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STATUTORY INSTRUMENTS

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**1991 No. 1718**

**EXTRADITION**

**The Nuclear Material (Offences) Act 1983 (Jersey) Order 1991**

*Made* - - - - - *24th July 1991*

*Coming into force* - - - - - *2nd October 1991*

At the Court at Buckingham Palace, the 24th day of July 1991

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of section 7(2) of the Nuclear Material (Offences) Act 1983(1), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. This Order may be cited as the Nuclear Material (Offences) Act 1983 (Jersey) Order 1991 and shall come into force on 2nd October 1991.

2. Sections 1 to 4, 6 and 8 of and the Schedule to the Nuclear Material (Offences) Act 1983(2) shall extend to the Bailiwick of Jersey with the exceptions, adaptations and modifications specified in the Schedule to this Order.

*G. I. de Deney*  
Clerk of the Privy Council

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(1) 1983 c. 18.

(2) Sections 5 and 7(1) were repealed by and re-enacted in the Extradition Act 1989 (c. 33), as was section 5A (inserted by paragraph 95 of Schedule 15 to the Criminal Justice Act 1988 (c. 33) but not brought into force before its re-enactment in the 1989 Act); section 6 was amended by section 36(9) of the Extradition Act 1989 (definition of "the Convention").

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## SCHEDULE

Article 2

### EXCEPTIONS, ADAPTATIONS AND MODIFICATIONS IN THE EXTENSION OF PROVISIONS OF THE NUCLEAR MATERIAL (OFFENCES) ACT 1983 TO THE BAILIWICK OF JERSEY

1. Any reference to an Act of Parliament, or to a provision thereof, shall be construed, unless the contrary intention appears, as a reference to that Act or provision as it has effect in the Bailiwick of Jersey.
2. Any reference to an enactment of the States of Jersey shall be construed as including a reference thereto as amended or replaced by or under any other such enactment.
3. For any reference to the United Kingdom, or to a part thereof, there shall be substituted a reference to the Bailiwick of Jersey.
4. In section 1(1), for paragraphs (a) to (d) there shall be substituted the following paragraphs—
  - “(a) the offence of murder, manslaughter, grave and criminal assault or malicious damage, or
  - (b) an offence under Article 17 of the Fire Service (Jersey) Law 1959, or
  - (c) the offence of larceny, embezzlement, robbery or breaking and entering with intent, or
  - (d) the offence of fraud or blackmail.”.
5. In section 2(5), the words “on conviction on indictment” shall be omitted.
6. In section 3—
  - (a) in subsection (1), for paragraphs (a) and (b) there shall be substituted the words “in the Bailiwick of Jersey except by or with the consent of Her Majesty’s Attorney General for Jersey”, and
  - (b) subsection (2) shall be omitted.
7. In section 4—
  - (a) in subsection (1)(a), the words “subsections (1) and (2) of” and “in each place” shall be omitted;
  - (b) in subsection (1)(b), for “subsections (4) and (5)” there shall be substituted “subsection (4)”, and
  - (c) subsections (2) and (3) shall be omitted.
8. In section 8, subsection (2) shall be omitted.

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### EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order extends to the Bailiwick of Jersey sections 1 to 4, 6 and 8 of and the Schedule to the Nuclear Material (Offences) Act 1983 with the exceptions, adaptations and modifications specified in the Schedule to the Order.

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