
4. Isle of Man (Service of Process)

**THE SUMMARY JURISDICTION PROCESS (ISLE OF MAN)
ORDER, 1928.**

1928 No. 377 (L. 15)

At the Court at Buckingham Palace, the 7th day of May, 1928.

PRESENT,

The King's Most Excellent Majesty in Council.

44 & 45 Vict.
c. 24.

Whereas the Summary Jurisdiction (Process) Act, 1881 (hereinafter referred to as "the principal Act") provides for the service and execution in Scotland of process issued under the Summary Jurisdiction Acts in England, and for the service and execution in England of process so issued in Scotland:

And whereas the principal Act further provides that a court of summary jurisdiction in England and a sheriff court in Scotland shall respectively have jurisdiction to make certain orders or decrees in bastardy proceedings against a person within the jurisdiction of the court notwithstanding that such person ordinarily resides, or the child has been born, or the

mother of it ordinarily resides, where the court is English, in Scotland, or where the court is Scotch, in England, and further makes provision for enforcing obedience to any such orders or decrees:

And whereas subsection (2) of Section 40 of the Criminal Justice Administration Act, 1914, provides that His Majesty may by Order in Council make rules extending the operation of the principal Act so as to make the provisions of the principal Act, subject to the necessary adaptations, applicable as between any one part of the British Islands and any other part of the British Islands in like manner as it applies between England and Scotland; and further provides that that subsection shall extend to the Isle of Man: 4 & 5 Geo. 5.
c. 58.

And whereas it is expedient to extend the operation of the principal Act so as to make its provisions applicable, subject to the necessary adaptations, as between England and the Isle of Man in like manner as it applies as between England and Scotland:

Now, therefore, His Majesty is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

1. The operation of the principal Act shall be extended so that the provisions of that Act shall apply as between England and the Isle of Man, subject to the adaptations set out in the Schedule to this Order.

2. This Order may be cited as the Summary Jurisdiction Process (Isle of Man) Order, 1928.

M. P. A. Hankey.

SCHEDULE

Section of principal Act to be adapted	Adaptation
Section 4	<p>After the words "Summary Jurisdiction Acts" there shall be inserted the words "or Petty Sessions and Summary Jurisdiction Acts of Tynwald."</p> <p>For the word "Scotland" wherever that word occurs there shall be substituted the words "the Isle of Man."</p> <p>For the words "any like declaration" there shall be substituted the words "a solemn declaration or affirmation."</p> <p>For the word "sheriff" there shall be substituted the words "high bailiff."</p> <p>For the words from "or if issued" to the end of the section there shall be substituted the words "or if issued by a Manx court for the recovery of a sum of money which according to the law of the Isle of Man is a civil debt."</p> <p>There shall be added at the end of the section the following paragraph:—</p> <p style="padding-left: 2em;">"5. This section shall not apply to any process issued in the Isle of Man under the Petty Sessions and Summary Jurisdiction Acts of Tynwald which, if issued in England, could not have been issued under the Summary Jurisdiction Acts."</p>

SUMMARY PROCEEDINGS, ENGLAND

Section of principal Act to be adapted	Adaptation
Section 5	<p>For the word "Scotland" there shall be substituted the words "the Isle of Man."</p> <p>For the words "Scotch warrant of poinding and sale" in both places where those words occur there shall be substituted the words "Manx execution."</p> <p>For the word "warrants" there shall be substituted the words "warrant and execution."</p> <p>For the words from "except that" to the end of the section there shall be substituted the words "except that any account of the costs and charges in connection with the execution of the warrant or execution, or of the money levied thereby, or otherwise relating thereto, shall be made, and any money raised by the execution of the warrant or execution shall be dealt with, in like manner as if the warrant or execution had been executed within the jurisdiction of the court issuing it."</p>
Section 6	<p>There shall be omitted the words following, that is to say:—the words "or decree" in both places where those words occur and all the words in the last paragraph of the section.</p> <p>For the words "sheriff court" there shall be substituted the words "court of the high bailiff."</p> <p>For the words "Scotland" and "Scotch" wherever those words occur there shall be substituted respectively the words "the Isle of Man" and "Manx."</p>
Section 7	<p>For the word "Scotland" there shall be substituted the words "the Isle of Man."</p>
Section 8	<p>There shall be omitted the words following, that is to say:—the words "or warrant of citation," "any warrant of imprisonment," "also an extract decree," "other than a warrant of arrestment," and the words "The expression 'sheriff' shall include sheriff substitute."</p> <p>For the words "warrant of poinding and sale" there shall be substituted the word "execution."</p> <p>For the word "Scotland" in both places where that word occurs there shall be substituted the words "the Isle of Man."</p> <p>For the word "sheriff" there shall be substituted the words "high bailiff."</p>
The Schedule ...	<p>For the word "sheriff" wherever that word occurs there shall be substituted the words "high bailiff."</p>