

SCHEDULE 1

PART I

THE 1971 ACT

1. In section 1 (general principles)(1)—
 - (a) for the words “United Kingdom”, wherever occurring, substitute “Isle of Man”;
 - (b) in subsection (3) for the words “any of the Islands (that is to say, the Channel Islands and the Isle of Man)” substitute “the United Kingdom, any of the Channel Islands”; and
 - (c) in subsection (4) for the words “Secretary of State” substitute “Lieutenant-Governor”.
2. In section 2 (right of abode) for the words “United Kingdom”, wherever occurring, substitute “Isle of Man”.
3. In section 3 (general provisions for regulation and control)(2)—
 - (a) in subsection (1) for the words “United Kingdom”, wherever occurring, substitute “Isle of Man”;
 - (b) in subsection (2)—
 - (i) for the words “Secretary of State”, where first occurring, substitute “Lieutenant-Governor”;
 - (ii) for the word “Parliament”, where first occurring, substitute “Tynwald”, and
 - (iii) for the words “United Kingdom” substitute “Isle of Man”;
 - (iv) for the words after “or nationality)” substitute—

“If a statement laid before Tynwald under this subsection is disapproved by resolution passed at the sitting before which it is so laid or at the next following sitting of Tynwald then the Lieutenant-Governor shall make changes or further changes in the rules as appear to him to be required in the circumstances and the statement of those changes shall be laid before Tynwald at the sitting next following that at which the said resolution was passed.”;
 - (c) in subsections (3) to (7) for the words “United Kingdom”, wherever occurring, substitute “Isle of Man”;
 - (d) in subsection (5) for the words “Secretary of State” substitute “Lieutenant-Governor”;
 - (e) in subsection (7) omit the words from “Any Order in Council” to the end; and
 - (f) in subsection (9) for the words “United Kingdom”, where first occurring, substitute “Isle of Man”.
4. In section 4 (administration of control)(3)—
 - (a) for the words “United Kingdom”, wherever occurring, substitute “Isle of Man”;
 - (b) for the words “Secretary of State”, wherever occurring, substitute “Lieutenant-Governor”; and
 - (c) in subsections (3) and (4)—
 - (i) omit the words “made by statutory instrument”, and

(1) Section 1(5) was repealed by the Immigration Act 1988, section 1.

(2) Section 3 was amended by the British Nationality Act 1981 (c. 61), section 39(3) and (6) and Schedule 4 paragraphs 2 and 4, and by the Immigration Act 1988, section 3(1).

(3) Section 4 was amended by the British Nationality Act 1981, section 39(6) and Schedule 4 paragraph 2.

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- (ii) for the words “either House of Parliament” substitute “Tynwald”.
- 5.** In section 5 (deportation)(4)—
- (a) for the words “United Kingdom”, wherever occurring, substitute “Isle of Man”; and
 - (b) for the words “Secretary of State”, wherever occurring, substitute “Lieutenant-Governor”.
- 6.** In section 6 (recommendations by court for deportation)(5) —
- (a) in subsection (1) omit the proviso;
 - (b) in subsection (2) for the words from “adjournment” to “Northern Ireland” substitute “a court to adjourn”;
 - (c) in subsection (3)(b) for the words “first offenders” substitute “persons who have not previously been sentenced to imprisonment”;
 - (d) in subsection (5) for the words after “on which it is made;” substitute “but the recommendation shall be treated as a sentence for the purpose of any enactment providing an appeal against sentence.”;
 - (e) in subsection (6) omit the words after “bringing that appeal”; and
 - (f) omit subsection (7).
- 7.** In section 7 (exemption from deportation)—
- (a) in subsection (1)—
 - (i) for the words “United Kingdom”, where first occurring, substitute “Isle of Man”, and
 - (ii) for the words “Secretary of State’s”, wherever occurring, substitute “Lieutenant-Governor’s”; and
 - (b) in subsection (4) for the words from “section 67” to “1962)” substitute “section 21 of the Criminal Justice Act 1963 (an Act of Tynwald)”.
- 8.** In section 8 (exceptions for seamen, etc.)(6)—
- (a) in subsection (1) for the words “United Kingdom”, wherever occurring, substitute “Isle of Man”; and
 - (b) in subsection (2)—
 - (i) for the words “Secretary of State” substitute “Lieutenant-Governor”, and
 - (ii) for the words after “class of persons,” substitute “shall be subject to annulment in pursuance of a resolution of Tynwald.”;
 - (c) in subsection (3) after the words “otherwise entitled” insert “within the United Kingdom”; and
 - (d) in subsections (3A), (4)(b) and (5A), and wherever occurring in subsections (5) and (6), for the words “United Kingdom” substitute “Isle of Man”.
- 9.** In section 9 (common travel area)(7)—
- (a) in subsection (1)—
 - (i) omit the words “Subject to subsection (5) below,” and

(4) Section 5 was amended by the British Nationality Act 1981, section 39(6) and Schedule 4 paragraph 2.

(5) Section 6 was amended by the British Nationality Act 1981, section 39(6) and Schedule 4 paragraph 2.

(6) Section 8 was amended by the British Nationality Act 1981, section 39(4) and (6) and Schedule 4 paragraphs 2 and 5, and by the Immigration Act 1988, section 4.

(7) Section 9 was amended by the British Nationality Act 1981, section 39(6) and Schedule 4 paragraph 2.

- (ii) for the words “in the United Kingdom of the operation in any of the Islands” substitute “in the Isle of Man of the operation in the United Kingdom or any of the Channel Islands”;
 - (b) in subsection (2)—
 - (i) for the words “United Kingdom”, wherever occurring, substitute “Isle of Man”,
 - (ii) for the words “any of the Islands” substitute “the United Kingdom or any of the Channel Islands”, and
 - (iii) for the words “Secretary of State” substitute “Lieutenant-Governor”;
 - (c) in subsection (3) for the words “United Kingdom” substitute “Isle of Man”;
 - (d) in subsection (4)—
 - (i) for the words “United Kingdom”, wherever occurring, substitute “Isle of Man”, and
 - (ii) for the words “Secretary of State” substitute “Lieutenant-Governor”;
 - (e) omit subsection (5);
 - (f) in subsections (6) and (7) for the words “Secretary of State” substitute “Lieutenant-Governor”; and
 - (g) in subsection (7) for the words after “this section” substitute “shall be subject to annulment in pursuance of a resolution of Tynwald”.
- 10.** In section 11 (construction of references to entry, etc.) for the words “United Kingdom”, wherever occurring, substitute “Isle of Man”.
- 11.** In section 24 (illegal entry and similar offences)(**8**) for the words “United Kingdom”, wherever occurring, substitute “Isle of Man”.
- 12.** In section 25 (assisting illegal entry, and harbouring)(**9**)—
- (a) for the words “United Kingdom”, wherever occurring, substitute “Isle of Man”; and
 - (b) in subsections (1) and (6) for the word “indictment” substitute “information”.
- 13.** In section 27 (offences by persons connected with ships, etc.) for the words “United Kingdom”, wherever occurring, substitute “Isle of Man”.
- 14.** In section 28 (proceedings)—
- (a) for subsection (1) substitute—

“(1) Where the offence is one to which, under section 24, 25 or 26 above, an extended time limit for prosecution is to apply, then a complaint relating to the offence may be tried by a court of summary jurisdiction if it is made within six months after the commission of the offence, or if it is made within three years after the commission of the offence and not more than two months after the date certified by the chief constable to be the date on which evidence sufficient to justify proceedings came to the notice of an officer of the police force.”; and
 - (b) omit subsection (2).
- 15.** In section 29 (contributions for expenses of persons returning abroad)(**10**)—
- (a) for the words “Secretary of State”, wherever occurring, substitute “Lieutenant-Governor”;
 - (b) for the words “United Kingdom”, wherever occurring, substitute “Isle of Man”; and

(8) Section 24 was amended by the British Nationality Act 1981, section 39(6) and Schedule 4 paragraph 2, and by the Immigration Act 1988, sections 6 and 10 and Schedule paragraph 10(3).

(9) Section 25 was amended by the British Nationality Act 1981, section 39(6) and Schedule 4 paragraph 6.

(10) Section 29 was amended by the British Nationality Act 1981, section 39(6) and Schedule 4 paragraph 2.

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- (c) in subsection (1) after the word “Treasury” insert “of the Isle of Man”.
- 16.** In section 31 (expenses)—
- (a) for the word “Parliament” substitute “Tynwald”;
 - (b) for the words “Secretary of State” substitute “Lieutenant-Governor”;
 - (c) in paragraph (b) for the words “United Kingdom” substitute “Isle of Man”;
 - (d) omit paragraph (c); and
 - (e) in paragraph (d) omit the words “23 or”.
- 17.** In section 32 (general provisions as to orders, etc.)—
- (a) for the words “Secretary of State”, wherever occurring, substitute “Lieutenant-Governor”; and
 - (b) in subsections (3) and (4) omit the words “or proceedings under Part II of this Act”.
- 18.** In section 33 (interpretation)**(11)**—
- (a) in subsection (1)—
 - (i) after the definition of “certificate of entitlement” insert—

““constable” means any officer or member of the Isle of Man Constabulary, and “chief constable” shall be construed accordingly;”,
 - (ii) in the definitions of “entrant”, “entry clearance”, “limited leave” and “work permit” for the words “United Kingdom” substitute “Isle of Man”,
 - (iii) in the definition of “entry clearance” omit the words “visa, entry certificate or other”, and
 - (iv) after the definition of “legally adopted” insert—

““Lieutenant-Governor” means the Lieutenant-Governor of the Isle of Man and includes a deputy or acting Governor or Lieutenant-Governor;”
 - (b) in subsection (2A) for the words “United Kingdom” substitute “Isle of Man”;
 - (c) in subsection (3) for the words “Secretary of State made by statutory instrument” substitute “Lieutenant-Governor”; and
 - (d) omit subsection (4).
- 19.** In section 37 (short title and extent) omit subsection (2).
- 20.** In Schedule 2 (administrative provisions as to control on entry, etc.)**(12)**—
- (a) in paragraph 1—
 - (i) in sub-paragraph (1) for the words after “appointed by the” substitute “Lieutenant-Governor”,
 - (ii) in sub-paragraph (2) for the words from “by the Secretary of State” to “and the Secretary of State”, and in sub-paragraph (3) for the words after “instructions as may be given them”, substitute “by the Isle of Man Department of Health and Social Security in pursuance of arrangements made between that Department and the Lieutenant-Governor”,
 - (iii) in sub-paragraph (3) for the words “Secretary of State”, where first occurring, substitute “Lieutenant-Governor”, and

(11) Section 33 was amended by the British Nationality Act 1981, section 39(6) and Schedule 4 paragraphs 2, 3(2) and 7, and by the Immigration Act 1988, section 10 and Schedule paragraph 5.

(12) Schedule 2 was amended by the British Nationality Act 1981, section 39(6) and Schedule 4 paragraphs 2 and 3(1), and by the Immigration Act 1988, section 10 and Schedule paragraphs 6 to 10.

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- (iv) in sub-paragraph (5) for the words “United Kingdom” substitute “Isle of Man”;
- (b) in paragraphs 2 and 3 for the words “United Kingdom”, wherever occurring, substitute “Isle of Man”;
- (c) in paragraph 4(4) omit the words “on appeal under this Act or”;
- (d) in paragraph 5—
 - (i) for the words “Secretary of State”, wherever occurring, substitute “Lieutenant-Governor”;
 - (ii) omit the words “made by statutory instrument”, and
 - (iii) for the words “United Kingdom” substitute “Isle of Man”;
- (e) in paragraphs 6 to 9 for the words “United Kingdom”, wherever occurring, substitute “Isle of Man”;
- (f) at the end of paragraph 7 insert—

“(2) The references in this paragraph to a medical officer of health include references to a fully registered person within the meaning of the Medical Act 1985 (an Act of Tynwald) appointed for the purposes of this paragraph by the Isle of Man Department of Health and Social Security.”;
- (g) in paragraph 10 for the words “Secretary of State”, wherever occurring, substitute “Lieutenant-Governor”;
- (h) in paragraphs 12 and 13 for the words “United Kingdom”, wherever occurring, substitute “Isle of Man”;
- (i) in paragraph 14 for the words “Secretary of State”, wherever occurring, substitute “Lieutenant-Governor”, and
- (j) in paragraph 16 for the words “United Kingdom”, wherever occurring, substitute “Isle of Man”;
- (k) in paragraph 17(2) omit—
 - (i) sub-paragraph (b), and
 - (ii) the words “acting for the police area in which the premises are situated or in Northern Ireland any constable”;
- (l) in paragraph 18—
 - (i) in sub-paragraphs (1) and (2) for the words “Secretary of State” substitute “Lieutenant-Governor”, and
 - (ii) in sub-paragraph (3) for the words “United Kingdom” substitute “Isle of Man”;
- (m) in paragraph 19—
 - (i) for the words “United Kingdom”, wherever occurring, substitute “Isle of Man”;
 - (ii) in sub-paragraph (1) for the words “Secretary of State” substitute “Lieutenant-Governor”;
 - (iii) in sub-paragraph (3) omit the words from “or if he is” to “such a refusal),” and
 - (iv) for sub-paragraph (4) substitute—

“(4) The expenses to which sub-paragraph (1) above applies include expenses in conveying the person in question to and from the place where he is detained or accommodated.”;
- (n) in paragraph 20—
 - (i) for the words “United Kingdom”, wherever occurring, substitute “Isle of Man”;

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- (ii) in sub-paragraph (1) for the words “Secretary of State” substitute “Lieutenant-Governor”, and
 - (iii) for sub-paragraph (3) substitute—
 - “(3) The expenses to which sub-paragraph (1) above applies include expenses in conveying the person concerned to and from the place where he is detained or accommodated.”;
 - (o) in paragraph 21 for the words “United Kingdom”, wherever occurring, substitute “Isle of Man”;
 - (p) omit paragraphs 22 to 25;
 - (q) in paragraphs 26 and 27—
 - (i) for the words “Secretary of State”, wherever occurring, substitute “Lieutenant-Governor”, and
 - (ii) for the words “United Kingdom”, wherever occurring, substitute “Isle of Man”;
 - (r) in paragraph 27(2) omit the words “made by statutory instrument”; and
 - (s) omit paragraphs 28 to 33.
- 21.** In Schedule 3 (supplementary provision as to deportation)(**13**)—
- (a) in paragraph 1—
 - (i) for the words “United Kingdom”, wherever occurring, substitute “Isle of Man”, and
 - (ii) for the words “Secretary of State”, wherever occurring, substitute “Lieutenant-Governor”;
 - (b) in paragraph 2—
 - (i) for the words “Secretary of State”, wherever occurring, substitute “Lieutenant-Governor”,
 - (ii) omit sub-paragraph (2) and the references to it in sub-paragraphs (3), (4) and (6), and
 - (iii) in sub-paragraph (3) for the words “United Kingdom” substitute “Isle of Man”;
 - (c) omit paragraph 3;
 - (d) for paragraph 6 substitute—
 - “**6.**—(1) In this Schedule “the appropriate court” means—
 - (a) where the court which directed release was a court of summary jurisdiction, a court of summary jurisdiction;
 - (b) where the court which directed release was the Court of General Gaol Delivery, that Court;
 - (c) where the court which directed release was the Staff of Government Division on appeal from the Court of General Gaol Delivery, that Division or that Court;
 - (d) where the court which directed release was the staff of Government Division on appeal from a court of summary jurisdiction, that Division or a court of summary jurisdiction.
 - (2) In this paragraph “the Staff of Government Division” means the Staff of Government Division of Her Majesty’s High Court of Justice of the Isle of Man.”;
 - (e) in paragraph 7—

(13) Schedule 3 was amended by the Criminal Justice Act 1982 (c. 48), section 64 and Schedule 10, and by the Immigration Act 1988, section 10 and Schedule paragraph 10(2).

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- (i) in sub-paragraph (1) for the words “relevant part of the United Kingdom” substitute “Isle of Man”, and
- (ii) omit sub-paragraph (2);
- (f) in paragraph 8(1)—
 - (i) for the words “England and Wales or Northern Ireland” substitute “the Isle of Man”, and
 - (ii) omit the words “for the petty sessions area or district in which he was arrested”;
- (g) omit paragraph 9; and
- (h) in paragraph 10 omit the words “or court” and “or 9”.

22.—(1) For the heading to Schedule 4 substitute—

*“INTEGRATION WITH ISLE OF MAN LAW OF IMMIGRATION LAWS
OF THE UNITED KINGDOM AND OF THE CHANNEL ISLANDS”.*

- (2) In Schedule 4—
 - (a) for the words “any of the Islands”, wherever occurring, substitute “the United Kingdom or any of the Channel Islands”;
 - (b) after the word “island”, wherever occurring, insert “or, as the case may be, the United Kingdom,”;
 - (c) for the words “United Kingdom”, wherever occurring, substitute “Isle of Man”;
 - (d) in paragraph 1—
 - (i) in sub-paragraph (3) omit the words “and subject to the like appeal if any”, and
 - (ii) omit sub-paragraph (5); and
 - (e) in paragraph 3(2) for the words “Secretary of State” substitute “Lieutenant-Governor”.