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**FOOD (EMERGENCY PROVISIONS) (AMENDMENT) ACT
2001**

Chapter 9

Arrangement of sections

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Signed in Tynwald: 24th April 2001
Received Royal Assent: 24th April 2001
Announced to Tynwald: 24th April 2001
Passed: 24th April 2001

AN ACT

to amend the Food (Emergency Provisions) Act
1986.

WE, your Majesty's most dutiful and loyal subjects, the Council and Keys of the said Isle, do humbly beseech your Majesty that it may be enacted, and 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 (that is to say):—

1. Emergency orders

(1) Section 1 of the Food (Emergency Provisions) Act 1986¹ is amended as follows.

(2) In subsection (1), for paragraph (a) substitute —

"(a) there exist or may exist circumstances which are likely to create a hazard to human health through human consumption of food; and".

(3) In subsection (2), for "the escape of substances" substitute "the circumstances or suspected circumstances".

(4) In subsection (4) —

(a) in paragraph (a), omit "contained in an emergency order by virtue of paragraph 2 or 3 of Schedule 1"; and

(b) for the words from "to show" onwards" substitute "to show that the contravention took place outside the Island and Manx waters".

(5) At the end insert —

¹ 1986 c.33

"(7) Where an emergency order designates any area of sea, the Department shall send a copy of the order to the Secretary of State as soon as may be after it is made."

2. Enforcement

(1) Section 3 of the Food (Emergency Provisions) Act 1986 is amended as follows.

(2) In subsection (1) —

- (a) in paragraph (a), for "an escape of substances" substitute "such circumstances as are mentioned in section 1(1)";
- (b) in paragraphs (b) and (c), for "designated incident" substitute "designated circumstances".

(3) For subsection (5) substitute —

"(5) An officer may exercise any powers conferred on him for the purposes of this Act in relation to any vessel, aircraft, hovercraft or marine structure only if it is in the Island or in Manx waters.

(5A) An officer may exercise any powers conferred on him for the purposes of this Act in relation to a foreign vessel, foreign aircraft, foreign hovercraft or foreign marine structure only if he has reasonable grounds to suspect that something to which an emergency prohibition relates has been, is being or is about to be landed from it in the Island."

3. Minor and consequential amendments

(1) In section 2(3)(a) of the Food (Emergency Provisions) Act 1986, for "a designated incident" substitute "designated circumstances".

(2) In section 8(1) of that Act —

- (a) omit the definition of "escape";
- (b) in the definitions of "the Agriculture Department" and "the Department", omit "(subject to subsection (4))";
- (c) for the definition of "designated incident" substitute —
""designated circumstances" means the circumstances or suspected circumstances to which an emergency order refers in pursuance of section 1(2);";
- (d) for the definition of "food" substitute —
""food" has the same meaning as in the Food Act 1996²;";
- (e) in the definition of "officer", in paragraph (a), for "Food and Drugs Act 1963" substitute "Food Act 1996";

² 1996 c.8

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- (f) for the definition of "vessel" substitute —
""vessel" means any ship or boat, and any other vessel used in navigation;"
- (3) Section 8(4) of that Act is repealed.

4. Short title

This Act may be cited as the Food (Emergency Provisions) (Amendment) Act 2001.