



# Prevention of Terrorism (Temporary Provisions) Act 1989 (repealed)

## 1989 CHAPTER 4

### PART VII

#### SUPPLEMENTARY

#### **25 Consequential amendments, repeals and transitional provisions.**

- (1) The enactments mentioned in Schedule 8 to this Act shall have effect with the amendments there specified, being amendments consequential on the provisions of this Act.
- (2) The enactments mentioned in Part I of Schedule 9 to this Act are hereby repealed to the extent specified in the third column of that Schedule; and the Orders mentioned in Part II of that Schedule are hereby revoked.
- (3) Any exclusion order in force under any provision of Part II of the <sup>M1</sup>Prevention of Terrorism (Temporary Provisions) Act 1984 ("the former Act") shall have effect as if made under the corresponding provision of Part II of this Act and references in this Act to an exclusion order shall be construed accordingly.
- (4) Any person who immediately before 22nd March 1989 is being detained under any provision of the former Act or of an order made under section 13 of that Act shall be treated as lawfully detained under the corresponding provision of this Act.
- (5) Paragraph 2 of Schedule 5 to this Act shall not apply in relation to a person whose examination under any corresponding provision of an order made under section 13 of the former Act has begun but has not been concluded before the coming into force of that paragraph, and that provision shall continue to apply to him but any reference in this Act to examination under that paragraph shall include a reference to examination under that corresponding provision.
- (6) The expiry of the former Act and its repeal by this Act shall not affect the operation of any Order in Council extending it to any of the Channel Islands or the Isle of

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Man; but any such Order may be revoked as if made under section 28(3) below and, notwithstanding anything contained in any such Order, shall continue in operation until revoked.

**Marginal Citations**

**M1** 1984 c. 8.

**26 Expenses and receipts.**

There shall be paid out of money provided by Parliament—

- (a) any expenses incurred under this Act by the Secretary of State or the Lord Advocate; and
- (b) any increase attributable to this Act in the sums payable out of such money under any other Act;

and any sums received by the Secretary of State under this Act shall be paid into the Consolidated Fund.

**27 Commencement and duration.**

- (1) Subject to subsections (2), (3) and (4) below, this Act shall come into force on 22nd March 1989.
- (2) Sections 22 to 24 shall come into force on the day after that on which this Act is passed.
- (3) Schedule 3 and paragraphs 8 to 10, 18 to 20, 28 to 30 and 34 of Schedule 4 shall come into force on such day as the Secretary of State may appoint by an order made by statutory instrument; and different days may be appointed for different provisions or different purposes and for England and Wales, for Scotland and for Northern Ireland.
- (4) The repeal by Schedule 9 of paragraph 9 of Schedule 7 shall come into force on the coming into force of the <sup>M2</sup>Land Registration Act 1988.
- (5) The provisions of Parts I to V of this Act and of subsection (6)(c) below shall remain in force until 22nd March 1990 and shall then expire unless continued in force by an order under subsection (6) below.
- (6) The Secretary of State may by order made by statutory instrument provide—
  - (a) that all or any of those provisions which are for the time being in force (including any in force by virtue of an order under this paragraph or paragraph (c) below) shall continue in force for a period not exceeding twelve months from the coming into operation of the order;
  - (b) that all or any of those provisions which are for the time being in force shall cease to be in force; or
  - (c) that all or any of those provisions which are not for the time being in force shall come into force again and remain in force for a period not exceeding twelve months from the coming into operation of the order.
- (7) No order shall be made under subsection (6) above unless—
  - (a) a draft of the order has been laid before and approved by a resolution of each House of Parliament; or

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- (b) it is declared in the order that it appears to the Secretary of State that by reason of urgency it is necessary to make the order without a draft having been so approved.
- (8) An order under that subsection of which a draft has not been approved under section (7) above—
- (a) shall be laid before Parliament; and
- (b) shall cease to have effect at the end of the period of forty days beginning with the day on which it was made unless, before the end of that period, the order has been approved by a resolution of each House of Parliament, but without prejudice to anything previously done or to the making of a new order.
- (9) In reckoning for the purposes of subsection (8) above the period of forty days no account shall be taken of any period during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.
- (10) In subsection (5) above the reference to Parts I to V of this Act does not include a reference to the provisions of Parts III and V so far as they have effect in Northern Ireland and relate to proscribed organisations for the purposes of section 21 of the <sup>M3</sup>Northern Ireland (Emergency Provisions) Act 1978 or offences or orders under that section.
- (11) The provisions excluded by subsection (10) above from subsection (5) and the provisions of sections 21 to 24 above shall remain in force until 22nd March 1990 and then expire but shall be—
- (a) included in the provisions to which subsection (3) of section 33 of the said Act of 1978 applies (provisions that can be continued in force, repealed or revived by order); and
- (b) treated as part of that Act for the purposes of subsection (9) of that section (repeal on 14th May 1992).
- (12) The expiry or cesser of sections 22 and 23 above shall not affect the operation of those sections in relation to an offence committed while they were in force.

#### **Subordinate Legislation Made**

**P1** [S.27\(6\)\(a\)](#): power exercised by [S.I.1991/549](#). For previous exercise of powers see the Index to Government Orders

#### **Modifications etc. (not altering text)**

**C1** Power of appointment conferred by s. 27(3) partly exercised: [S.I. 1989/1361](#), 1990/215 (whole Act in force on or before 5.3.1990 with the exception of the repeal by Schedule 9 to the Act of paragraph 9 of Schedule 7 to the Act)

#### **Marginal Citations**

**M2** [1988 c. 3.](#)

**M3** [1978 c. 5.](#)

## **28 Short title and extent.**

- (1) This Act may be cited as the Prevention of Terrorism (Temporary Provisions) Act 1989.

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- (2) This Act extends to the whole of the United Kingdom except that—
- (a) Part I and section 15(1) do not extend to Northern Ireland and sections 21 to 24, Part III of Schedule 4 and the repeal in Schedule 9 relating to the <sup>M4</sup>Explosives Act 1875 extend only to Northern Ireland;
  - (b) section 15(10), Part I of Schedule 4 and paragraph 7(6) of Schedule 5 extend only to England and Wales;
  - (c) Part II of Schedule 4 and Part II of Schedule 7 extend only to Scotland;
  - (d) Part I of Schedule 7 extends only to England, Wales and Northern Ireland; and
  - (e) subject to paragraph (a) above, the amendments and repeals in Schedules 8 and 9 have the same extent as the enactments to which they refer.
- (3) Her Majesty may by Order in Council direct that any of the provisions of this Act shall extend, with such exceptions, adaptations and modifications, if any, as may be specified in the Order, to any of the Channel Islands and the Isle of Man.

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**Marginal Citations**

**M4** [1875 c. 17.](#)

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**Changes to legislation:**

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