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STATUTORY INSTRUMENTS

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**1998 No. 2794**

**CHEMICAL WEAPONS**

**The Chemical Weapons Act 1996 (Isle of Man) Order 1998**

*Made - - - - 17th November 1998*

*Coming into force - - 17th December 1998*

At the Court of Buckingham Palace, the 17th day of November 1998

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by sections 3(3) and 39(3) of the Chemical Weapons Act 1996<sup>(1)</sup>, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

**Citation and commencement**

1. This Order may be cited as the Chemical Weapons Act 1996 (Isle of Man) Order 1998 and shall come into force on 17th December 1998.

**Application of section 2 of the Chemical Weapons Act 1996**

2. The application of section 2 of the Chemical Weapons Act 1996, so far as it applies to acts done outside the United Kingdom, shall extend to bodies incorporated under the law of the Isle of Man.

**Extension of the Chemical Weapons Act 1996 to the Isle of Man**

3. The Chemical Weapons Act 1996 shall extend to the Isle of Man with the exceptions, adaptations and modifications specified in the Schedule to this Order.

*A.K. Galloway*  
Clerk of the Privy Council

## SCHEDULE

Article 3

### EXCEPTIONS, ADAPTATIONS AND MODIFICATIONS TO THE CHEMICAL WEAPONS ACT 1996 IN ITS EXTENSION TO THE ISLE OF MAN

1. References to the High Court shall be construed as references to the High Court of Justice of the Isle of Man.
2. References to conviction on indictment shall be construed as references to conviction on information.
3. In sections 5(2), 7(7), 14(2), 15(3) and 29(1), omit paragraph (b) and the word “or” after paragraph (a).
4. In sections 8(2), 16(3) and 37(2), omit “or in Scotland the Court of Session”.
5. In section 3—
  - (a) in subsection (1), for “United Kingdom” substitute “Isle of Man”;
  - (b) for subsection (2) substitute—

“(2) So far as it applies to acts done outside the Isle of Man, section 2 applies to United Kingdom nationals, and bodies incorporated under the law of the Isle of Man or of any part of the United Kingdom.”;
  - (c) omit subsection (3); and
  - (d) in subsection (5), for “United Kingdom”, where those words first occur, substitute “Isle of Man”; and for “any place in the United Kingdom” substitute “the Isle of Man”.
6. In section 25(1), for “United Kingdom” substitute “Isle of Man”.
7. In section 27—
  - (a) in subsection (4), for “United Kingdom” substitute “Isle of Man”;
  - (b) in subsection (7), at the end of the definition of “enactment” insert “, an Act of Tynwald and an instrument made under an Act of Tynwald”; and
  - (c) at the end insert—

“(8) Any reference to any privilege or immunity enjoyed by diplomatic agents in accordance with any provision of the 1961 Articles shall be construed as a reference to the privilege or immunity which would be so enjoyed if the Isle of Man were a part of the United Kingdom.”.
8. In section 31—
  - (a) in subsection (1), for paragraphs (a) and (b) substitute “except by or with the consent of the Attorney General for the Isle of Man”;
  - (b) in subsection (2), omit the words from “but the preceding” onwards; and
  - (c) omit subsection (5).
9. In section 32(2)(g), after “United Kingdom” insert “or of the Isle of Man”.
10. Omit section 33.
11. In section 34, in paragraph (b), for “United Kingdom” substitute “Isle of Man”.
12. In section 36—
  - (a) in subsection (1), after “modifications to” insert “the Schedule to”; and
  - (b) for subsections (2) and (3) substitute—

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“(2) The power to make an order under this section shall be exercisable by statutory instrument.”.

**13.** In section 37(4), omit the words from “and this subsection” onwards.

**14.** In section 39, omit subsections (1) to (3).

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### EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order applies section 2 of the Chemical Weapons Act 1996 (Use etc. of chemical weapons), as it has effect in the United Kingdom, to bodies incorporated under the law of the Isle of Man. It also extends the Chemical Weapons Act 1996 to the Isle of Man with the exceptions, adaptations and modifications specified in the Schedule to this Order.