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STATUTORY INSTRUMENTS

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**2002 No. 1822**

The Anti-terrorism (Financial and Other Measures) (Overseas Territories) Order 2002

PART V

GENERAL

**Police powers**

- 19.**—(1) A power conferred by virtue of this Order on a constable—
- (a) is additional to powers which he has at common law or by virtue of any other law in force in the Territory, and
  - (b) shall not be taken to affect those powers.
- (2) A constable may if necessary use reasonable force for the purposes of exercising a power conferred on him by virtue of this Order.
- (3) Where anything is seized by a constable under a power conferred by virtue of this Order, it may (unless the contrary intention appears) be retained for so long as is necessary in all the circumstances.

**Consent to prosecution**

- 20.** Proceedings for an offence under this Order shall not be instituted without the consent of the Attorney General.

**Crown servants, regulators etc.**

- 21.**—(1) The Governor may by order provide for any of articles 6 to 14 to apply to persons serving in a civil capacity in offices under the Crown in respect of the government of the Territory.
- (2) The Governor may by order provide for article 10 not to apply to persons who are in his opinion performing or connected with the performance of regulatory, supervisory, investigative or registration functions of a public nature.
- (3) An order made under this article—
- (a) may make different provision for different purposes,
  - (b) may make provision which is to apply only in specified circumstances, and
  - (c) may make provision which applies only to particular persons or persons of a particular description.

**Evidence**

- 22.**—(1) A document which purports to be—
- (a) an order made by the Governor for the purposes of paragraph 19 of Schedule 2 or paragraph 19 of Schedule 3, and

(b) signed by him or on his behalf,

shall be received in evidence and shall, until the contrary is proved, be deemed to have been made by the Governor.

(2) A document bearing a certificate which—

(a) purports to be signed by or on behalf of the Governor, and

(b) states that the document is a true copy of an order made by the Governor for the purposes of a provision mentioned in paragraph (1)(a),

shall be evidence of the document in legal proceedings.

(3) Any order made by the Governor for the purposes of any provision of this Order other than a provision mentioned in paragraph (1)(a) shall be published in the Official Gazette of the Territory, and a copy of the issue of the Official Gazette in which there is published what purports to be the text of that order shall be evidence of the fact that it was made in the terms stated in the Official Gazette and was published therein on the date on which that issue purports to have been published.

(4) No person shall be guilty of an offence, or be liable to any penalty, by reason of an order made by the Governor such as is mentioned in paragraph (3) in respect of anything done or omitted before the publication of that order in the Official Gazette.

#### **Orders and directions**

**23.** An order made or a direction given under this Order may be varied or revoked by a further such order or direction, as the case may be.