
STATUTORY INSTRUMENTS

1970 No. 1677

GENEVA CONVENTIONS

The Geneva Conventions Act (Isle of Man) Order 1970

Made - - - - 11th November 1970

Coming into Operation 1st December 1970

At the Court at Buckingham Palace, the 11th day of November 1970

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of section 8(2)(b) of the Geneva Conventions Act 1957, 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 Geneva Conventions Act (Isle of Man) Order 1970 and shall come into operation on 1st December 1970.
2. The provisions of the Geneva Conventions Act 1957 shall extend to the Isle of Man subject to the exceptions and modifications specified in the Schedule to this Order.
3. The Interpretation Act 1889 shall apply for the purpose of interpreting this Order as it applies for the purpose of interpreting an Act of Parliament.

W.G. Agnew

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SCHEDULE

EXCEPTIONS AND MODIFICATIONS TO BE MADE IN THE EXTENSION OF THE GENEVA CONVENTIONS ACT 1957 TO THE ISLE OF MAN

1. For the words “United Kingdom” wherever they occur there shall be substituted the words “Isle of Man” and any reference to the Geneva Conventions Act 1957 shall be construed as a reference to that Act as extended to the Isle of Man by this Order.

2.—(1) For section 1(3) there shall be substituted the following subsection:—

“(3) Proceedings for an offence under this section shall not be instituted except by or on behalf of Her Majesty’s Attorney General for the Isle of Man.”.

(2) Section 1(5) shall be omitted.

3. For section 3(4) and (5) there shall be substituted the following subsections:—

“(4) Where counsel has been assigned in pursuance of subsection (3) of this section his costs shall be ascertained and paid in the prescribed manner.

(5) The Lieutenant Governor may make rules for carrying this section into effect and, in particular, for prescribing the manner in which the costs of counsel are to be ascertained and paid.”.

4. In section 4(1) (as substituted by the Criminal Appeal Act 1968) for the words from “criminal division” to “as the case may be”, there shall be substituted the words “the criminal jurisdiction of the Staff of Government Division of the High Court of Justice of the Isle of Man”, and for the words from “in section 30(1)(a)” to the end of the subsection there shall be substituted the words “in section 14(a) of the Criminal Code Amendment Act 1921 (which relates to the revesting and restitution of property on conviction) to the period of twenty eight days from the date of conviction”.

5. Section 4(1A) (as added by the said Act of 1968) shall be omitted.

6.—(1) In section 5(1) for the words “the Secretary of State or, in Northern Ireland, the Minister of Home Affairs for Northern Ireland” there shall be substituted the words “the Lieutenant Governor”.

(2) In section 5(2) for the words “the Secretary of State or, in Northern Ireland, the Minister aforesaid” there shall be substituted the words “the Lieutenant Governor”.

7.—(1) In section 6(4) for the words “the passing of this Act” wherever they occur there shall be substituted the words “the coming into operation of this Act in the Isle of Man”.

(2) For section 6(7) there shall be substituted the following subsection:

“(7) Proceedings under this section shall not be instituted except by or on behalf of Her Majesty’s Attorney General for the Isle of Man.”.

(3) For section 6(8) and (9) there shall be substituted the following subsection:—

“(8) The Geneva Convention Act 1911⁽¹⁾ and the Geneva Convention Act 1937⁽²⁾ shall cease to have effect in the Isle of Man and the Geneva Convention Act 1937 (Isle of Man) Order in Council 1938⁽³⁾ shall cease to have effect.”.

8. In section 7(1) for the definition of enactment there shall be substituted the following definition:—

(1) 1911 c. 20.

(2) 1937 c. 15.

(3) S.R. &O. 1938/764 (Rev.IX, p. 606: 1938 I, p. 1349).

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“‘enactment’ includes an Act of Tynwald;”.

9. In section 8(2), paragraphs (a), (c), (d) and (e) shall be omitted.

EXPLANATORY NOTE

This Order extends to the Isle of Man the provisions of the Geneva Conventions Act 1957 with the exceptions and modifications specified in the Schedule.