STATUTORY INSTRUMENTS

1974 No. 2025

PREVENTION OF TERRORISM

The Prevention of Terrorism (Temporary Provisions) Act 1974 (Jersey) Order 1974

Made - - - - *4th December* 1974

Coming into Operation - *4th December* 1974

At the Court at Buckingham Palace, the 4th day of December 1974

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 11 of the Prevention of Terrorism (Temporary Provisions) Act 1974**(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 1974 (Jersey) Order 1974 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 shall extend to Jersey with such exceptions, adaptations and modifications as are specified in the Schedule hereto.

N. E. Leigh

(a) 1974 c. 56. **(b)** 1889 c. 63.

SCHEDULE

EXCEPTIONS, ADAPTATIONS AND MODIFICATIONS TO THE PREVENTION OF TERRORISM (TEMPORARY PROVISIONS) ACT 1974

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

(*a*) any reference to the Prevention of Terrorism (Temporary Provisions) Act 1974 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(8) the words from " (i) on summary conviction " to " on indictment " shall be omitted.

8. Section 6 shall be omitted.

9. In section 7(1) the words " without warrant " shall be omitted.

10. In section 7(2) for the words " Secretary of State " there shall be substituted the words " Attorney General ".

11. Section 7(3), (4) and (5) shall be omitted.

12. In section 8(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.

13. In section 8(2) for the words " Secretary of State " in both places where they occur there shall be substituted the words " Lieutenant-Governor ".

14. In section 9(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,'.

15. In section 9(2) for the words " the United Kingdom)" there shall be substituted the words " Jersey) and the provisions of the Loi (1937) sur les Etrangers ".

16. For section 9(5) to (8) there shall be substituted the following provisions:—

" (5) The Subordinate Legislation (Jersey) Law 1960 shall apply to orders made by the Defence Committee under this Act.

(6) Any order made under section 1 or 12 of this Act shall have effect without registration 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.".

17. Sections 10 and 11 shall be omitted.

18. Section 13(2) shall be omitted.

19. In Schedule 2 in paragraph 1(1) for sub-paragraph (*c*) there shall be substituted the following provision:—

" (*c*) the Loi (1937) sur les Etrangers.".

20. In Schedule 2 in paragraph 2 (*c*) sub-paragraph (ii) shall be omitted.

21. In Schedule 2 paragraph 3 shall be omitted.

22. 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".

23. In Schedule 3 paragraph 1(3) shall be omitted.

24. In Schedule 3 in paragraph 1(5)(*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 ".

25. In Schedule 3 in paragraph 1(6) the words " or Northern Ireland " shall be omitted.

26. In Schedule 3 in paragraph 1(7) for the words " Secretary of State " there shall be substituted the words " Defence Committee ".

27. In Schedule 3 in paragraph 1(8) the words " on summary conviction " shall be omitted.

28. In Schedule 3 in paragraph 1(9) for the words " Secretary of State " there shall be substituted the words " Lieutenant-Governor or the Defence Committee ".

29. In Schedule 3 paragraphs 2 and 3 shall be omitted.

30. In Schedule 3 in paragraph 4(1) the words " in England and Wales, or (for section 3) in Northern Ireland " shall be omitted.

31. In Schedule 3 in paragraph 5(1) for the words " a justice of the peace " there shall be substituted the words " the Bailiff ".

32. In Schedule 3 in paragraph 5(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 ".

33. In Schedule 3 in paragraph 5(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 ".

34. In Schedule 3 paragraphs 5(4) and (5) shall be omitted.

35. In Schedule 3 in paragraph 5(6) the words " or order " shall be omitted.

36. In Schedule 3 paragraph 5(7) shall be omitted.

37. In Schedule 3 in paragraph 6(1) and (3) for the references to the Secretary of State there shall be substituted references to the Attorney General.

38. In Schedule 3 in paragraph 8 after the words " Secretary of State " wherever they occur, there shall be inserted the words " or the Lieutenant-Governor ".

39. In Schedule 3 paragraph 9 shall be omitted.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

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

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