

1983 No. 607

PROTECTION OF TRADING INTERESTS

The Protection of Trading Interests Act 1980 (Jersey) Order 1983

Made - - - 20th April 1983

Coming into Operation 21st April 1983

At the Court at Windsor Castle, the 20th day of April 1983

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of section 8(8) of the Protection of Trading Interests Act 1980(a) and section 52(2) of the Civil Jurisdiction and Judgments Act 1982(b), 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 Protection of Trading Interests Act 1980 (Jersey) Order 1983 and shall come into operation on 21st April 1983.
2. In this Order, "Jersey" means the Bailiwick of Jersey and the territorial waters adjacent thereto.
3. It is hereby directed that the Protection of Trading Interests Act 1980 (as amended by section 38 of the Civil Jurisdiction and Judgments Act 1982) shall extend to Jersey with the exceptions, adaptations and modifications specified in the Schedule to this Order.

N. E. Leigh,
Clerk of the Privy Council.

SCHEDULE

Article 3

EXCEPTIONS, ADAPTATIONS AND MODIFICATIONS TO THE PROTECTION OF TRADING INTERESTS ACT 1980 AS EXTENDED TO JERSEY

General

1. For the words "Secretary of State", wherever they occur, there shall be substituted the words "Finance and Economics Committee of the States of Jersey".

Section 1

2.—(1) For the words "the United Kingdom"—

(a) in the first place where they occur in section 1(1)(b);

(b) in section 1(2); and

(c) in the first place where they occur in section 1(3), there shall be substituted the word "Jersey".

(2) The words "or Jersey" shall be added at the end of—

(a) section 1(1)(b); and

(b) section 1(3).

(3) For section 1(4) there shall be substituted the following subsection:—

"(4) Any order made by the Committee under subsection (1) or (2) above shall be laid before the States as soon as may be after it is made and if the States at any time thereafter resolve that it be annulled it shall cease to have effect, but without prejudice to anything previously done thereunder or to the making of a new order."

Section 2

3.—(1) For the words "the United Kingdom"—

(a) in both places where they occur in section 2(1); and

(b) in section 2(5),

there shall be substituted the word "Jersey".

(2) After the words "the United Kingdom" in the first and third places where they occur in section 2(2) there shall be added the words "or Jersey".

Section 3

4.—(1) In section 3(1), for paragraphs (a) and (b) there shall be substituted the words "to a fine".

(2) In section 3(2), for the words "the United Kingdom" in the second and third places where they occur there shall be substituted the word "Jersey".

(3) For section 3(3) there shall be substituted the following subsection:—

"(3) No proceedings for an offence under subsection (1) above shall be instituted in Jersey except with the consent of the Attorney General for Jersey."

(4) Section 3(4) and (5) shall be omitted.

Section 4

5.—(1) In section 4, for the words "the United Kingdom" in the first and second places where they occur there shall be substituted the word "Jersey".

(2) In section 4, for the words "section 2 of the Evidence (Proceedings in Other Jurisdictions) Act 1975" there shall be substituted the words "Article 3 of the Service of Process and Taking of Evidence (Jersey) Law, 1960".

Section 5

6.—(1) In section 5(1)—

- (a) for the words “Part II of the Administration of Justice Act 1920” there shall be substituted the words “Part II of the Judgments (Reciprocal Enforcement) (Jersey) Law, 1960”; and
- (b) for the words “the United Kingdom” there shall be substituted the word “Jersey”.

(2) For section 5(5) there shall be substituted the following subsection:—

“(5) Any order made by the Committee under subsection (4) above shall be laid before the States as soon as may be after it is made and if the States at any time thereafter resolve that it be annulled it shall cease to have effect, but without prejudice to anything previously done thereunder or to the making of a new order.”.

(3) In section 5(6) for the words “passing of this Act” there shall be substituted the words “coming into effect of this Act in Jersey”.

Section 6

7.—(1) In section 6(1)(b), for the words “the United Kingdom or in a territory” there shall be substituted the words “the United Kingdom, Jersey, or any other territory”.

(2) In section 6(1)(c) and (5), for the words “the United Kingdom” there shall be substituted the word “Jersey”.

(3) In section 6(8), for the words “passing of this Act” there shall be substituted the words “coming into effect of this Act in Jersey”.

Section 7

8.—(1) In section 7(1)—

- (a) for the words “Her Majesty” in both places where they occur there shall be substituted the words “the States”;
- (b) for the words “Order in Council” there shall be substituted the word “Act”;
- (c) for the words “the United Kingdom” there shall be substituted the word “Jersey”; and
- (d) for the words “the Order which” there shall be substituted the words “the Act which”.

(2) In section 7(1A) for the words “Order in Council” there shall be substituted the word “Act”.

(3) In section 7(2)—

- (a) for the word “Order” there shall be substituted the word “Act”; and
- (b) there shall be added at the end the words “or of the Judgments (Reciprocal Enforcement) (Jersey) Law, 1960”.

Section 8

9. Section 8(5), (6), (7) and (8) shall be omitted.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order extends to the Bailiwick of Jersey the Protection of Trading Interests Act 1980, with the exceptions, adaptations and modifications specified in the Schedule to the Order.

SI 1983/607
ISBN 0-11-036607-7

