STATUTORY INSTRUMENTS

1986 No. 2025

DEFENCE

The Reserve Forces (Safeguard of Employment) Act 1985 (Isle of Man) Order 1986

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 22 of the Reserve Forces (Safeguard of Employment) Act 1985**(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 Reserve Forces (Safeguard of Employment) Act 1985 (Isle of Man) Order 1986 and shall come into operation on 23rd December 1986.

2. The Reserve Forces (Safeguard of Employment) Act 1985 shall extend to the Isle of Man, subject to the adaptations and modifications specified in the Schedule to this Order.

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

(a) 1985 c. 17.

SCHEDULE

ADAPTATIONS AND MODIFICATIONS TO PROVISIONS OF THE RESERVE FORCES (SAFEGUARD OF EMPLOYMENT) ACT 1985 IN ITS EXTENSION TO THE ISLE OF MAN

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

(2) Any reference to an enactment of Tynwald shall be construed, unless the contrary intention appears, as a reference to it as amended or replaced by or under any other such enactment.

2. Except in section 19, for "Secretary of State" there shall be substituted "Governor".

3. In section 3(5)—

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

"(*b*) in the prescribed manner, at such office as the Governor may appoint,"; and

(*b*) for "such a local office it is the duty of the Secretary of State, or, in Northern Ireland, of the Department of Economic Development," there shall be substituted "such an office it is the duty of the Governor".

4. For section 13 there shall be substituted the following section:—

"13. In section 3 of the Preferential Payments Act 1908 (an Act of Tynwald), after paragraph (*d*) there shall be inserted the following paragraph:—

'(*e*) any sum ordered under the Reserve Forces (Safeguard of Employment) Act 1985 (an Act of Parliament), as it has effect in the Isle of Man, to be paid by way of compensation where the default by reason of which the order for compensation was made occurred before the following date, that is to say—

(i) in the case of a bankrupt, the date of the order of adjudication;

(ii) in the case of a deed of arrangement, the date of such deed;

(iii) in the case of a person dying insolvent, the date of his death;

(iv) in the case of the winding up of a company, the date of the commencement of such winding-up;

(v) in the case of the appointment of a receiver of any debentures or debenture stock of any company secured by a floating charge, or in a case where possession of any property comprised in or subject to the charge is taken by or on behalf of the holders of those debentures or that debenture stock, the date of the appointment of the receiver or of possession being taken, as the case may be,

whether or not the order for compensation was made before such date; but the sum to which priority is given under this paragraph shall not in the case of any one claimant exceed £200;'.".

5. In section 14—

(*a*) in subsection (2), paragraph (*b*) and "or of the Department of Economic Development," shall be omitted; and

(*b*) in subsection (3), paragraph (*a*)(ii) shall be omitted.

6. In section 19—

(*a*) in subsection (1), for "Secretary of State" there shall be substituted "Governor in Council"; and

(*b*) for subsection (2) there shall be substituted the following subsection:—

"(2) Any regulations made by the Governor in Council under this Act shall not have effect unless they are approved by Tynwald.".

7. In section 20(1), after the definition of "former employer" there shall be inserted the following definition:—

"the Governor" means the Lieutenant Governor of the Isle of Man and includes a deputy or acting Governor or Lieutenant Governor;".

8. In section 21(1), after "Reinstatement in Civil Employment Act 1944" there shall be inserted "(as that Act had effect in the Isle of Man)".

9. Sections 22 and 23(2) and (3) shall be omitted.

10. In Schedule 2—

(*a*) in paragraph 2—

(i) for sub-paragraph (*a*) there shall be substituted the following sub-paragraph:—

"(*a*) a chairman appointed by the Governor, and"; and

(ii) the words following sub-paragraph (*c*) shall be omitted;

(*b*) in paragraph 5, for "Her Majesty" there shall be substituted "the Governor" and the words from "and a person" to the end shall be omitted; and

(*c*) in paragraph 6(*a*) and (*b*), ", with the Treasury's approval," shall be omitted.

11. In Schedule 4, paragraphs 1 to 6 and 8 shall be omitted.

12. In Schedule 5, the entries relating to the Tribunals and Inquiries Act 1971**(a)** and the Employment Protection (Consolidation) Act 1978**(b)** shall be omitted.

EXPLANATORY NOTE

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

This Order extends to the Isle of Man the Reserve Forces (Safeguard of Employment) Act 1985 subject to the adaptations and modifications specified in the Schedule to the Order.

(a) 1971 c. 62.

(b) 1978 c. 44.

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