STATUTORY INSTRUMENTS

1961 No. 1835

TELEGRAPHS

The Tribunals and Inquiries (Isle of Man) Order, 1961

Made - - - - 25*th September*, 1961
Coming into Operation 2*nd October*, 1961

At the Court at Buckingham Palace, the 25th day of September, 1961

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of subsection (8) of section nine of the Tribunals and Inquiries Act, 1958(**a**), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. The provisions of subsections (1) to (4) and (9) of section nine of the Tribunals and Inquiries Act, 1958, shall extend to the Isle of Man so far as they relate to proceedings in the Isle of Man of the tribunal established under section nine of the Wireless Telegraphy Act, 1949(**b**) (as extended to the Isle of Man by the Wireless Telegraphy (Isle of Man) Order, 1952(**c**)), as modified in the manner set out in the Schedule to this Order.

2. This Order may be cited as the Tribunals and Inquiries (Isle of Man) Order, 1961, and shall come into operation on the second day of October, 1961.

W. G. Agnew.

SCHEDULE

FORM IN WHICH S. 9 (1) TO (4) AND (9) OF THE TRIBUNALS AND INQUIRIES ACT, 1958, EXTENDS TO THE ISLE OF MAN

(1) If any party to proceedings before the tribunal established under section nine of the Wireless Telegraphy Act, 1949, as extended to the Isle of Man by the Wireless Telegraphy (Isle of Man) Order, 1952, is dissatisfied in point of law with a decision of the tribunal given on or after the second day of October, 1961, he may, according as rules of court may provide, either appeal therefrom to the High Court of Justice of the Isle of Man or require the tribunal to state and sign a case for the opinion of the said High Court.

(2) Rules of court made with respect to the said tribunal may provide for authorising or requiring the tribunal, in the course of proceedings before it taking place on or after the second day of October, 1961, to state, in the form of a special case for the decision of the High Court of Justice of the Isle of Man, any question of law arising in the proceedings, and a decision of the High Court on a case stated by virtue of this subsection may, subject to subsection (4) of this section, be taken on appeal to the Court of Appeal of the Isle of Man.

(3) In relation to proceedings in the High Court of Justice or the Court of Appeal of the Isle of Man brought by virtue of this section the power to make rules of court shall include power to make rules prescribing the powers of those courts with respect to—

(**a**) 6 & 7 Eliz. 2. c. 66. (**b**) 12, 13 & 14 Geo. 6. c. 54. (**c**) S.I. 1952/1899 (1952 III, p. 3418).

(*a*) the giving of any decision which might have been given by the tribunal;

(*b*) the remitting of the matter with the opinion or direction of the court for rehearing and determination by the tribunal;

(*c*) the giving of directions to the tribunal.

(4) No appeal to the Court of Appeal of the Isle of Man shall be brought by virtue of this section except with the leave of the High Court of Justice or the Court of Appeal of the Isle of Man.

(9) In this section the expression "decision" includes any direction or order, and references to the giving of a decision shall be construed accordingly.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order extends, with the necessary modifications, to proceedings in the Isle of Man the provisions of section 9 of the Tribunals and Inquiries Act, 1958, relating to appeals to the High Court from the appeal tribunal constituted under section 9 of the Wireless Telegraphy Act, 1949 (which is concerned with interference).