STATUTORY INSTRUMENTS

1976 No. 772

PREVENTION OF TERRORISM

The Prevention of Terrorism (Temporary Provisions) Act 1976 (Guernsey) Order 1976

Made - - - -	19*th May* 1976
Coming into Operation	19*th May* 1976

At the Court at Buckingham Palace, the 19th day of May 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 (Guernsey) Order 1976 and shall come into operation forthwith.

2.—(1) In this Order "Guernsey" means the Bailiwick of Guernsey 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 (Guernsey) Order 1974(**c**) is hereby revoked.

4. The Prevention of Terrorism (Temporary Provisions) Act 1976 shall extend to Guernsey 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**) SI 1974/2026 (1974 III, p. 7845).

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 enactment shall be construed as a reference to that enactment as it has effect in Guernsey;
   (*b*) for any reference to Great Britain there shall be substituted a reference to Guernsey;
   (*c*) for any reference to a constable there shall be substituted a reference to a police officer.

2. In section 1(3) and (4) for the reference to the Secretary of State there shall be substituted a reference to the States Emergency Council.

3. In section 1(3) after the words "United Kingdom" there shall be inserted the words "or Guernsey".

4. In Part II for any reference to the Secretary of State there shall be substituted a reference to the Lieutenant Governor.

5. In section 3(1) for the reference to the United Kingdom there shall be substituted a reference to Guernsey.

6. In section 3(2) the words "5 or 6" shall be omitted.

7. In section 4(3) paragraph (*c*) shall be omitted.

8. Sections 5 and 6 shall be omitted.

9. In section 7(2) for the reference to the United Kingdom there shall be substituted a reference to Guernsey.

10. 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.

11. In section 9(2) the words "Northern Ireland or the United Kingdom" shall be omitted in both places where they occur.

12. In section 10(5) after the words "United Kingdom" there shall be inserted the words "or Guernsey".

13. In section 11(1) for paragraphs (i) to (iii) there shall be substituted the words "to a police officer.".

14. In section 12(2) for the words "Secretary of State" there shall be substituted the words "Her Majesty's Procureur".

15. For section 12(3) and (4) there shall be substituted the following provision:—
   "(3) The provisions of section 89 of the Prison Administration (Guernsey) Ordinance 1959 shall not apply to a person detained in right of the arrest.".

16. In section 13(1)—
   (*a*) for the words "Secretary of State" there shall be substituted the words "States Emergency Council";
   (*b*) the words "or Northern Ireland" shall be omitted.

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

18. In section 14(1) after the definition of "exclusion order" there shall be inserted the following definitions:—
   ' "the Lieutenant Governor" means the person for the time being holding the office of Lieutenant Governor and Commander-in-Chief of the Island of Guernsey and its Dependencies;

"police officer" means—

(*a*) in relation to Guernsey, Herm and Jethou, a member of the salaried police force of the Island of Guernsey, and within the limits of his jurisdiction a member of the special constabulary of the Island of Guernsey;

(*b*) in relation to Alderney a member of the said police force and a member of any police force which may be established by the States of Alderney; and

(*c*) in relation to Sark, the Constable, the Vingtenier and a member of the said police force of the Island of Guernsey.'.

19. In section 14(2) for the words "the United Kingdom" there shall be substituted the word "Guernsey".

20. In section 14(4) the words "5 or 6" shall be omitted.

21. In section 14(6) the reference to section 17 shall be omitted.

22. In section 14(7) for the words "Secretary of State" there shall be substituted the words "States Emergency Council".

23. For section 14(8) to (10) there shall be substituted the following provision:—

"(8) Any order made by the States Emergency Council under section 1 or 13 of the Act shall be laid before a meeting of the States as soon as may be after the making thereof and if at that meeting or at the next subsequent meeting the States resolve that the order be annulled, the order shall cease to have effect but without prejudice to anything done thereunder or to the making by the States Emergency Council of a new order.".

24. For section 15 there shall be substituted the following provision:—

"15. Any expenses incurred by the States of Guernsey in the execution of this Act shall be paid out of monies provided by the States.".

25. Section 16 shall be omitted.

26. Section 17(1) and (2) shall be omitted.

27. In section 17(3) for all the words before "section" there shall be substituted the words "On any provision of this Act ceasing to have effect in Guernsey".

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

29. 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 Guernsey".

30. Section 19(2) shall be omitted.

31. In Schedule 2 in paragraph 1(1)—

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

(*b*) in sub-paragraph (iii) for the words "any part of the United Kingdom" there shall be substituted the word "Guernsey".

32. In Schedule 3 in paragraph 1(2) for sub-paragraph (*c*) there shall be substituted the following provision:—

"(*c*) officers of customs who are the subject of arrangements for their employment as immigration officers with the concurrence of the Lieutenant Governor under the said paragraph 1.".

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

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

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

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

36. 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 "Guernsey".

37. In Schedule 3 in paragraph 1(7) the words "or Northern Ireland" shall be omitted.

38. In Schedule 3 in paragraph 1(8) for the words "Secretary of State" there shall be substituted the words "States Emergency Council".

39. In Schedule 3 in paragraph 1(10) for the words "Secretary of State" there shall be substituted the words "Lieutenant Governor or States Board of Administration".

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

41. In Schedule 3 in paragraph 4(1) for the words "a justice of the peace" there shall be substituted the words "as respects Guernsey, the Bailiff, as respects Alderney, the Chairman of the Court of Alderney and as respects Sark, the Seneschal".

42. In Schedule 3 in paragraph 4(2)—

(*a*) for the words "a police force" there shall be substituted the words "the Island Police Force";

(*b*) the words "to the justice" shall be omitted.

43. In Schedule 3 in paragraph 4(3) for the words "any police force" and "a police force" there shall be substituted in each case the words "the Island Police Force".

44. In Schedule 3 in paragraph 4(4)—

(*a*) for all the words before "has reasonable grounds" there shall be substituted the words "If the Chief Officer of the Island Police Force";

(*b*) for the words "interests of the State" there shall be substituted the words "public interest";

(*c*) for the words "a police force" there shall be substituted the words "the Island Police Force".

45. In Schedule 3 in paragraph 4(5) for the words "Secretary of State" there shall be substituted the words "Lieutenant Governor".

46. In Schedule 3 paragraph 4(7) and (8) shall be omitted.

47. In Schedule 3 in paragraph 5 for the words "the Secretary of State" in both places where they occur there shall be substituted the words "Her Majesty's Procureur".

48. In Schedule 3 in paragraph 7—

(*a*) for the words "Secretary of State" wherever they occur there shall be substituted the words "Lieutenant Governor or Her Majesty's Procureur, as the case may be";

(*b*) the words "or on his behalf" and "or on behalf of" shall be omitted.

49. In Schedule 3 paragraph 8 shall be omitted.

EXPLANATORY NOTE

(This Note is not part of the Order.)

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

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