



Isle of Man

Ellan Vannin

AT 4 of 2014

**CRIMINAL JUSTICE, POLICE POWERS
AND OTHER AMENDMENTS ACT 2014**



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Ellan Vannin

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**Isle of Man***Ellan Vannin*

CRIMINAL JUSTICE, POLICE POWERS AND OTHER AMENDMENTS ACT 2014

<i>Signed in Tynwald:</i>	<i>20 May 2014</i>
<i>Received Royal Assent:</i>	<i>20 May 2014</i>
<i>Announced to Tynwald:</i>	<i>20 May 2014</i>

AN ACT to make new provision relating to criminal law, criminal justice and the police; to amend enactments relating to those matters; and for connected purposes.

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Council and Keys in Tynwald assembled, and by the authority of the same, as follows:—

PART 1 – INTRODUCTORY

1 Short title

The short title of this Act is the Criminal Justice, Police Powers and Other Amendments Act 2014.

2 Commencement

- (1) This Act (other than this section and section 1) comes into operation on such day or days as the Department of Home Affairs by order appoints and different days may be appointed for different provisions and for different purposes.¹
- (2) An order under subsection (1) may make such consequential, incidental, transitional and saving provisions as the Department of Home Affairs considers necessary or expedient.

3 Expiry

- (1) This Act expires —

- (a) on the day after its promulgation if all of its provisions are in operation on its promulgation; or
 - (b) otherwise, on the day after the last provision is brought into operation.
- (2) The expiry does not —
- (a) revive any Act it amended as the Act operated before the amendment commenced;
 - (b) revive anything not in operation or existing when the amendment took effect; or
 - (c) affect the continuing operation of the amendment.

PART 2 — AMENDMENT OF THE BAIL ACT 1952

Bail: conditions and breach

4 Amendment of the Bail Act 1952

The *Bail Act 1952* is amended in accordance with sections 5 to 11.

5 Amendment of section 2

In section 2 (bail in offences triable by a Court of Summary Jurisdiction) delete from “with or without a surety” to the end of the section.

6 Amendment of section 3

In sections 3(1) and (3) (bail in offences triable on information) delete from “with or without a surety” to the end of the subsections.

7 Substitution of section 3A

- (1) For section 3A (conditions for bail) substitute —

3A Grant of bail and recognizance conditions

- (1) If a court is admitting a person to bail by recognizance, the court may —
 - (a) grant bail with or without a surety or sureties; and
 - (b) impose a condition (a “**recognizance condition**”) on the person if the court believes that the condition is necessary to secure that the person will —
 - (i) surrender to custody at a particular time or place, or both;
 - (ii) not commit an offence while on bail;

- (iii) not interfere with witnesses or otherwise obstruct the course of justice whether in relation to himself or herself or another person;
 - (iv) make himself or herself available for the purpose of enabling inquiries or a report to be made to assist the police or a court in dealing with the person for the offences;
 - (v) make himself or herself available for appearance at every time or place to which the hearing may from time to time be adjourned during the course of proceedings; or
 - (vi) not leave the Island.
- (2) The court may impose the recognizance condition on the person before release on bail or later.
 - (3) Subsection (1) does not affect the power of the court to vary a recognizance condition on a person. **22**.

8 Repeal of section 4

Section 4 (continuous bail) is repealed.

9 Amendment of section 8

In section 8 (recognizances of prisoners may be taken before any justice) delete “, with or without a surety or sureties,”.

10 Repeal of section 12

Section 12 (bail on arrest) is repealed.

11 Substitution of section 15 and insertion of sections 15A to 15C

For section 15 (forfeited recognizances for bail) substitute —

15 Arrest of person who breaches conditions of bail

- (1) A constable may arrest without a warrant any person who has been admitted to bail by recognizance if —
 - (a) the constable has reasonable grounds for believing that the person is likely to contravene a recognizance condition or a bail condition imposed on the person;
 - (b) the constable has reasonable grounds for believing that the person has contravened a recognizance condition or a bail condition imposed on the person;

- (c) a court, by order, withdraws the bail of the person under section 15A(2)(b)(ii); or
 - (d) a surety for that person notifies the constable in writing that the surety believes that the person is likely to contravene a recognizance condition or a bail condition imposed on the person and for that reason the surety wishes to be relieved of the surety's obligations.
- (2) The person must be brought before —
 - (a) if the person is arrested in the period of 24 hours before being required to appear before a court because of a recognizance condition or a bail condition imposed on the person, that court; or
 - (b) in any other case, a court.
- (3) The person must be brought before the court mentioned in subsection (2) as soon as practicable and, in any event, not later than the first sitting of the court after the person is arrested.
- (4) In this section, "first sitting" means —
 - (a) a sitting of the court on the day on which the person is arrested or on the next day; or
 - (b) if the court is not sitting on one of those days —
 - (i) a sitting determined under subsection (5); or
 - (ii) if subsections (7) and (8) apply, a sitting arranged under those subsections.
- (5) A judge may, in writing, determine places, days and times when a court may sit for the purposes of dealing with matters under this section.
- (6) Subsections (7) and (8) apply if —
 - (a) no court is due to sit on the day on which the person is arrested under this section or on the next day; and
 - (b) no determination under subsection (5) has been made in relation to the day on which the person is arrested under this section or on the next day.
- (7) The custody officer at the police station where the person is being detained must inform the Chief Registrar, or a person assigned by the Chief Registrar to act as clerk of the court, that a person has been detained under this section.
- (8) The Chief Registrar, or a person so assigned, must arrange for the court to sit not later than —
 - (a) the day after the day on which the person was arrested; or
 - (b) if that day is any of the following, the first day after that day —

- (i) a Sunday;
- (ii) Christmas Day;
- (iii) Good Friday; or
- (iv) Tynwald Day.

- (9) Nothing in this section prevents the re-arrest without a warrant of a person released on bail under this Act if new evidence justifying a further arrest has come to light since that person's release.
- (10) If a person is re-arrested, this Act applies to the person as it applies to a person arrested for the first time.
- (11) Nothing in this section requires a person who is in hospital to be brought before a court if the person is not well enough.
- (12) This section applies despite section 36 of the *Interpretation Act 1976*.

15A Breach of condition

- (1) This section applies if —
 - (a) a person is admitted to bail by recognizance; and
 - (b) the person engages in conduct that contravenes a recognizance condition or a bail condition imposed on the person.
- (2) A court before which a person arrested under section 15 is brought —
 - (a) must, unless it finds reason not to do so, order forfeiture under section 15B; and
 - (b) may, by order —
 - (i) discharge the recognizance;
 - (ii) withdraw bail;
 - (iii) dispense with a surety or sureties;
 - (iv) reduce the amount for which a surety is bound;
 - (v) vary a recognizance condition or a bail condition imposed on the person; or
 - (vi) impose a new recognizance condition on the person.
- (3) If the court finds reasons not to order forfeiture the court must give those reasons.
- (4) If the court withdraws bail, the court must —
 - (a) remand the person in custody if the person in relation to whom the order is made is before the court; or
 - (b) order the person to surrender himself or herself into custody if the person is not before the court.

15B Breach of bail condition: forfeiture


- (1) If a court orders forfeiture under this section, the court must order that an amount equal to or less than the recognizance sum be paid to the court within the period provided by the court.
- (2) In determining an amount for the purposes of subsection (1), the court may consider whether the person admitted to bail had a reasonable excuse for contravening the recognizance condition or bail condition imposed on the person.
- (3) If the court is satisfied that the person has a reasonable excuse, the amount under subsection (1) may be zero.
- (4) The amount payable must be applied as a fine imposed by a criminal court.
- (5) The amount payable does not reduce the amount of the recognizance sum.
- (6) In this section —
 - “criminal court” has the same meaning as in section 1(4) of the *Collection of Fines etc. Act 1985*;
 - “recognizance sum” means a sum of money that is paid or payable by the person admitted to bail by the recognizance or a surety of that person (or both) —
 - (a) under a recognizance; and
 - (b) to secure performance of a recognizance condition imposed on the person.

15C Interpretation

In this Act —

“**bail by recognizance**” means bail by recognizance granted or varied in accordance with section 3A;

“**bail condition**” means a bail condition imposed on a person by a custody officer under section 50A(1)(b) of the *Police Powers and Procedures Act 1998*;

“**recognizance condition**” means a recognizance condition imposed by a court on a person in accordance with section 3A. .

PART 3 – AMENDMENT OF THE CRIMINAL LAW ACT 1981

Arrest of persons granted bail

12 Repeal of section 5

Section 5 (arrest of persons granted bail) of the *Criminal Law Act 1981* is repealed.

PART 4 – AMENDMENT OF THE SUMMARY JURISDICTION ACT 1989

Recognizances

13 Amendment of the Summary Jurisdiction Act 1989

For section 83(1) of the *Summary Jurisdiction Act 1989* (warrant endorsed for bail) substitute –

- (1) A justice, on issuing a warrant for the arrest of a person, may endorse the warrant with a direction that that person must, on arrest, be released on bail by recognizance in accordance with section 3A of the *Bail Act 1952*. ■.

PART 5 – AMENDMENT OF THE CRIMINAL JUSTICE ACT 1991

Search etc for relevant material: evidence or information for use outside Island

14 Amendment of section 22

- (1) Section 22 of the *Criminal Justice Act 1991* (search for material relevant to section 21) is amended as follows.
- (2) [Amended subsection (1)(c)]
- (3) [Inserted subsections (1A), (1B), (1C) and (1D)]
- (4) [Amended sections 20(1) and 22(1)]

PART 6 – AMENDMENT OF THE CRIMINAL JURISDICTION ACT 1993

Forfeiture of recognizances

15 Amendment of section 32

For section 32(1) of the *Criminal Jurisdiction Act 1993* (bail pending determination of appeal) substitute –

- █ (1) The Appeal Division may, on the application of the appellant, admit the appellant to bail by recognizance in accordance with section 3A of the *Bail Act 1952*, pending determination of an appeal under this Act. █.

PART 7 – AMENDMENT OF THE POLICE ACT 1993

Police regulations

16 Amendment of the Police Act 1993

The *Police Act 1993* is amended in accordance with sections 17 to 21.

17 Substitution of sections 8 and 8A and insertion of new sections 8B to 8G

[Substituted sections 8 and 8A and inserted sections 8B to 8G]

18 Amendment of section 10

[Amended section 10]

19 Repeal of section 11

[Repealed section 11]

20 Amendment of section 21

[Amended section 21]

21 Insertion of new Schedule 1A

[Inserted Schedule 1A]

PART 8 — AMENDMENT OF THE POLICE POWERS AND PROCEDURES ACT 1998

22 Amendment of the Police Powers and Procedures Act 1998

The *Police Powers and Procedures Act 1998* is amended in accordance with sections 23 to 52.

Search warrants

23 Amendment of section 11

- (1) Section 11 (power to authorise entry and search of premises) is amended as follows.
- (2) [Amended subsection (1)]
- (3) [Inserted subsections (1A), (1B), (1C) and (1D)]

24 Insertion of new section 11A

[Inserted section 11A]

25 Amendment of section 18

- (1) Section 18 (search warrants - safeguards) is amended as follows.
- (2) [Amended subsection (2)(a)]
- (3) [Substituted subsection (2)(b)]
- (4) [Inserted subsection (2A)]
- (5) [Amended subsection (5)]
- (6) [Inserted subsection (5A)]
- (7) [Substituted subsection (6)(a)(iv)]
- (8) [Substituted subsection (7)]
- (9) [Amended subsection (8)]

26 Amendment of section 19

- (1) Section 19 (execution of warrants) is amended as follows.
- (2) [Amended subsection (3)]
- (3) [Inserted subsections (3A) and (3B)]
- (4) [Amended subsection (9)]

27 Amendment of Schedule 1

- (1) Schedule 1 (special procedure as to access) is amended as follows.
- (2) [Amended paragraphs 2(a)(ii) and 3(a)]
- (3) [Amended paragraph 12]
- (4) [Inserted paragraph 12A]
- (5) [Amended paragraph 14(a)]

*Additional powers of seizure***28 Insertion of new Part IIA**

[Inserted Part IIA (sections 26A to 26P)]

29 Insertion of new Schedules 1A and 1B and minor miscellaneous amendments

- (1) [Inserted Schedules 1A and 1B]
- (2) [Amended the provisions mentioned in subsection (3)]
- (3) The provisions are —
 - (a) sections 22(4) and 23(1) of, and paragraph 5 of, Schedule 1;
 - (b) section 124D(4) of the *Customs and Excise Management Act 1986*; and
 - (c) paragraph 13(4) of Schedule 12 to the *Value Added Tax Act 1996*.

*Powers of arrest***30 Substitution of sections 27 and 28, insertion of section 28A and consequential amendments and repeals**

- (1) [Substituted sections 27 and 28 and inserted section 28A]
- (2) [Repealed the following enactments —
 - (a) section 2(3) of the *Protection from Harassment Act 2000*
 - (b) section 19(2) of the *Criminal Justice Act 2001*
 - (c) paragraph 6(1) and (2) of Schedule 14 to the *Anti-Terrorism and Crime Act 2003*
 - (d) the *Criminal Justice (Arrestable Offences) Act 2004*]
- (3) The enactments in Part 1 of Schedule 3 are amended in accordance with that Schedule.

*Bail elsewhere than at police station***31 Amendment of section 33**

- (1) Section 33 (arrest elsewhere than at police station) is amended as follows.
- (2) For subsection (1) substitute —

33 (1) Subsection (1A) applies if a person is, at any place other than a police station —

 - (a) arrested by a constable for an offence; or
 - (b) taken into custody by a constable after being arrested for an offence by a person other than a constable.

(1A) The person must be taken by a constable to a police station as soon as practicable after the arrest.

(1B) Subsection (1A) applies subject to section 33A (release on bail) and subsection (5) (release without bail). **33**.
- (3) For subsection (5) substitute —

33 (5) A person arrested by a constable at any place other than a police station must be released without bail if the condition in subsection (5A) is satisfied.

(5A) The condition is that, at any time before the person arrested reaches a police station, a constable is satisfied that there are no grounds for keeping the person under arrest or releasing the person on bail under section 33A. **33**.
- (4) For subsections (7) and (8) substitute —

33 (7) Nothing in subsection (1A) or in section 33A prevents a constable delaying taking a person to a police station or releasing the person on bail if the condition in subsection (7A) is satisfied.

(7A) The condition is that the presence of the person at a place (other than a police station) is necessary in order to carry out such investigations as it is reasonable to carry out immediately.

(8) If there is any such delay the reasons for the delay must be recorded when the person first arrives at the police station or (as the case may be) is released on bail. **33**.
- (5) In subsection (9) for “subsection (1)” substitute **33** subsection (1A) or section 33A **33**.

32 Insertion of new sections 33A to 33D

After section 33 insert —

33A Bail elsewhere than at police station

- (1) A constable may, after obtaining the consent of a police officer of or above the rank of sergeant, release on bail a person who is arrested or taken into custody in the circumstances mentioned in section 33(1).
- (2) A person may be released on bail under subsection (1) at any time before that person arrives at a police station.
- (3) A person released on bail under subsection (1) must be required to attend a police station.
- (4) No other requirement may be imposed on the person as a condition of bail.
- (5) The police station that the person is required to attend may be any police station.

33B Bail under section 33A: notices

- (1) If a constable grants bail to a person under section 33A, the constable must notify that person in writing before that person is released.
- (2) The notice must state —
 - (a) the offence for which the person was arrested; and
 - (b) the ground on which the person was arrested.
- (3) The notice must inform the person that the person is required to attend a police station.
- (4) It may also specify the police station that the person is required to attend and the time when the person is required to attend.
- (5) If the notice does not include the information mentioned in subsection (4), the person must subsequently be given a further notice in writing that contains that information.
- (6) The person may be required to attend a different police station from that specified in the notice under subsection (4) or (5) or to attend at a different time.
- (7) The person must be given notice in writing of any such change as is mentioned in subsection (6) and more than one such notice may be given to the person.

33C Bail under section 33A: supplemental

- (1) A person who has been required to attend a police station is not required to do so if the person is given notice in writing that the person's attendance is no longer required.

- (2) If a person is required to attend a police station that is not a designated police station that person must be —
 - (a) released; or
 - (b) taken to a designated police station, not more than 6 hours after the arrival of that person at the police station.
- (3) Nothing in the *Bail Act 1952* applies in relation to bail under section 33A.
- (4) Nothing in section 33A or 33B or in this section prevents the re-arrest without a warrant of a person released on bail under section 33A if new evidence justifying a further arrest has come to light since that person's release.

33D Failure to answer to bail under section 33A

- (1) A constable may arrest without a warrant a person who —
 - (a) has been released on bail under section 33A subject to a requirement to attend a specified police station; but
 - (b) fails to attend the police station at the specified time.
- (2) A person arrested under subsection (1) must be taken to a police station (which may be the specified police station or any other police station) as soon as practicable after the arrest.
- (3) In subsection (1), “specified” means specified in a notice under section 33B(1) or (5) or, if notice of change has been given under section 33B(7), in that notice.
- (4) For the purposes of —
 - (a) section 33 (subject to the obligation in subsection (2)); and
 - (b) section 34,
 an arrest under this section is to be treated as an arrest for an offence. **22**.

Duties of custody officer before charge: children

33 Amendment of section 40

[Amended section 40(13)]

Remand of suspected drug offenders

34 Insertion of new section 49A

[Inserted section 49A]

*Police bail***35 Substitution of section 50 and insertion of new sections 50A to 50E**

For section 50 (bail after arrest) substitute —

50 Interpretation: bail concepts

In this Part —

“**bail**” means bail with or without sureties and subject to any bail conditions imposed under section 50A;

“**bail condition**” has the meaning given in section 50A(1)(b).

50A Bail conditions

(1) If a person is released on bail under this Part, the custody officer may —

- (a) grant bail with or without a surety or sureties; and
- (b) impose a condition (a “**bail condition**”) on the person if the custody officer believes that the condition is necessary to secure that the person will —
 - (i) surrender to custody at a particular time or place, or both;
 - (ii) not commit an offence while on bail;
 - (iii) not interfere with witnesses or otherwise obstruct the course of justice whether in relation to himself or herself or another person;
 - (iv) make himself or herself available for the purpose of enabling inquiries or a report to be made to assist the police or a court in dealing with the person for the offences; or
 - (v) not leave the island.

(2) If a custody officer grants bail to a person subject to a bail condition imposed on the person to appear at a police station, the custody officer may notify that person in writing that the person’s attendance at the police station is not required.

(3) If —

- (a) a person is granted bail; and
- (b) the person attends at a police station in accordance with a bail condition imposed on the person, or is arrested under section 52,

then, any time during which the person was in police detention prior to being granted bail must be included as part of any period that falls to be calculated under this Part.

- (4) Nothing in this Part prevents the re-arrest without a warrant of a person released on bail subject to a duty to attend at a police station if new evidence justifying a further arrest has come to light since the person's release.
- (5) If a person is re-arrested —
 - (a) the provisions of this Part apply to the person as they apply to a person arrested for the first time; but
 - (b) this subsection does not apply to a person who is arrested under section 52 or has attended a police station in accordance with a bail condition imposed on the person (and who is deemed by section 37(6) or 52(2) to have been arrested for an offence).
- (6) The powers conferred on a custody officer of the rank of constable by this section may not be exercised without the written authorisation of an officer of at least the rank of sergeant.

50B Review by senior officer of bail conditions

- (1) If a custody officer has granted bail under this Part, a senior officer may, at the request of the person to whom it was granted —
 - (a) release the person without bail;
 - (b) withdraw bail;
 - (c) dispense with a surety or sureties;
 - (d) reduce the amount for which a surety is bound;
 - (e) vary a bail condition imposed on the person; or
 - (f) impose a new bail condition on the person.
- (2) The officer must give reasons for imposing or varying a bail condition imposed on the person or for withdrawing bail.
- (3) The reasons given under subsection (2) must be noted in the custody record and a copy of that note must be given to the person concerned.
- (4) The copy of the note mentioned in subsection (3) must inform the person concerned that he or she has a right to appeal under section 50C.
- (5) In this section, "senior officer" means an officer of higher rank than the custody officer and the officer who gave written authorisation under section 50A(6).

50C Appeal of bail decision

- (1) A person in relation to whom a condition under section 50A has been imposed may appeal to a court of summary jurisdiction against a decision under section 50B.
- (2) A constable must make the appeal on the person's behalf if the person notifies the custody officer that he or she —
 - (a) wants to exercise his or her right to appeal; and
 - (b) is unrepresented.
- (3) The court may —
 - (a) release the person without bail;
 - (b) withdraw bail;
 - (c) dispense with a surety or sureties;
 - (d) reduce the amount for which a surety is bound;
 - (e) vary a bail condition imposed on the person; or
 - (f) impose a new bail condition on the person.
- (4) On determining an appeal the court must, in accordance with the determination, remand the applicant in custody or on bail.
- (5) If the court withdraws bail or grants bail, the grant of bail made by the custody officer lapses.

50D Appearance in court

- (1) A court before which a person is obliged to appear in compliance with a bail condition imposed on the person may —
 - (a) appoint a later time as the time at which the person is to appear; and
 - (b) vary a bail condition imposed on the person or impose a new bail condition on the person.
- (2) The court may impose a condition on the person that the court believes to be necessary to secure that the person makes himself or herself available for appearance at every time or place to which the hearing may from time to time be adjourned during the course of proceedings.
- (3) Subsection (2) does not affect the power of the court to vary a recognizance condition imposed on a person.

50E Police bail taken to be bail by recognizance under Bail Act 1952

- If —
- (a) a person released on bail is charged with an offence; and

- (b) the person appears before a court in compliance with a bail condition imposed on the person or after arrest under section 15 of the *Bail Act 1952*;

then, from the time of the person's appearance, the bail is taken to have been granted by a court and the provisions of the *Bail Act 1952* apply to the bail as if it were a bail by recognizance in accordance with section 3A of that Act. **22**.

36 Amendment of section 52 and consequential amendments

- (1) Section 52 (power of arrest for failure to answer to police bail) is amended as follows.
- (2) Subsection (1) is repealed.
- (3) In subsection (2) for "this section" substitute **23** section 15 of the *Bail Act 1952* **22**.
- (4) Consequently, in sections 44(7), 45(10) and 46(18) for "section 52" substitute **23** section 15 of the *Bail Act 1952* **22**.
- (5) Consequently, in Schedule 2 delete "Section 5 of the *Criminal Law Act 1981*".

Child arrested for serious offence

37 Substitution of section 55

[Substituted section 55]

Intimate searches

38 Amendment of section 58

- (1) Section 58 (intimate searches) is amended as follows.
- (2) [Amended subsection (1)]
- (3) [Amended subsection (17)]

Police powers relating to drugs

39 Insertion of new section 58A

[Inserted section 58A]

*Audio and visual recording of interviews***40 Section 63 substituted**

[Substituted section 63]

*Fingerprints***41 Amendment of section 64**

- (1) Section 64 (fingerprinting) is amended as follows.
- (2) [Inserted subsection (2A)]
- (3) [Substituted subsection (6)]

*Samples taken elsewhere than at police station***42 Amendment of section 65**

- (1) Section 65 (intimate samples) is amended as follows.
- (2) [Amended subsections (1)(a) and (2)(a)]
- (3) [Inserted subsections (2A) and (2B)]
- (4) [Amended subsection (3)]
- (5) [Amended subsection (4)]
- (6) [Amended subsection (9)]

43 Amendment of section 66

- (1) Section 66 (other samples) is amended as follows.
- (2) [Inserted subsection (2A)]
- (3) [Amended subsection (6)]
- (4) [Amended subsection (7)]
- (5) [Amended subsection (7A)]
- (6) [Amended subsection (10)]
- (7) [Amended subsection (12)]

44 Amendment of section 67

- (1) [Substituted section 67(1) and inserted subsections (1A) to (1G)]

*Photographing of suspects***45 Amendment of section 68A**

- (1) Section 68A (photographing of suspects) is amended as follows.
- (2) [Inserted subsections (1A) and (1B)]
- (3) [Amended subsection (4)(a)]
- (4) [Amended subsection (5)]
- (5) [Inserted subsection (7)]

*Consent to searches etc***46 Amendment of section 69**

[Amended paragraph (a) of the definition of “appropriate consent” in section 69(1)]

*Codes of practice***47 Substitution of section 75**

[Substituted section 75]

48 Amendment of section 76

[Inserted section 76(3A)]

*Powers of constables on Manx ships***49 Insertion of new section 77B**

After section 77A (customs officers: powers of constables) insert —

77B Powers of constables on Manx Ships

- (1) This section applies to an offence if conduct constituting the offence done on land in the Island would constitute that offence if done on a Manx ship.
- (2) The powers, duties and obligations conferred on a constable by a statutory provision or by the common law may be exercised in relation to a Manx ship for the purpose of detecting and taking appropriate action in respect of an offence to which this section applies that has, or is reasonably suspected to have, been committed on any Manx ship.

- (3) In this section, “Manx ship” has the same meaning as in the *Merchant Shipping Registration Act 1991*.
- (4) The powers, duties and obligations conferred by this section are in addition to, and not in derogation of, powers, duties and obligations conferred by another statutory provision.

Meaning of “serious offence”

50 Amendment of section 79 and consequential amendments

- (1) Section 79 (meaning of ‘serious arrestable offence’) is amended as follows.
- (2) [Amended subsection (1)]
- (3) [Amended subsection (2)]
- (4) [Amended subsection (3)]
- (5) [Amended subsection (4)]
- (6) [Inserted subsection (9)]
- (7) [Amended marginal note]
- (8) Consequently, the enactments specified in Part 2 of Schedule 3 are amended in accordance with that Schedule.

General interpretation

51 Amendment of section 81

- (1) Section 81(1) (general interpretation) is amended as follows.
- (2) [Inserted definition of “all premises warrant”]
- (3) [Repealed definitions of “arrestable offence”, “child” and “young person”, and “juvenile”]
- (4) [Inserted definitions of “registered medical practitioner”, “registered nurse” and “serious offence”]
- (5) [Inserted definition of “specific premises warrant”]

Miscellaneous

52 Miscellaneous minor amendments

- (1) [Amended the provisions mentioned in subsection (2)]
- (2) Those provisions are —
 - (a) section 18(4);

- (b) section 58(14A)(b); and
- (c) paragraphs 1, 4, 11(a), 12, 15 and 16 of Schedule 1 and the cross-headings immediately before paragraphs 1 and 12 of that Schedule.

PART 9 — AMENDMENT OF THE CHILDREN AND YOUNG PERSONS ACT 2001

Return of missing children

53 Insertion of new section 49A

[Inserted section 49A in the *Children and Young Persons Act 2001*]

PART 10 - AMENDMENT OF THE CRIMINAL JUSTICE, POLICE AND COURTS ACT 2007

Live television links

54 Amendment of section 29(1)

[Amended section 29(1) of the *Criminal Justice, Police and Courts Act 2007*]

PART 11 - AMENDMENT OF THE CUSTODY (AMENDMENT) ACT 2013

Expiry of Act

55 Insertion of new section 1A

[Inserted section 1A in the *Custody (Amendment) Act 2013*]

SCHEDULE 1

[Section 21]

[Inserted new Schedule 1A in the Police Act 1993]

SCHEDULE 2

[Section 29]

[Inserted new schedules 1A and 1B in the Police Powers and Procedures Act 1998]

SCHEDULE 3

[Sections 30(3) and 50(8)]

AMENDMENTS CONSEQUENTIAL ON SECTIONS 30 AND 50

PART 1 - AMENDMENTS RELATING TO SECTION 30

[Part 1 amended the following Acts —

Criminal Code 1872
Criminal Law Act 1981
Summary Jurisdiction Act 1989
Police Powers and Procedures Act 1998
Criminal Justice Act 1991
Criminal Jurisdiction Act 1993
Criminal Justice Act 1996
Public Order Act 1998]

PART 2 - AMENDMENTS RELATING TO SECTION 50

[Part 2 amended the following Acts —

Police Powers and Procedures Act 1998
Anti-Terrorism and Crime Act 2003
International Criminal Court Act 2003
Organised and International Crime Act 2010]

ENDNOTES

Table of Endnote References

¹ ADO – SD2014/0362, SD2014/0387 and SD2025/0105 (see table below).

Provisions	SD Number	Date in Operation
Sections 16 to 21, 40, 48 and Schedule 1 (for the purpose of making orders, regulations and codes)	2014/0362	12/11/2014
Section 47 (NB. Section 75(1)(e) of the Police Powers and Procedures Act 1998 (as substituted by section 47 of the Act) is only brought into operation for the purpose of making and bringing into operation a code of practice with regard to the exercise of police powers under sections 74 and 76 of the Licensing Act 1995.)	2014/0362	12/11/2014
Sections 16 to 21, 40, 47 and 48 and Schedule 1 (for all other purposes)	2014/0362	01/01/2015
Sections 3, 14, 22 to 30, 33, 34, 37 to 39, 41 to 46 and 50 to 55 and Schedules 2 and 3	2014/0387	01/01/2015
Section 47 (for the purpose of bringing into operation section 75(1)(e) (codes of practice) of the Police Powers and Procedures Act 1998 for the purpose of making and bringing into operation a code of practice concerning the exercise of police powers in relation to section 33B (use of ANPR technology) of the Road Traffic Regulation Act 1985)	2025/0105	27/03/2025