



## HUMAN RIGHTS ACT 2001

### HUMAN RIGHTS ACT 2001 (FIRST PROTOCOL) ORDER 2002

*Approved by Tynwald : 20<sup>th</sup> March 2002*

*Coming into operation in accordance with article 1*

In exercise of the powers conferred on the Council of Ministers by sections 1(4) and 13 of the Human Rights Act 2001<sup>(a)</sup>, and of all other enabling powers, the following Order is hereby made :-

#### **Citation and commencement**

1. This Order may be cited as the Human Rights Act 2001 (First Protocol) Order 2002 and shall come into operation on the date on which it is made.

#### **Amendment of Act to implement the First Protocol**

2. In the Human Rights Act 2001 –
  - (a) in section 1(1), after paragraph (a) insert –  
“(aa) Articles 1 to 3 of the First Protocol;”;
  - (b) in Schedule 1, after Part I insert –

#### **“PART IA**

#### **THE FIRST PROTOCOL**

##### Article 1

##### Protection of property

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

<sup>(a)</sup> 2001 c. 1.

## Article 2

### Right to education

No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions.

## Article 3

### Right to free elections

The High Contracting Parties undertake to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature.”.

## **Designation of reservation**

3. The reservation to Article 2 of the First Protocol to the Convention entered by the United Kingdom on behalf of the Island on 9 October 2001 is designated for the purposes of the Human Rights Act 2001.

## **Amendment of Act to reflect the reservation to First Protocol**

2. In the Human Rights Act 2001 –
  - (a) in section 1(2), after “13 and 15” insert “and Schedule 3”
  - (b) after Schedule 2 add –

“section 1(2)

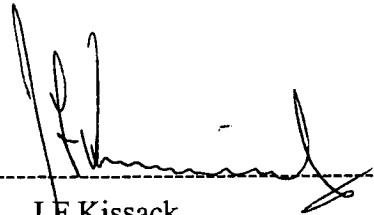
### **SCHEDULE 3**

#### **DESIGNATED RESERVATION**

#### **RESERVATION OF 9 OCTOBER 2001 TO ARTICLE 2 OF THE FIRST PROTOCOL TO THE CONVENTION**

In view of certain provisions of the Education Act 2001 (of Tynwald) or, until the coming into operation of that Act, the Isle of Man Education Act 1949, the principle affirmed in the second sentence of Article 2 is accepted by the United Kingdom only so far as it is compatible with the provision of efficient instruction and training, and the avoidance of unreasonable public expenditure in the Isle of Man.”.

Made this 12<sup>th</sup> day of February 2002



J F Kissack  
Chief Secretary

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#### **EXPLANATORY NOTE**

(This note is not part of the Order)

The Order is made under the Human Rights Act 2001. It makes the necessary amendments to that Act to reflect the ratification by the United Kingdom on behalf of the Isle of Man of the First Protocol to the European Convention on Human Rights. The First Protocol and a reservation to which it is subject are set out in the Order.