



Isle of Man Act 1979

1979 CHAPTER 58

5 Offences relating to common duties etc.

- (1) Any summons or other process requiring a person in the Isle of Man to appear before a court ^{F1}...—
 - (a) to answer a charge that he has committed an offence relating to a common duty chargeable under the law of the United Kingdom or to the importation or exportation of anything into or from the United Kingdom; or
 - (b) to give evidence or to produce any document or thing in proceedings for any such offence,may ^{F2}, if the court is in England and Wales, be served in accordance with Criminal Procedure Rules or, if the court is in Scotland or Northern Ireland,] be served by being sent to him by registered post or the recorded delivery service.
- (2) In relation to proceedings for any such offence as is mentioned in subsection (1) above—
 - (a) section 77 of the ^{M1}Magistrates' Courts Act 1952 (summons to witness and warrant for his arrest) shall have effect as if the reference in subsection (1) of that section to a person in England and Wales included a reference to a person in the Isle of Man;
 - (b) in Scotland a warrant for the citation of accused persons and witnesses shall include a warrant to cite accused persons and witnesses in the Isle of Man.
- (3) In relation to proceedings for any such offence as is mentioned in subsection (1) above—
 - (a) sections 2 and 9 of the ^{M2}Criminal Justice Act 1967 (admission of written statements) shall apply also to written statements made in the Isle of Man but with the omission of subsections (2)(b) and (3A) of section 2 and subsections (2)(b) and (3A) of section 9;
 - (b) section 1 of the ^{M3}Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968 and section 3 of the ^{M4}Criminal Procedure (Committal for Trial) Act (Northern Ireland) 1968 (which contain corresponding provisions) shall apply also to written statements made in the Isle of Man but with the omission of subsection (2)(b) of section 1 and subsection (2)(c) of section 3.

Changes to legislation: There are currently no known outstanding effects for the Isle of Man Act 1979, Section 5. (See end of Document for details)

- (4) Subject to subsection (5) below, a warrant issued in the Isle of Man for the arrest of—
- (a) a person charged with an offence relating to a common duty chargeable under the law of the Isle of Man or to the importation or exportation of anything into or from the Island; or
 - (b) a person required to give evidence or to produce any document or thing in proceedings for any such offence,
- may be executed in England and Wales by any constable acting within his police area, in Scotland by any officer of law as defined in [^{F3}section 307(1) of the Criminal Procedure (Scotland) Act 1995] and in Northern Ireland by any member of the Royal Ulster Constabulary or the Royal Ulster Constabulary Reserve.
- (5) A warrant, other than one for the arrest of a person charged with an offence punishable with at least two years' imprisonment, shall not be executed under subsection (4) above unless it has been endorsed for execution under that subsection by a justice of the peace in England, Wales, Scotland or Northern Ireland, as the case may be; and any warrant which purports to have been issued as mentioned in that subsection may be so endorsed without further proof.
- (6) A warrant for the arrest of a person charged with an offence may be executed by a constable under subsection (4) above notwithstanding that it is not in his possession at the time; but the warrant shall, on demand of that person, be shown to him as soon as practicable.
- (7) Subsections (1) and (4) above are without prejudice to any other enactment enabling any process to be served or executed otherwise than as provided in those subsections.
- (8) References in this section to a warrant for the arrest of any person include references to any process for that purpose available under the law of the Isle of Man; and references to an offence relating to a common duty or to importation or exportation include references to any offence which relates to any of those matters whether or not it is an offence under a provision dealing specifically with that matter.

Textual Amendments

- F1** Words in s. 5(1) omitted (28.6.2022) by virtue of [Judicial Review and Courts Act 2022 \(c. 35\)](#), s. 51(3), [Sch. 1 para. 5\(a\)](#)
- F2** Words in s. 5(1) inserted (28.6.2022) by [Judicial Review and Courts Act 2022 \(c. 35\)](#), s. 51(3), [Sch. 1 para. 5\(b\)](#)
- F3** Words in s. 5(4) substituted (1.4.1996) by [1995 c. 40](#), ss. 5, 7(2), [Sch. 4 para. 25](#)
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Marginal Citations

- M1** 1952 c. 55.
- M2** 1967 c. 80.
- M3** 1968 c. 28 (N.I.)
- M4** 1968 c. 32 (N.I.)

Changes to legislation:

There are currently no known outstanding effects for the Isle of Man Act 1979, Section 5.