1952 No. 2096

The Emergency Laws (Miscellaneous Provisions) (Isle of Man) Order in Council, 1952

Made - - - - 4th December, 1952

At the Court at Buckingham Palace, the 4th day of December, 1952

Present

The Queen's Most Excellent Majesty in Council

Whereas section eighteen of the Emergency Laws (Transitional Provisions) Act, 1946(a), as amended by subsection (1) of section eight of the Emergency Laws (Miscellaneous Provisions) Act, 1947(b), enabled His late Majesty by Order in Council to provide for the continuation in force until the tenth day of December, nineteen hundred and fifty, of Defence Regulations having effect in the Isle of Man, being a territory specified in section four of the Emergency Powers (Defence) Act, 1939(c), and for certain matters ancillary thereto:

And Whereas by Article 3 of the Emergency Laws (Continuance) Order, 1952(d), made under the said section eight on the fourth day of December, nineteen hundred and fifty-two, it is provided that the powers exercisable under the said section eighteen shall be exercisable in relation to any Defence Regulations remaining in force by virtue of that section and Article 3 of the Emergency Laws (Continuance) Order, 1951(e), when the said Order of 1952 was made, as if in paragraph (*a*) of subsection (1) of the said section eighteen as amended by subsection (1) of the said section eight for the reference to the tenth day of December, nineteen hundred and fifty, there were substituted a reference to the tenth day of December, nineteen hundred and fifty-three:

And Whereas it is expedient that further provision be made for the continuation in force for a further period of certain Defence Regulations remaining in force by virtue of the said section eighteen when the said Order of 1952 was made:

Now, therefore, Her Majesty, in pursuance of the said section eighteen as amended by subsection (1) of the said section eight and the said Order of 1952 and all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1.—(1) This Order may be cited as the Emergency Laws (Miscellaneous Provisions) (Isle of Man) Order in Council, 1952.

(2) The Interpretation Act, 1889(f), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

2.—(1) The Defence Regulations specified in the Schedule to this Order shall, unless previously revoked, continue in force until the tenth day of December, nineteen hundred and fifty-three.

(a) 9 & 10 Geo. 6. c. 26.
(b) 11 & 12 Geo. 6. c. 10.
(c) 2 & 3 Geo. 6. c. 62.
(d) S.I. 1952/2095, p. 945 above.
(e) S.I. 1951/2117; 1951 III, p. 1;
(f) 52 & 53 Vict. c. 63.

(2) Where a Defence Regulation is continued in force by this Article, any order or other instrument made under the Regulation and in force immediately before the tenth day of December, nineteen hundred and fifty-two, shall continue in force and shall have effect as if it had been made under the Regulation as continued in force by this Article.

(3) Subsection (2) of section thirty-eight of the Interpretation Act, 1889, shall apply upon the expiry of any Defence Regulation continued in force by this Article as if the Regulation were an Act of Parliament and had then been repealed.

(4) The reference in paragraph (1) of this Article to the Defence Regulations therein referred to shall be construed as a reference to those Regulations as in force when the Emergency Laws (Continuance) Order, 1952, was made.

3. Section seven of the Emergency Powers (Defence) Act, 1939, as extended by the Emergency Powers (Isle of Man Defence) Order in Council, 1939(**a**) (which relates to the proof of instruments), shall continue to apply in relation to instruments made or issued in pursuance of any provision contained in, or having effect under any Defence Regulation continued in force by Article 2 of this Order and documents purporting to be such instruments.

4. Where any Regulation continued in force by Article 2 of this Order also has effect by virtue of the Supplies and Services (Transitional Powers) (Isle of Man) Order in Council, 1946(**b**), nothing in the said Article 2 shall affect the operation of that Regulation for the purposes of the said Order in Council, and nothing in the said Order in Council or done thereunder shall affect the operation of that Regulation under this Order.

F. J. Fernau.

SCHEDULE

Defence Regulations continued in force until the tenth day of December, nineteen hundred and fifty-three

Defence (General) Regulations (Isle of Man), 1939(**c**)

Regulation sixteen(**d**) (Stopping-up and diversion of highways).
Regulation fifty-two(**e**) (Use of land for purposes of H.M. forces).
Regulation sixty C(**f**) (Sale of margarine).
Regulation ninety-two(**g**) (Penalties).
Regulation ninety-three(**h**) (Legal proceedings).
Regulation ninety-eight (Revocation and variation of orders, etc.).
Regulation one hundred(**i**) (Interpretation).
Regulation one hundred and five(**j**) (Short title).

(a) S.R. & O. 1939/969; 1939 I, p. 1470.
(b) S.R. & O. 1946/167; 1946 II, p. 1525.
(c) S.R. & O. 1939/1068; 1939 I, p. 1479; and *see* S.R. & O. 1946/251; 1946 II, p. 39: S.R. & O. 1947/2790; 1947 II, p. 21: S.I. 1950/1774; 1950 III, p. 9: S.I. 1951/2118; 1951 III, p.7.
(d) *See* S.R. & O. 1940/1067; 1940 II, p. 1474: S.R. & O. 1941/785; 1941 II, p. 1835: S.I. 1950/1974; 1950 III, p. 14.
(e) *See* S.R. & O. 1939/1507; 1939 I, p. 1554; S.I. 1950/1974; 1950 III, p. 14.
(f) *See* S.R. & O. 1941/785; 1941 II, p. 1835: S.R. & O. 1942/967; 1942 II, p. 2467.
(g) *See* S.R. & O. 1941/785; 1941 II, p. 1835.
(h) *See* S.R. & O. 1940/1067; 1940 II, p. 1474: S.R. & O. 1941/785; 1941 II, p. 1835.
(i) *See* S.R. & O. 1940/1067; 1940 II, p. 1474: S.R. & O. 1941/785; 1941 II, p. 1835: S.R. & O. 1942/809 and 967; 1942 II, pp. 2465 and 2467.
(j) *See* S.R. & O. 1940/1067; 1940 II, p. 1474.