

1976 No. 896

PREVENTION OF TERRORISM

**The Prevention of Terrorism (Temporary Provisions) Act 1976
(Jersey) Order 1976**

Made - - - - 9th June 1976
Coming into Operation 9th June 1976

At the Court at Buckingham Palace, the 9th day of June 1976

Present,

The Queen's Most Excellent Majesty in Council.

Her Majesty, in exercise of the powers conferred on Her by sections 16 and 18(3) of the Prevention of Terrorism (Temporary Provisions) Act 1976^(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 1976 (Jersey) Order 1976 and shall come into operation forthwith.

2.—(1) In this Order “Jersey” means the Bailiwick of Jersey and the territorial waters adjacent thereto.

(2) The Interpretation Act 1889^(b) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. The Prevention of Terrorism (Temporary Provisions) Act 1974 (Jersey) Order 1974^(c) is hereby revoked.

4. The Prevention of Terrorism (Temporary Provisions) Act 1976 shall extend to Jersey with such exceptions, adaptations and modifications as are specified in the Schedule hereto.

N. E. Leigh

^(a) 1976 c. 8.

^(b) 1889 c. 63.

^(c) S.I. 1974/2025 (1974 III, p. 7841).

SCHEDULE

EXCEPTIONS, ADAPTATIONS AND MODIFICATIONS TO THE PREVENTION OF TERRORISM
(TEMPORARY PROVISIONS) ACT 1976

1. Subject as hereinafter provided and save where the context otherwise requires—
 - (a) any reference to the Prevention of Terrorism (Temporary Provisions) Act 1976 or to any other Act of Parliament shall be construed as a reference thereto as it has effect in Jersey;
 - (b) for any reference to Great Britain there shall be substituted a reference to Jersey;
 - (c) for any reference to a constable there shall be substituted a reference to a police officer.
2. In section 1(1) the words from “(i) on summary conviction” to “on indictment” shall be omitted.
3. In section 1(3) after the words “United Kingdom” there shall be inserted the words “or Jersey”.
4. In section 2(1) the words “on summary conviction” shall be omitted.
5. In section 2(2) the words “without warrant” shall be omitted.
6. In Part II for any reference to the Secretary of State there shall be substituted a reference to the Lieutenant Governor.
7. In section 3(1) for the reference to the United Kingdom there shall be substituted a reference to Jersey.
8. In section 3(2) the words “5 or 6” shall be omitted.
9. In section 4(3) paragraph (c) shall be omitted.
10. Sections 5 and 6 shall be omitted.
11. In section 7(2) for the reference to the United Kingdom there shall be substituted a reference to Jersey.
12. In sections 7(5)(b), 8 and 9(1) the words “Northern Ireland or the United Kingdom, as the case may be,” shall be omitted.
13. In section 9(2) the words “Northern Ireland or the United Kingdom” shall be omitted in both places where they occur.
14. In sections 9(3), 10(3) and 11(2) the words from “(a) on summary conviction” to “on indictment” shall be omitted.
15. In section 10(5) after the words “United Kingdom” there shall be inserted the words “or Jersey”.
16. In section 11(1) for paragraphs (i) to (iii) there shall be substituted the words “to a police officer”.
17. Section 11(3) shall be omitted.
18. In section 12(1) the words “without warrant” shall be omitted.
19. In section 12(2) for the words “Secretary of State” there shall be substituted the words “Attorney General”.
20. Section 12(3) and (4) shall be omitted.
21. In section 13(1)—
 - (a) for the words “Secretary of State” there shall be substituted the words “Defence Committee”;
 - (b) the words “or Northern Ireland” shall be omitted.

22. In section 13(2) for the words “Secretary of State” in both places where they occur there shall be substituted the words “Lieutenant Governor”.

23. In section 14(1)—

(a) after the definition of “captain” there shall be inserted the following definition:

‘ “Defence Committee” means the Defence Committee of the States of Jersey;’;

(b) 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.’.

24. In section 14(2) for the words “the United Kingdom)” there shall be substituted the words “Jersey) and the provisions of the Loi (1937) sur les Etrangers”.

25. In section 14(4) the words “5 or 6” shall be omitted.

26. For section 14(6) there shall be substituted the following provision:—

“(6) Any power to make an order conferred by section 1 of this Act shall include power to vary or revoke any order so made”.

27. For section 14(7) to (10) there shall be substituted the following provisions:—

“(7) The Subordinate Legislation (Jersey) Law 1960 shall apply to Orders made by the Defence Committee under this Act.

“(8) Any Order made by the Secretary of State under this Act shall have effect in Jersey without registration therein from the day upon which such Order is expressed to come into operation; provided always that immediately upon the making thereof every such Order shall be transmitted to the Bailiff and communicated by him to the Royal Court for registration.”.

28. Sections 15 to 17 shall be omitted.

29. Section 18(1) and (3) shall be omitted.

30. In section 18(2)—

(a) for the words “Act of 1974” there shall be substituted the words “Prevention of Terrorism (Temporary Provisions) Act 1974”;

(b) for the words “the repeal” there shall be substituted the words “that Act ceasing to have effect in Jersey”.

31. Section 19(2) shall be omitted.

32. In Schedule 2 in paragraph 1(1)—

(a) sub-paragraph (b) shall be omitted;

(b) for sub-paragraph (iii) there shall be substituted the following provision:
“(iii) the Loi (1937) sur les Etrangers.”.

33. In Schedule 3 in paragraph 1(2)(c)—

(a) the words “and excise” shall be omitted;

(b) for the words “Secretary of State” there shall be substituted the words “Defence Committee”.

34. In Schedule 3 paragraph 1(3) and (4) shall be omitted.

35. In Schedule 3 in paragraph 1(6)(a) for sub-paragraph (i) there shall be substituted the following provision:—

“(i) coming to Jersey from the United Kingdom, the Republic of Ireland, the Bailiwick of Guernsey or the Isle of Man or”.

36. In Schedule 3 in paragraph 1(6) sub-paragraph (b) shall be omitted.

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37. In Schedule 3 in paragraph 1(6)(c)—
(a) the words “or Northern Ireland” shall be omitted;
(b) for the words “either of those places” there shall be substituted the word “Jersey”.
38. In Schedule 3 in paragraph 1(7) the words “or Northern Ireland” shall be omitted.
39. In Schedule 3 in paragraph 1(8) for the words “Secretary of State” there shall be substituted the words “Defence Committee”.
40. In Schedule 3 in paragraph 1(9) the words “on summary conviction” shall be omitted.
41. In Schedule 3 in paragraph 1(10) for the words “Secretary of State” there shall be substituted the words “Lieutenant Governor or the Defence Committee”.
42. In Schedule 3 paragraph 2 shall be omitted.
43. In Schedule 3 for paragraph 3 there shall be substituted the following provision:—
“3. Proceedings for an offence under section 1, 2, 9, 10 or 11 of this Act shall not be instituted except by or with the consent of the Attorney General.”
44. In Schedule 3 in paragraph 4(1) for the words “a justice of the peace” there shall be substituted the words “the Bailiff”.
45. In Schedule 3 in paragraph 4(2)—
(a) for all the words from “member” to “inspector” there shall be substituted the words “police officer”;
(b) for the word “justice” there shall be substituted the word “Bailiff”.
46. In Schedule 3 in paragraph 4(3) for the words “member of any police force” and “member of a police force” there shall be substituted in each case the words “police officer”.
47. In Schedule 3 paragraphs 4(4) and (5) shall be omitted.
48. In Schedule 3 in paragraph 4(6) the words “or order” shall be omitted.
49. In Schedule 3 paragraph 4(7) and (8) shall be omitted.
50. In Schedule 3 in paragraph 5(1) and (3) for the references to the Secretary of State there shall be substituted references to the Attorney General.
51. In Schedule 3 in paragraph 7 after the words “Secretary of State” wherever they occur, there shall be inserted the words “the Lieutenant Governor or the Attorney General, as the case may be.”
52. In Schedule 3 paragraph 8 shall be omitted.
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EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order revokes the Prevention of Terrorism (Temporary Provisions) Act 1974 (Jersey) Order 1974 and extends the Prevention of Terrorism (Temporary Provisions) Act 1976 to the Bailiwick of Jersey with exceptions, adaptations and modifications.

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