



Jersey

# **INTELLIGENCE SERVICES ACT 1994 (CHANNEL ISLANDS) ORDER 1994**

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**APPENDIX**



Jersey

# INTELLIGENCE SERVICES ACT 1994 (CHANNEL ISLANDS) ORDER 1994

**Jersey Order in Council 23/1994**

**THE INTELLIGENCE SERVICES ACT 1994 (CHANNEL ISLANDS) ORDER 1994**

*(Registered on the 9th day of December 1994)*

**At the Court at Buckingham Palace**

24th November 1994

PRESENT

**The Queen's Most Excellent Majesty in Council**

**HER MAJESTY**, in pursuance of section 7(4) of the Security Service Act 1989 and section 12(4) of the Intelligence Services Act 1994, 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<sup>2</sup> is hereby revoked.

**R.P. BULLING**

<sup>2</sup> Volume 1990–1991, page 7.

*Jersey Order in Council 23/1994*

*Intelligence Services Act 1994 (Channel Islands) Order  
1994*

*Deputy Clerk of the Privy Council.*

*SCHEDULE***(Article 2)****Exceptions, adaptations and modifications in the extension of provisions of the Intelligence Services Act 1994  
to the Channel Islands***PART I*

\* \* \* \* \*

*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 –
  - “(6)(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.

**INTELLIGENCE SERVICES ACT 1994****CHAPTER 13***ARRANGEMENT OF SECTIONS***The Secret Intelligence Service**

## Section

1. \* \* \* \* \*

2. \* \* \* \* \*

**The Government Communications Headquarters**

3. \* \* \* \* \*

4. \* \* \* \* \*

**Authorisation of certain actions**

5. Warrants: general.

6. Warrants: procedure and duration, etc.

7. \* \* \* \* \*

**The Commissioner, the Tribunal and the  
investigation of complaints**

8. \* \* \* \* \*

9. \* \* \* \* \*

**The Intelligence and Security Committee**

10. \* \* \* \* \*

**Supplementary**

11. Interpretation and consequential amendments.

12. Short title, commencement and extent.

**SCHEDULES**

\* \* \* \* \*

**ELIZABETH II**

**AN ACT** to make provision about the Secret Intelligence Service and the Government Communications Headquarters, including provision for the issue of warrants and authorisations enabling certain actions to be taken and for the issue of such warrants and authorisations to be kept under review; to make further provision about warrants issued on applications by the Security Service; to establish a procedure for the investigation of complaints about the Secret Intelligence Service and the Government Communications Headquarters; to make provision for the establishment of an Intelligence and Security Committee to scrutinise all three of those bodies; and for connected purposes.

[26th May 1994]

**BE IT Enacted** by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows<sup>3</sup> –

**The Secret Intelligence Service**

1. \* \* \* \* \*

**The Chief of the Intelligence Service**

2. \* \* \* \* \*

**The Government Communications Headquarters**

3. \* \* \* \* \*

**The Director of GCHQ**

4. \* \* \* \* \*

**Warrants: general**

**5.-(1)** No entry on or interference with property or with wireless telegraphy shall be unlawful if it is authorised by a warrant issued [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].

(2) \* \* \* \* \*

(3) \* \* \* \* \*

<sup>3</sup> Deletions and words in square brackets indicate adaptations and modifications made by the Intelligence Services Act 1994 (Channel Islands) Order 1994.

(4) \* \* \* \* \*

(5) \* \* \* \* \*

### **Warrants: procedure and duration, etc**

**6.-(1)** \* \* \* \* \*

(2) \* \* \* \* \*

(3) \* \* \* \* \*

(4) \* \* \* \* \*

(5) \* \* \* \* \*

[(6)(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.].

### **Authorisation of acts outside the British Islands**

**7.** \* \* \* \* \*

### **The Commissioner**

**8.** \* \* \* \* \*

### **Investigation of complaints**

**9.** \* \* \* \* \*

### **The Intelligence and Security Committee**

**10.** \* \* \* \* \*

### **Interpretation and consequential amendments**

**11.-(1)** In this Act –

(a) “the 1989 Act” means the Security Service Act 1989;

(b) \* \* \* \* \*

(c) \* \* \* \* \*

(d) \* \* \* \* \*

(e) \* \* \* \* \*

*Jersey Order in Council 23/1994*

*Intelligence Services Act 1994 (Channel Islands) Order  
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(f) \* \* \* \* \*

(2) \* \* \* \* \*

**Short title, commencement and extent**

**12.-(1)** This Act may be cited as the Intelligence Services Act 1994.

(2) \* \* \* \* \*

(3) \* \* \* \* \*