, ensuring Jersey's legislation does not fall behind again. The changes will help to ensure

Jersey's reputation within the Red Ensign Group and wider international maritime community is upheld through the demonstration of robust compliance with international maritime obligations and will strengthen Jersey's position prior to the next audit in September 2026.”¹

The Panel questioned why Jersey's maritime legislation had fallen behind current international standards, and the reason why there had been no updates undertaken to bring it in line with those standards. The Minister explained to the Panel that updates to relevant IMO conventions such as SOLAS and MARPOL were not correctly incorporated into Jersey's maritime law when it was first drafted. According to the Minister, this was probably due to an administrative oversight at the time with the gaps only coming to light because of the recent audit in 2022. The Minister went on to inform the Panel that IMO conventions are updated through a tacit acceptance, meaning amendments automatically come into force on a set date unless a significant number of member states formally object. As a result, even if Jersey has not yet incorporated these updates into its legislation, it is still expected to comply with the conventions.

Furthermore, the Panel was informed that over the past few years, there has been large amount of maritime legislative reform that has taken place such as amendments to the Shipping (Jersey) Law 2002, the Harbours (Inshore Safety) (Jersey) Regulations 2012, and the Shipping (Registration) (Jersey) Regulations 2004. The Minister highlighted to the Panel that resourcing pressures within the Department has resulted in projects being prioritised.

The Minister explained that, while Jersey has an existing maritime regulatory framework, gaps in the law and limits on enforcement have created practical and safety challenges. He noted, for example, that port authorities have previously raised concerns when Jersey registered vessels operating commercially in international waters or inspected in foreign ports were questioned about their compliance with international conventions:

“The introduction of ambulatory referencing will ensure Jersey flagged vessels do not fall behind in demonstrating compliance with international standards in future.”²

Consultation

A [consultation](#) was conducted between November and December 2025, however, the Panel noted that no responses were received. The Panel questioned the Minister as to why no responses were received during the consultation. The Minister advised that various methods to promote and encourage participation were utilised but that, whilst he is unable to provide reasoning as to why no response was received, this might be due to the proposition being regarded as uncontroversial by stakeholders.

Ambulatory referencing

The Panel asked why the use of ambulatory referencing is considered necessary in this context. The Minister explained that ambulatory referencing is an important mechanism which would allow for future updates to applicable maritime conventions to take place

¹ [Letter - MSSED to EIA re Quarterly Follow-up Questions - 27th February 2026](#)

² [Letter - MSSED to EIA re Quarterly Follow-up Questions - 27th February 2026](#)

automatically. This mechanism would ensure that Jersey's maritime legislation remains up to date by automatically reflecting the latest versions of the relevant conventions.

The Minister went on to state the burdens that could arise if ambulatory referencing is not adopted:

“Further, if ambulatory referencing is not adopted, a project to update the relevant law and/or regulations will need to be undertaken every time a maritime convention (which Jersey has already signed up to) is updated. Given the volume of work and resource required to update legislation, across the Economy Department, the Law Officers Department and the Law Drafting Office, this is deemed unsustainable and inefficient.”³

Conclusion

The Panel understands that the draft Shipping (IMO Conventions) (Jersey) Amendment Law 202- seeks to update Jersey's maritime legislation to bring it in line with the IMO conventions that the Island has signed up to, and to address the audit findings that Jersey Maritime legislation was no longer reflecting the latest versions of IMO conventions.

Based on the information provided in briefings and written correspondence, the Panel is satisfied that the proposed draft Law allows Jersey to fulfil its international obligations and to put in place mechanisms to maintain compliancy with IMO Conventions through the use of ambulatory referencing. Accordingly, the Panel supports the proposition.

³ [Letter - MSED to EIA re Quarterly Follow-up Questions - 27th February 2026](#)