
STATUTORY INSTRUMENTS

1984 No. 860**PREVENTION AND SUPPRESSION OF TERRORISM****The Prevention of Terrorism (Temporary Provisions) Act 1984
(Isle of Man) Order 1984**

Made - - - - 25th June 1984
Coming into Operation 25th July 1984

At the Court at Buckingham Palace, the 25th day of June 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 (Isle of Man) Order 1984 and shall come into operation on 25th July 1984.

2. It is hereby directed that the provisions of the Prevention of Terrorism (Temporary Provisions) Act 1984 shall extend to the Isle of Man with the exceptions, adaptations and modifications specified in the Schedule to this Order.

3. The Prevention of Terrorism (Temporary Provisions) Act 1976 (Isle of Man) Order 1976 (b) is hereby revoked.

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

(a) 1984 c.8.
(b) S.I. 1976/895.

Article 2

SCHEDULE

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

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 Isle of Man.
2. Any reference to an enactment of Tynwald shall be construed, unless the contrary intention appears, as a reference to it as amended or replaced by or under any other enactment of Tynwald.
3. For “Secretary of State” there shall be substituted—
 - (a) in sections 1(4) and (5), 13(1) and 14(8) and paragraph 1(8) of Schedule 3, “Governor in Council”; and
 - (b) wherever occurring in all other provisions, “Governor”.
4. In section 1—
 - (a) in subsection (2)(b), for “indictment” there shall be substituted “information”;
 - (b) in subsection (4), “made by statutory instrument” shall be omitted and after “occurring in” there shall be inserted “the Isle of Man or”; and
 - (c) in subsection (5), “so made” shall be omitted.
5. In section 3(2), “, 5 or 6” shall be omitted.
6. In section 4—
 - (a) for “Great Britain”, wherever occurring, there shall be substituted “the Isle of Man”; and
 - (b) subsection (4)(b) shall be omitted.
7. Sections 5 and 6 shall be omitted.
8. In section 7—
 - (a) in subsection (2), for “United Kingdom” there shall be substituted “Isle of Man”;
 - (b) in subsection (5)(a), for “Great Britain, Northern Ireland or the United Kingdom, as the case may be” there shall be substituted “the Isle of Man”; and
 - (c) in subsection (9), for paragraphs (a), (b) and (c) there shall be substituted “Great Britain, Northern Ireland or the Republic of Ireland.”.
9. In section 8, for “Great Britain, Northern Ireland or the United Kingdom, as the case may be” there shall be substituted “the Isle of Man”.
10. In section 9—
 - (a) in subsection (2)(a) and (b), for “Great Britain, Northern Ireland or the United Kingdom” there shall be substituted “the Isle of Man”;
 - (b) in subsection (3)(a), “in relation to Great Britain,” shall be omitted and for “from Great Britain” there shall be substituted “from the Isle of Man”;
 - (c) subsection (3)(b) and (c) shall be omitted; and
 - (d) in subsection (4)(b), for “indictment” there shall be substituted “information”.
11. In section 10—
 - (a) in subsection (3)(b), for “indictment” there shall be substituted “information”; and

- (b) for subsection (6) there shall be substituted the following subsection:—
 “(6) In this section “property” includes both real and personal property.”.
12. In section 11—
- (a) in subsection (1), for the words from “practicable” to the end there shall be substituted “practicable to a constable he shall be guilty of an offence”;
- (b) in subsection (2)(b), for “indictment” there shall be substituted “information”; and
- (c) subsection (3) shall be omitted.
13. In section 12—
- (a) in subsection (1), “Subject to subsection (2) below,” shall be omitted;
- (b) subsection (2) shall be omitted;
- (c) in subsection (3)(b), after “the affairs of” there shall be inserted “the Isle of Man,”; and
- (d) for subsections (6), (7) and (8) there shall be substituted the following subsections:—
- “ (6) The provisions of section 12 of the Bail Act 1952 and of section 27 of the Children and Young Persons Act 1966 (Acts of Tynwald) (requirement to bring an arrested person before a court of summary jurisdiction after his arrest) shall not apply to a person detained in right of the arrest.
- (7) Nothing in this section shall prejudice the provisions of any other enactment, or any rule of law, relating to arrest without warrant.”.
14. In section 13(1)—
- (a) “made by statutory instrument” shall be omitted; and
- (b) in paragraph (a), for “Great Britain or Northern Ireland” there shall be substituted “Isle of Man”.
15. In section 14—
- (a) in subsection (1)—
- (i) after the definition of “captain” there shall be inserted the following definition:—
 “ “constable” has the meaning given by section 3 of the Interpretation Act 1976 (an Act of Tynwald);”;
- (ii) after the definition of “exclusion order” there shall be inserted the following definitions:—
 “ “the Governor” and “the Governor in Council” have the meanings given by section 3 of the Interpretation Act 1976 (an Act of Tynwald);”;
- (iii) after the definition of “ship” there shall be inserted the following definition:—
 “ “summary conviction” has the meaning given by section 3 of the Interpretation Act 1976 (an Act of Tynwald);”;
- (b) in subsections (2) and (3), all the words after “Criminal Justice Act 1982” shall be omitted;
- (c) in subsection (4), for “United Kingdom” there shall be substituted “Isle of Man”;
- (d) in subsection (6), “5 or 6” shall be omitted;
- (e) for subsections (9) to (12) there shall be substituted the following subsections:—
- “ (9) Any power to make an order conferred by section 1 or 13 of this Act shall include power to vary or revoke any order so made.

- (10) Any order made under section 1 or 13 of this Act shall be laid before Tynwald as soon as may be after the making thereof and if Tynwald at the sitting before which such order is so laid or at the next following sitting of Tynwald resolves that the order shall be annulled the order shall thereupon cease to have effect but without prejudice to the validity of anything previously done thereunder or to the making of a new order.”
16. In section 15, for “Parliament” there shall be substituted “Tynwald”.
17. Sections 16 and 17(1) and (2) shall be omitted.
18. In section 18—
- (a) subsections (1) and (3) shall be omitted;
- (b) in subsection (2), for “Act of 1976” there shall be substituted “Prevention of Terrorism (Temporary Provisions) Act 1976”, and for “is passed” there shall be substituted “comes into force in the Isle of Man”; and
- (c) for subsection (4) there shall be substituted the following subsection:—
- “(4) The Prevention of Terrorism (Temporary Provisions) Act 1976 (Isle of Man) (Amendment) Order 1979 made by the Governor under section 1(3) of the Prevention of Terrorism (Temporary Provisions) Act 1976 is hereby revoked.”
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 Isle of Man”, 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 “Isle of Man” and for “the passing of this Act” there shall be substituted “this Act comes into force there”; and
- (d) 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 3 of Schedule 2, for the words from “section 67” to “1962)” there shall be substituted “section 1 of the Criminal Justice (Computation of Sentences) Act 1975 (an Act of Tynwald)”.
23. In paragraph 1 of Schedule 3—
- (a) sub-paragraphs (3) and (4) shall be omitted;
- (b) for sub-paragraph (6)(a) there shall be substituted the following provision:—
- “(a) in the case of ships or aircraft—
- (i) coming to the Isle of Man from the United Kingdom, the Republic of Ireland or the Channel Islands; or
- (ii) going from the Isle of Man to any other of those places, restrict the ports, areas or places in the Isle of Man which they may use;”;
- (c) sub-paragraph (6)(b) shall be omitted;
- (d) in sub-paragraphs (6)(c) (i) and (7), for “Great Britain or Northern Ireland” there shall be substituted “the Isle of Man”; and
- (e) in sub-paragraph (6)(c) (ii), for “either of those places” there shall be substituted “the Isle of Man”.
24. Paragraph 2 of Schedule 3 shall be omitted.
25. 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, Her Majesty’s Attorney General for the Isle of Man.”.

26. In paragraph 4 of Schedule 3—

(a) in sub-paragraphs (2), (3) and (4), for “a police force” and “any police force” (wherever occurring) there shall be substituted “the Isle of Man Constabulary”;

(b) in sub-paragraph (2), for “inspector” there shall be substituted “sergeant”;

(c) in sub-paragraph (4), for “superintendent” there shall be substituted “inspector”; and

(d) sub-paragraphs (7) and (8) shall be omitted.

27. Paragraph 8 of Schedule 3 shall be omitted.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order extends to the Isle of Man 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 (Isle of Man) Order 1976, which extended the 1976 Act (which is repealed and replaced by the 1984 Act).

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