
STATUTORY INSTRUMENTS

1984 No. 1166

PREVENTION AND SUPPRESSION OF TERRORISM

**The Prevention of Terrorism (Temporary Provisions) Act 1984
(Jersey) Order 1984**

Made - - - - - 31st July 1984
Coming into Operation 31st August 1984

At the Court at Buckingham Palace, the 31st day of July 1984

Present,
The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of sections 16 and 18(3) of the Prevention of Terrorism (Temporary Provisions) Act 1984 (a), 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 Prevention of Terrorism (Temporary Provisions) Act 1984 (Jersey) Order 1984 and shall come into operation on 31st August 1984.
2. In this Order, "the Bailiwick" means the Bailiwick of Jersey and the territorial waters adjacent thereto.
3. It is hereby directed that the provisions of the Prevention of Terrorism (Temporary Provisions) Act 1984 shall extend to the Bailiwick with the exceptions, adaptations and modifications specified in the Schedule to this Order.
4. The Prevention of Terrorism (Temporary Provisions) Act 1976 (Jersey) Order 1976 (b) is hereby revoked.

N. E. Leigh,
Clerk of the Privy Council.

(a) 1984 c.8.
(b) S.I. 1976/896.

Article 3

SCHEDULE

EXCEPTIONS, ADAPTATIONS AND MODIFICATIONS TO PROVISIONS OF THE PREVENTION
OF TERRORISM (TEMPORARY PROVISIONS) ACT 1984 AS EXTENDED TO THE BAILIWICK
OF JERSEY

1. Any reference to an Act of Parliament (including the Prevention of Terrorism (Temporary Provisions) Act 1984) or to a provision of such an Act shall be construed, unless the contrary intention appears, as a reference to that Act or provision as it has effect in the Bailiwick.
2. Any reference to an enactment of the States of Jersey shall be construed, unless the contrary intention appears, as including a reference thereto as amended or replaced by or under any other such enactment.
3. For “constable”, wherever occurring, there shall be substituted “police officer”.
4. In section 1—
 - (a) in subsection (2), the words from “(a) on summary conviction” to “on indictment” shall be omitted; and
 - (b) in subsection (4), after “United Kingdom” there shall be inserted “or the Bailiwick”.
5. In section 2—
 - (a) in subsection (1), “on summary conviction” shall be omitted; and
 - (b) in subsection (2), “without warrant” shall be omitted.
6. In section 3—
 - (a) in subsections (1) and (3), for “Secretary of State” there shall be substituted “Lieutenant Governor”; and
 - (b) in subsection (2), “, 5 or 6” shall be omitted.
7. In section 4—
 - (a) for “Secretary of State”, wherever occurring, there shall be substituted “Lieutenant Governor”;
 - (b) for “Great Britain”, wherever occurring, there shall be substituted “the Bailiwick”; and
 - (c) subsection (4)(b) shall be omitted.
8. Sections 5 and 6 shall be omitted.
9. In section 7—
 - (a) for “Secretary of State”, wherever occurring, there shall be substituted “Lieutenant Governor”;
 - (b) in subsection (2), for “United Kingdom” there shall be substituted “Bailiwick”;
 - (c) in subsection (5)(a), for “Great Britain, Northern Ireland or the United Kingdom, as the case may be” there shall be substituted “the Bailiwick”; and
 - (d) in subsection (9), for paragraphs (a), (b) and (c) there shall be substituted “Great Britain, Northern Ireland or the Republic of Ireland”.
10. In section 8—
 - (a) for “Secretary of State”, wherever occurring, there shall be substituted “Lieutenant Governor”; and
 - (b) for “Great Britain, Northern Ireland or the United Kingdom, as the case may be” there shall be substituted “the Bailiwick”.
11. In section 9—
 - (a) in subsection (2)(a) and (b), for “Great Britain, Northern Ireland or the United Kingdom” there shall be substituted “the Bailiwick”;

- (b) in subsection (3)(a), “in relation to Great Britain,” shall be omitted and for “from Great Britain” there shall be substituted “from the Bailiwick”;
- (c) subsection (3)(b) and (c) shall be omitted; and
- (d) in subsection (4), the words from “(a) on summary conviction” to “on indictment” shall be omitted.
12. In section 10—
- (a) in subsection (3), the words from “(a) on summary conviction” to “on indictment” shall be omitted; and
- (b) for subsection (6) there shall be substituted the following subsection:—
“(6) In this section “property” includes both immoveable and moveable property.”.
13. In section 11—
- (a) in subsection (1), for the words from “practicable” to the end of the subsection there shall be substituted “practicable to a police officer he shall be guilty of an offence”;
- (b) in subsection (2), the words from “(a) on summary conviction” to “on indictment” shall be omitted; and
- (c) subsection (3) shall be omitted.
14. In section 12—
- (a) in subsection (1), “Subject to subsection (2) below,” and “without warrant” shall be omitted;
- (b) subsection (2) shall be omitted;
- (c) in subsection (3)(b), after “the affairs of” there shall be inserted “the Bailiwick,”;
- (d) in subsection (4), for “Secretary of State” there shall be substituted “Attorney General”; and
- (e) subsections (6) and (7) shall be omitted.
15. In section 13—
- (a) in subsection (1), for “Secretary of State” there shall be substituted “Defence Committee”, “made by statutory instrument” shall be omitted and for “Great Britain or Northern Ireland” there shall be substituted “the Bailiwick”; and
- (b) in subsection (2)(a)(ii) and (b)(i), for “Secretary of State” there shall be substituted “Lieutenant Governor”
16. In section 14—
- (a) in subsection (1), after the definition of “captain” there shall be inserted the following definition:—
“ “Defence Committee” means the Defence Committee of the States of Jersey”;
- (b) in subsection (1), after the definition of “exclusion order” there shall be inserted the following definition:—
“ “Lieutenant Governor” means the person for the time being holding the office of Lieutenant Governor and Commander-in-Chief of the Island of Jersey and its Dependencies;”;
- (c) subsection (2) shall be omitted;
- (d) for subsection (3), there shall be substituted the following subsection:—
“(3) In this Act, “level 4 on the standard scale” and “level 5 on the standard scale” mean the sums for the time being respectively specified as such in section 37(2) of the Criminal Justice Act 1982 as that Act has effect in England and Wales (that is to say, £1,000 and £2,000, respectively, or such other sums as may be specified by virtue of an order under section 143 of the Magistrates’ Courts Act 1980).”;

- (e) in subsection (4), for “United Kingdom)” there shall be substituted “Bailiwick) and the provisions of the Loi (1937) sur les Etrangers”;
- (f) in subsection (6), “, 5 or 6” shall be omitted;
- (g) in subsection (8), for “Secretary of State” there shall be substituted “Defence Committee”;
- (h) for subsection (9) there shall be substituted the following subsections:—
 “(9) The Subordinate Legislation (Jersey) Law, 1960 shall apply to any order made by the Defence Committee under section 13 above.
 (9A) Any power to make an order conferred by section 13 above shall include power to vary or revoke any order so made.”;
- (i) in subsections (10) and (11), “or section 17 below” shall be omitted; and
- (j) after subsection (12) there shall be added the following subsection:—
 “(13) Any order under section 1 above shall have effect in the Bailiwick without registration therein from the day upon which the order is expressed to come into operation; but immediately upon the making thereof every such order shall be transmitted to the Bailiff and communicated by him to the Royal Court for registration.”.
17. Sections 15, 16 and 17(1) and (2) shall be omitted.
18. In section 18—
- (a) subsections (1) and (3) shall be omitted; and
- (b) in subsection (2), for “Act of 1976” there shall be substituted “Prevention of Terrorism (Temporary Provisions) Act 1976”, for “is passed” there shall be substituted “comes into force in the Bailiwick” and for “Secretary of State” there shall be substituted “Lieutenant Governor”.
19. Section 19(2) shall be omitted.
20. In paragraph 1 of Schedule 2—
- (a) in sub-paragraph (1)(a), for “Great Britain” there shall be substituted “the Bailiwick”, and “or” shall be omitted;
- (b) sub-paragraph (1)(b) shall be omitted;
- (c) in sub-paragraph (1)(iii), for “United Kingdom” there shall be substituted “Bailiwick” and for “the passing of this Act” there shall be substituted “this Act comes into force there; or”;
- (d) after sub-paragraph (1)(iii) there shall be added the following provision:—
 “(iv) the Loi (1937) sur les Etrangers”;
- (e) in sub-paragraph (2), for “each of those exemptions” there shall be substituted “that exemption”.
21. In paragraph 2(a) of Schedule 2, “, 5 or 6” shall be omitted.
22. In paragraph 1 of Schedule 3—
- (a) in sub-paragraph (2)(c), “and excise” shall be omitted, and for “Secretary of State” there shall be substituted “Defence Committee”;
- (b) sub-paragraphs (3) and (4) shall be omitted;
- (c) for sub-paragraph (6)(a) there shall be substituted the following provision:—
 “(a) in the case of ships or aircraft—
 (i) coming to the Bailiwick from the United Kingdom, the Republic of Ireland, the Bailiwick of Guernsey or the Isle of Man; or
 (ii) going from the Bailiwick to any other of those places,
 restrict the ports, areas or places in the Bailiwick which they may use;”;
- (d) sub-paragraph (6)(b) shall be omitted;
- (e) in sub-paragraphs (6)(c)(i) and (7), for “Great Britain or Northern Ireland” there shall be substituted “the Bailiwick”;

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- (f) in sub-paragraph (6)(c)(ii) for “either of those places” there shall be substituted “the Bailiwick”;
- (g) in sub-paragraph (8), for “Secretary of State” there shall be substituted “Defence Committee”;
- (h) in sub-paragraph (9), “on summary conviction” shall be omitted; and
- (i) in sub-paragraph (10), for “Secretary of State” there shall be substituted “Lieutenant Governor or the Defence Committee”.
23. Paragraph 2 of Schedule 3 shall be omitted.
24. For paragraph 3 of Schedule 3 there shall be substituted the following paragraph:—
- “3. Proceedings shall not be instituted for an offence under section 1, 2, 9, 10 or 11 of this Act except by, or with the consent of, the Attorney General.”
25. In paragraph 4 of Schedule 3—
- (a) in sub-paragraph (1), for “a justice of the peace” there shall be substituted “the Bailiff”;
- (b) in sub-paragraph (2), for the words from “member” to “inspector” there shall be substituted “police officer”, and for “justice” there shall be substituted “Bailiff”;
- (c) in sub-paragraph (3), for “member of any police force” and “member of a police force” there shall be substituted “police officer”;
- (d) sub-paragraphs (4), (5), (7) and (8) shall be omitted.
26. In paragraph 5 of Schedule 3, for “Secretary of State”, wherever occurring, there shall be substituted “Attorney General”.
27. In paragraph 7(1) and (2) of Schedule 3, after “Secretary of State” there shall be inserted “, the Lieutenant Governor or the Attorney General, as the case may be,”.
28. Paragraph 8 of Schedule 3 shall be omitted.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order extends to the Bailiwick of Jersey the provisions of the Prevention of Terrorism (Temporary Provisions) Act 1984, with the exceptions, adaptations and modifications specified in the Schedule to the Order. It revokes and replaces the Prevention of Terrorism (Temporary Provisions) Act 1976 (Jersey) Order 1976, which extended the 1976 Act (which is repealed and replaced by the 1984 Act).

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