
STATUTORY INSTRUMENTS

1994 No. 2955

INTELLIGENCE SERVICES

The Intelligence Services Act 1994
(Channel Islands) Order 1994

Made - - - - 24th November 1994

Coming into force - - 15th December 1994

Her Majesty, in pursuance of section 7(4) of the Security Service Act 1989⁽¹⁾ and section 12(4) of the Intelligence Services Act 1994⁽²⁾, 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 Intelligence Services Act 1994 (Channel Islands) Order 1994 and shall come into force on 15th December 1994.
2. Sections 5(1), 6(6), 11(1) and 12(1) of the Intelligence Services Act 1994 shall extend to the Bailiwick of Guernsey and the Bailiwick of Jersey with the exceptions, adaptations and modifications specified respectively in Part I and Part II of the Schedule to this Order.
3. The Security Service Act 1989 (Channel Islands) Order 1990⁽³⁾ is hereby revoked.

R. P. Bulling
Deputy Clerk of the Privy Council

(1) 1989 c. 5.
(2) 1994 c. 13.
(3) S.I.1990/249.

SCHEDULE

Article 2

EXCEPTIONS, ADAPTATIONS AND MODIFICATIONS IN
THE EXTENSION OF PROVISIONS OF THE INTELLIGENCE
SERVICES ACT 1994 TO THE CHANNEL ISLANDS

PART I

THE BAILIWICK OF GUERNSEY

1. Any reference to an enactment shall be construed, unless the contrary intention appears, as a reference to that enactment as it has effect in the Bailiwick of Guernsey.
2. In section 5(1), for the words “by the Secretary of State under this section” there shall be substituted the words “, after consultation with Her Majesty’s Attorney General for Guernsey, by the Secretary of State under this section as it has effect in the United Kingdom”.
3. For section 6(6) there shall be substituted the following subsection:
 - (a) A warrant issued under section 3 of the 1989 Act as it had effect in the United Kingdom and current when section 5(1) above comes into force shall be treated as a warrant issued under section 5 above as it has effect in the United Kingdom, but without any change in the date on which the warrant was in fact issued or last renewed.
 - (b) Section 3 of the 1989 Act shall cease to have effect.”.
4. In section 11(1), paragraphs (b), (c), (d) and (f) shall be omitted.

PART II

THE BAILIWICK OF JERSEY

1. Any reference to an enactment shall be construed, unless the contrary intention appears, as a reference to that enactment as it has effect in the Bailiwick of Jersey.
2. In section 5(1), for the words “by the Secretary of State under this section” there shall be substituted the words “, after consultation with Her Majesty’s Attorney General for Jersey, by the Secretary of State under this section as it has effect in the United Kingdom”.
3. For section 6(6) there shall be substituted the following subsection:
 - (a) A warrant issued under section 3 of the 1989 Act as it had effect in the United Kingdom and current when section 5(1) above comes into force shall be treated as a warrant issued under section 5 above as it has effect in the United Kingdom, but without any change in the date on which the warrant was in fact issued or last renewed.
 - (b) Section 3 of the 1989 Act shall cease to have effect.”.
4. In section 11(1), paragraphs (b), (c), (d) and (f) shall be omitted.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order extends to the Channel Islands, with the exceptions, adaptations and modifications specified in the Schedule to the Order, the provisions of section 5(1) and 6(6) (warrants), 11(1) (interpretation) and 12(1) (short title) of the Intelligence Services Act 1994. Article 3 of this Order revokes the Security Service Act 1989 (Channel Islands) Order 1990; section 3 of the Security Service Act 1989 (which was extended to the Channel Islands by that Order) is replaced by section 5 of the Intelligence Services Act 1994.