STATUTORY INSTRUMENTS

1983 No. 1704

PROTECTION OF TRADING INTERESTS

JUDGMENTS

The Protection of Trading Interests Act 1980 (Isle of Man) Order 1983

Made - - - 18*th November* 1983

Coming into Operation 1*st January* 1984

At the Court of Saint James, the 18th day of November 1983

Present,

The Counsellors of State in Council

Whereas Her Majesty, in pursuance of the Regency Acts 1937 to 1953, was pleased, by Letters Patent dated the 3rd day of November 1983, to delegate to the six Counsellors of State therein named or any two or more of them full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval for anything for which Her Majesty's approval in Council is required:

Now, therefore, Her Majesty Queen Elizabeth The Queen Mother and His Royal Highness The Prince Charles, Prince of Wales, being authorised thereto by the said Letters Patent, and in pursuance of section 8(8) of the Protection of Trading Interests Act 1980(**a**) and section 52(2) of the Civil Jurisdiction and Judgments Act 1982(**b**), by and with the advice of Her Majesty's Privy Council, do on Her Majesty's behalf order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Protection of Trading Interests Act 1980 (Isle of Man) Order 1983 and shall come into operation on 1st January 1984.

2. It is hereby directed that the Protection of Trading Interests Act 1980(**c**) shall extend, with the exceptions, adaptations and modifications specified in the Schedule to this Order, to the Isle of Man.

N. E. Leigh,
Clerk of the Privy Council.

(**a**) 1980 c.11. (**b**) 1982 c.27.
(**c**) Section 7 was amended by section 38 of the Civil Jurisdiction and Judgments Act 1982.

Article 2 SCHEDULE

EXCEPTIONS, ADAPTATIONS AND MODIFICATIONS TO THE PROTECTION OF TRADING INTERESTS ACT 1980 AS EXTENDED TO THE ISLE OF MAN

General

1. For the words "Secretary of State", wherever they occur, there shall be substituted the words "Governor in Council".

Section 1

2.—(1) For the words "United Kingdom"—

(*a*) in the first place where they occur in section 1(1)(*b*);

(*b*) in section 1(2); and

(*c*) in the first place where they occur in section 1(3),

there shall be substituted the words "Isle of Man".

(2) The words "or the Isle of Man" shall be added at the end of—

(*a*) section 1(1)(*b*); and

(*b*) section 1(3).

(3) For section 1(4) there shall be substituted the following subsection:—

"(4) An order made by the Governor in Council under subsection (1) or (2) above shall not have effect until approved by Tynwald.".

Section 2

3.—(1) For the words "United Kingdom" —

(*a*) in both places where they occur in section 2(1); and

(*b*) in section 2(5),

there shall be substituted the words "Isle of Man".

(2) After the words "United Kingdom" in the first and third places where they occur in section 2(2) there shall be added the words "or the Isle of Man".

Section 3

4.—(1) In section 3(1)(*a*), for the word "indictment" there shall be substituted the word "information".

(2) For the words "United Kingdom"—

(*a*) in the second and third places where they occur in section 3(2); and

(*b*) in section 3(4),

there shall be substituted the words "Isle of Man".

(3) For section 3(3) there shall be substituted the following subsection:—

"(3) No proceedings for an offence under subsection (1) above shall be instituted except by or with the consent of Her Majesty's Attorney General for the Isle of Man.".

(4) For section 3(5) there shall be substituted the following subsection:—

"(5) In subsection (1) above "the statutory maximum" has the same meaning as it has for the time being in that subsection as it has effect in England and Wales (that is to say, the prescribed sum within the meaning of section 32 of the Magistrates' Courts Act 1980).".

Section 4

5. In section 4, for the words "United Kingdom" in the first and second places where they occur there shall be substituted the words "Isle of Man".

Section 5

6.—(1) In section 5(1) —

(*a*) for the words "Part II of the Administration of Justice Act 1920" there shall be substituted the words "the Judgments (Reciprocal Enforcement) (Isle of Man) Act 1968 (an Act of Tynwald)"; and

(*b*) for the words "United Kingdom" there shall be substituted the words "Isle of Man".

(2) For section 5(5) there shall be substituted the following subsection:—

"(5) An order made by the Governor in Council under subsection (4) above shall not have effect until approved by Tynwald.".

(3) In section 5(6), for the words "passing of this Act", there shall be substituted the words "coming into effect of this Act in the Isle of Man".

Section 6

7.—(1) In section 6(1)(*b*), for the words "the United Kingdom or in a territory" there shall be substituted the words "the United Kingdom, the Isle of Man or any other territory".

(2) In section 6(1)(*c*) and (5), for the words "United Kingdom" there shall be substituted the words "Isle of Man".

(3) In section 6(8), for the words "passing of this Act" there shall be substituted the words "coming into effect of this Act in the Isle of Man".

Section 7

8.—(1) In section 7(1) —

(*a*) for the words "Her Majesty" in the first place where they occur there shall be substituted the words "the Governor in Council";

(*b*) for the words "Her Majesty may by Order in Council" there shall be substituted the words "the Governor in Council may by order"; and

(*c*) for the words "United Kingdom" there shall be substituted the words "Isle of Man".

(2) In section 7 (1A) for the words "Order in Council" there shall be substituted the word "order".

(3) In section 7(2) there shall be added at the end the words "or the Judgments (Reciprocal Enforcement) (Isle of Man) Act 1968 (an Act of Tynwald)".

Section 8

9.—(1) In section 8(2) there shall be added at the end the words ", and 'the Governor in Council' has the meaning assigned thereto by the Interpretation Act 1976 (an Act of Tynwald)".

(2) In section 8 there shall be added after subsection (2) the following subsections:—

"(2A) References in this Act to an Act of Parliament are, unless the context otherwise requires, references to it as it has effect in the Isle of Man.

(2B) References in this Act to an enactment of Tynwald are references to it as amended or replaced by or under any other enactment of Tynwald.".

(3) Section 8(5), (6), (7) and (8) shall be omitted.

EXPLANATORY NOTE

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

This Order extends the Protection of Trading Interests Act 1980 to the Isle of Man, with the exceptions, adaptations and modifications specified in the Schedule to the Order.

SI 1983/1704
ISBN 0-11-037704-4

