
S T A T U T O R Y I N S T R U M E N T S

1973 No. 1762

CIVIL AVIATION

The Protection of Aircraft Act 1973 (Isle of Man) Order 1973*Made* - - - 24th October 1973*Coming into Operation* 24th November 1973

At the Court at Buckingham Palace, the 24th day of October 1973

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 27(2) of the Protection of Aircraft Act 1973(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 Protection of Aircraft Act 1973 (Isle of Man) Order 1973 and shall come into operation on 24th November 1973.

2. The provisions of the Protection of Aircraft Act 1973 shall extend to the Isle of Man with such exceptions, adaptations and modifications as are specified in the Schedule hereto.

W. G. Agnew.

SCHEDULE

EXCEPTIONS, ADAPTATIONS AND MODIFICATIONS

TO THE PROTECTION OF AIRCRAFT ACT 1973

1. Subject as hereinafter provided and save where the context otherwise requires—

- (a) any reference to the Protection of Aircraft Act 1973, or to any other Act of Parliament, shall be construed as a reference thereto as extended to the Isle of Man;
- (b) any reference to the United Kingdom shall be construed as a reference to the Isle of Man;
- (c) any reference to the Secretary of State except in section 23(1) shall be construed as a reference to the Lieutenant Governor.

2. In section 1(6) —
 - (a) in paragraph (a) for the words “part of the United Kingdom in which the Act is committed” there shall be substituted the words “Isle of Man”;
 - (b) in paragraph (b) for the words after “under the law of” there shall be substituted the words “the Isle of Man”.
3. In section 1(7)(a), the words “culpable homicide” shall be omitted and for the words after “an offence under section” there shall be substituted the words “33, 35, 36, 37, 38, 43 or 44 of the Criminal Code 1872 (an Act of Tynwald) or section 2 of the Explosive Substances Act 1883 (an Act of Tynwald)”.
4. In section 2(5)—
 - (a) from paragraph (b) there shall be omitted the words “registered in the United Kingdom or”;
 - (b) from paragraph (c) there shall be omitted the words “so registered or”.
5. In section 3(2) for paragraphs (a) and (b) there shall be substituted the words “of section 356 of the Criminal Code 1872 (an Act of Tynwald)”.
6. In section 4(1) for the word “indictment” there shall be substituted the word “information”.
7. In section 4(2) for paragraphs (a) and (b) there shall be substituted the words “except by, or with the consent of, the Attorney General for the Isle of Man”.
8. Section 4(3) and (4) shall be omitted.
9. Section 5 shall be omitted.
10. In section 6(2)—
 - (a) for the word “subsections” where it first appears there shall be substituted the word “subsection”;
 - (b) the words from “(1B)” to “of that Article” shall be omitted;
 - (c) for the words after “and shall be deemed” there shall be substituted the words “to have had such effect as from the extension of the said section 5 to the Isle of Man.”.
11. For section 7(2) there shall be substituted the following provision:—

“(2) In this part of this Act “act of violence” means any act (whether actual or potential, and whether done or to be done in the Isle of Man or elsewhere) which either—

 - (a) being an act done in the Isle of Man, constitutes, or
 - (b) if done in the Isle of Man would constitute,

the offence of murder, attempted murder, manslaughter, or assault, or an offence under sections 33, 35, 36, 37, 38, 43 and 44 of the Criminal Code 1872 (an Act of Tynwald) or under section 2 of the Explosive Substances Act 1883 (an Act of Tynwald) or any act which involves—

 - (i) the destruction or damage without lawful excuse of any property belonging to another where the person doing the act intends to destroy or damage such property or is reckless as to whether such property would be destroyed or damaged; or
 - (ii) the destruction or damage without lawful excuse of any property whatever belonging to the person doing the act or to some other person where the person doing the act —

- (a) intends to destroy or damage any property or is reckless as to whether any property would be destroyed or damaged; and
- (b) intends by the destruction or damage to endanger the life of another or being reckless as to whether the life of another would be thereby endangered.”.

12. In section 8(1) and (3) the words “registered or” shall be omitted wherever they appear.

13. In section 9(1) the words “registered or” shall be omitted.

14. Section 9(2), (3) and (4) shall be omitted.

15. In section 9(5) the words “registered or” and all the words following paragraph (c) shall be omitted.

16. In section 9(7) the words “or subsection (2)” shall be omitted.

17. In section 11(1) and (4) the words “registered or” wherever they occur shall be omitted.

18. Section 12(2) and (3) shall be omitted.

19. In section 12(6) for the word “to” there shall be substituted the words “, (4) and”.

20. For section 13(5) there shall be substituted the following provision:—

“(5) A direction shall not require anything to be done or not done at a place outside the Isle of Man.”.

21. Section 15(3) and (4) shall be omitted.

22. For section 15(5) there shall be substituted the following provision:—

“(5) In this section “Isle of Man contract” means a contract which is either expressed to have effect in accordance with the law of the Isle of Man or (not being so expressed) is a contract of which the proper law is the law of the Isle of Man.”.

23. In section 16(1) paragraph (a) shall be omitted, paragraphs (b), (c) and (d) shall be renumbered (a), (b) and (c) and the word “other” shall be omitted.

24. In section 17(1) the words “registered or” shall be omitted.

25. In section 19(4) for paragraphs (a), (b) and (c) there shall be substituted the words “of any rule of law relating to power of arrest without warrant”.

26. In section 20(6) and (7) for the word “indictment” there shall be substituted the word “information”.

27. In section 23(1)—

(a) for the words “The Secretary of State with the approval of the Treasury” there shall be substituted the words “The Isle of Man Airports Board with the approval of the Finance Board constituted under the Finance Board Act 1961 (an Act of Tynwald)”;

(b) for the word “Parliament” there shall be substituted the word “Tynwald”;

(c) paragraph (c) and the word “or” immediately preceding it shall be omitted;

(d) after the words “to that aerodrome or” there shall be inserted the words “to an”;

- (e) there shall be omitted the words "registered or", "have at any time on or after 1st June 1972 been, or" and "(in the case of expenses incurred after the commencement of this Act)".
28. Section 24 shall be omitted.
29. In section 26(1)—
- (a) for the definition of "aerodrome" there shall be substituted the following definition:—
- ‘ “aerodrome” means the aggregate of land, buildings and works comprised in the premises known as Ronaldsway Airport situated in the parish of Malew and (if and so far as not comprised in such premises) any land, buildings or works situated within the boundaries of an area designated by order of the Lieutenant Governor, which is for the time being in force, as constituting the area of an aerodrome for the purposes of this Act;’;
- (b) in the definition of "aircraft registered or operating in the United Kingdom" for the words before "for the time being allocated" there shall be substituted the words ‘ “aircraft operating in the Isle of Man” means any aircraft which is’;
- (c) after the definition of "firearm" there shall be inserted the following definition:—
- ‘ “Lieutenant Governor” means the Lieutenant Governor of the Isle of Man and includes a deputy or acting Governor or Lieutenant Governor;’;
- (d) in the definition of "manager" the brackets and the words enclosed therein shall be omitted.
30. For section 26(5) there shall be substituted the following provision:
- “(5) Any order made under subsection (1) of this section shall be laid before Tynwald as soon as may be after it is made and shall cease to have effect on the expiration of 45 days beginning with the day on which the order is made unless at some time before the expiration of that period it has been approved by a resolution of Tynwald without prejudice however to the validity of anything previously done under the order or to the making of a new order.”.
31. In section 26(7) for the words "33 of the Interpretation Act 1889" there shall be substituted the words "30 of the Interpretation Act 1970 (an Act of Tynwald)".
32. Section 26(9) shall be omitted.
33. Section 27 shall be omitted.
34. Section 28(2) and (3) shall be omitted.
35. In the Schedule—
- (a) in paragraph 4 for the words "section 5 of the Land Compensation Act 1961" there shall be substituted the words "section 5 of the Public Authorities Acquisition of Land Act 1923 (an Act of Tynwald)";
- (b) in paragraph 5 for the words "statutory instrument" there shall be substituted the word "order";
- (c) in paragraph 5(b) the words "or, in Scotland, to a feuduty or ground annual or to the purposes of a trust," shall be omitted;
- (d) for paragraph 6 there shall be substituted the following provision:—
- “6. Any order whereby any regulations are made under paragraph 5

of this Schedule shall cease to have effect on the expiration of 80 days after it is made unless at some time before the expiration of that period it has been approved by a resolution of Tynwald, without prejudice however to the validity of anything previously done under the order or to the making of a new order.”;

- (e) in paragraph 7 for the words “Lands Tribunal” there shall be substituted the words “Common Law Division of the High Court of Justice of the Isle of Man”;
- (f) paragraphs 9 and 10 shall be omitted;
- (g) in paragraph 11 all the words after the word “worth” shall be omitted.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order extends the provisions of the Protection of Aircraft Act 1973 to the Isle of Man with exceptions, adaptations and modifications.

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