STATUTORY INSTRUMENTS

# 1986 No. 2026

## DEFENCE

## The Reserve Forces Acts 1980 and 1982 (Isle of Man) Order 1986

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| *Made* - - - - | *25th November* 1986 |
| *Coming into Operation* | *23rd December* 1986 |

At the Court at Buckingham Palace, the 25th day of November 1986

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of section 158(3) of the Reserve Forces Act 1980(**a**), including that subsection as applied by section 3(3) of the Reserve Forces Act 1982(**b**), 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 Reserve Forces Acts 1980 and 1982 (Isle of Man) Order 1986 and shall come into operation on 23rd December 1986.

**2.** It is hereby directed that the provisions of the Reserve Forces Act 1980(**c**) shall extend to the Isle of Man, subject to the exceptions and modifications specified in Schedule 1 to this Order.

**3.** It is hereby directed that the provisions of the Reserve Forces Act 1982 shall extend to the Isle of Man, subject to the exceptions and modifications specified in Schedule 2 to this Order.

*G. I. de Deney,*
Clerk of the Privy Council.

(**a**) 1980 c.9. (**b**) 1982 c.14.
(**c**) Section 153 was repealed by section 2(3) of the Reserve Forces Act 1982 and sections 5, 98, 150 and 156 and Schedules 6 and 8 are amended by sections 1 and 2 of that Act; section 145 is amended by Schedule 4 to the Reserve Forces (Safeguard of Employment) Act 1985 (c.17); sections 34, 47, 73, 74, 76, 107, 108 and 110 and Schedule 3 are amended by the Criminal Justice Act 1982 (c.48); section 144 and Schedule 5 are amended by the Magistrates' Courts Act 1980 (c.43), Schedule 7; and sections 156 and Schedule 8 are amended by section 20 of and Schedule 5 to the Armed Forces Act 1981 (c.55).

## SCHEDULE 1 Article 2

EXCEPTIONS AND MODIFICATIONS TO PROVISIONS OF THE RESERVE FORCES ACT 1980 AS EXTENDED TO THE ISLE OF MAN

1. Any reference to, or to a provision of, an Act of Parliament (including the Reserve Forces Act 1980) shall be construed, unless the contrary intention appears, as a reference to it as it has effect in the Isle of Man.

2. In section 4(1), after the words "United Kingdom" there shall be inserted the words "and the Isle of Man".

3. Section 7 shall be omitted.

4. In section 10, subsection (5) shall be omitted.

5. Sections 24 and 25 shall be omitted.

6. In section 26(1), paragraph (vii) shall be omitted.

7. In–

*(a)* section 40(1); and

*(b)* section 41(1),

after the words "United Kingdom" there shall be inserted the words "and the Isle of Man".

8. Sections 44 and 53 shall be omitted.

9. In section 72, after subsection (3) there shall be inserted the following subsection–

"(3A) In subsections (1) to (3) above, references to the United Kingdom shall be construed as including references to the Isle of Man.".

10. In section 77, subsection (2) shall be omitted.

11. In section 78(1), after the words "United Kingdom" there shall be inserted the words ", the Isle of Man".

12. In section 81, subsection (3) shall be omitted.

13. In section 82(1), after the words "United Kingdom" there shall be inserted the words "and the Isle of Man".

14. In section 94(2)—

*(a)* for the words "a lord-lieutenant or deputy lieutenant of any county or, in Scotland, of any area" there shall be substituted the words "the Lieutenant Governor of the Isle of Man"; and

*(b)* for the words "any such lord-lieutenant, deputy lieutenant or" there shall be substituted the words "the said Lieutenant Governor or any such".

15. In section 109, the words "(or, in Scotland, on proceedings in any competent court)" shall be omitted.

16. In section 112—

*(a)* in subsection (1), after the words "United Kingdom" there shall be inserted the words ", the Isle of Man"; and

*(b)* in subsection (3), for the words from "paid" to the end there shall be substituted the words "applied as fines imposed by a criminal court.".

17. In section 116, subsection (3) shall be omitted.

18. In section 118—

*(a)* in subsection (1)*(a)*, for the word "Parliament" there shall be substituted the word "Tynwald"; and

*(b)* subsections (2) to (4) shall be omitted.

19. In section 121(1), after the words "United Kingdom" there shall be inserted the words "and the Isle of Man".

20. In section 128(1)*(h)*, after the word "Parliament" there shall be inserted the words "or Act of Tynwald".

21. Sections 130 to 143 shall be omitted.

22. In section 144—

*(a)* in subsection (1), for all the words following paragraph (i) there shall be substituted the following paragraph:—

"(ii) on conviction on information to a fine or to imprisonment for a term not exceeding 2 years or to both."; and

*(b)* in subsection (2), the words "in England and Wales" and paragraphs *(b)* and *(c)* shall be omitted.

23. In section 145, subsection (2) shall be omitted.

24. Sections 146 to 149 shall be omitted.

25. In section 156(5), for paragraphs *(a)* and *(b)* there shall be substituted the words "to the Isle of Man shall be construed as a reference to a court of summary jurisdiction".

26. In section 158, subsections (2) to (4) shall be omitted.

27. In Schedule 1, paragraph 10, after the words "United Kingdom" there shall be inserted the words "(within the meaning of that Act)".

28. In Schedule 2—

*(a)* for paragraph 2 there shall be substituted the following paragraph:—

"2. A person who is receiving treatment for mental disorder as an in-patient—

*(a)* in a hospital within the meaning of the Mental Health Act 1974 (an Act of Tynwald), or

*(b)* in any other place at the expense of the Department of Health and Social Security of the Isle of Man."; and

*(b)* for paragraph 3 there shall be substituted the following paragraph:—

"3. A person certified to be registered as a blind person by the said Department under arrangements made by that Department under section 27 of the National Assistance (Isle of Man) Act 1951 (an Act of Tynwald).".

29. In Schedule 5, at the end there shall be added the following paragraph:—

"*Interpretation*

6. In this Schedule references to the United Kingdom shall be construed as including references to the Isle of Man.".

30. In Schedule 7–

*(a)* in paragraph 2 at the end there shall be added the words "and in the case of an association established for an area which includes the Isle of Man, any reference in this paragraph to the lord-lieutenant of a county shall be

construed as including a reference to the Lieutenant Governor of the Isle of Man."; and

*(b)* paragraphs 3, 4 and 8(1) to (4) shall be omitted.

31. In Schedule 8–

*(a)* paragraphs 7, 13, 14 and 20 shall be omitted;

*(b)* in paragraph 17(1)*(b)* and (3)*(b)*, after the words "United Kingdom" there shall be inserted the words "and the Isle of Man"; and

*(c)* in paragraph 18(1)*(b)*, after the words "United Kingdom" there shall be inserted the words "or the Isle of Man".

32. In Schedule 9, paragraphs 8 and 9 and 11 to 21 shall be omitted.

33. Schedule 10 shall have effect in relation only to such of the enactments specified there as have effect in the Isle of Man.

## SCHEDULE 2

Article 3

EXCEPTIONS AND MODIFICATIONS TO THE RESERVE FORCES ACT 1982 AS EXTENDED TO THE ISLE OF MAN

1. Any reference to, or to a provision of, an Act of Parliament (including the Reserve Forces Act 1982) shall be construed, unless the contrary intention appears, as a reference to it as it has effect in the Isle of Man.

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

"(5) Subsection (4) above shall not affect any proceedings begun before the extension of this Act to the Isle of Man.".

3. Section 3(2) and (3) shall be omitted.

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## EXPLANATORY NOTE

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

This Order extends to the Isle of Man the Reserve Forces Acts 1980 and 1982, subject to the exceptions and modifications specified respectively in Schedules 1 and 2 to the Order.

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