

PREVENTION OF TERRORISM ACT 1990

PREVENTION OF TERRORISM (ENFORCEMENT OF EXTERNAL ORDERS)(AMENDMENT) ORDER 2002

Approved by Tynwald : 19th February 2002

Coming into operation in accordance with article 1

In exercise of the powers conferred on the Governor in Council by paragraph 7 of Schedule 4 to the Prevention of Terrorism Act 1990^(a), and of all other enabling powers, the following Order is hereby made :-

Title and commencement

1. This Order may be cited as the Prevention of Terrorism (Enforcement of External Orders)(Amendment) Order 2002 and shall come into operation on the day on which it is approved by Tynwald.

Amendment of SD 300/00

2. In the Prevention of Terrorism (Enforcement of External Orders) Order 2000^(b) –

(a) at the end of Schedule 1 (point at which proceedings are to be treated as instituted) add –

“Germany

When a person is notified that he is accused of an offence and will be brought before a court.

Italy

(a) when a person is notified, in accordance with article 369 of the Italian Code of Criminal Procedure, that a prosecution against him is in progress; or

(b) when a proposal for the application of a preventive measure (misura di prevenzione) is laid before a court.

The Netherlands

(a) when a pre-trial financial investigation has been initiated;

^(a) 1990 c.19.

^(b) S.D. 300/00.

- (b) when a provisional measure has been ordered by an investigating magistrate;
- (c) when a public prosecutor has requested a pre-trial criminal investigation by an investigating magistrate to be instituted;
- (d) when a public prosecutor has laid an indictment.

Spain

When by virtue of a judicial resolution it is decided to proceed against a person for an offence.

Sweden

When a public prosecutor has established that there are reasonable grounds to suspect that a person has committed an offence and accordingly is obliged under the Code of Judicial Procedure to notify the person of the suspicion.

The United States of America

When an indictment, information or complaint has been filed against a person in respect of an offence.”;

(b) at the end of Schedule 2 (list of designated countries and appropriate authorities) add –

“Austria

Belgium

Canada

The Minister of Justice or officials designated by that Minister

Denmark

Finland

France

Germany

Greece

Ireland

The Department of Justice, Equality and Law Reform

Italy

The Ministry of Justice

Japan

Luxembourg

The Netherlands

Portugal

Spain

Sweden

The United States of America

Afdeling Internationale Rechtshulp

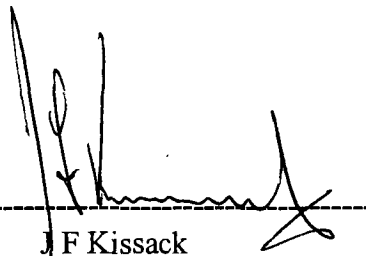
The Ministry of Justice

El Ministerio de Justicia, Madrid

The Ministry of Foreign Affairs

The Attorney General of the United States of America.”.

Made this 25th day of January 2002



J F Kissack
Chief Secretary

Explanatory Note

(This note is not part of the Order)

This Order extends the list of countries designated under the Prevention of Terrorism (Enforcement of External Orders) Order 2000. That Order enables the enforcement in the Isle of Man of court orders made in designated countries if the orders provide for the forfeiture of terrorist funds or prohibit dealings in funds which are or could be subject to a forfeiture order.