1964 No. 922

OVERSEAS TERRITORIES

The Admiralty Jurisdiction (Cayman Islands) Order 1964

Made - - - - 23*rd June* 1964
Coming into Operation 24*th June* 1964

At the Court at Buckingham Palace, the 23rd day of June 1964

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the power vested in Her by section 56 of the Administration of Justice Act 1956(a) and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation and commencement.

1.—(1) This Order may be cited as the Admiralty Jurisdiction (Cayman Islands) Order 1964.

(2) This Order shall come into operation on the 24th June 1964.

Admiralty jurisdiction of Grand Court of Cayman Islands.

2. The Colonial Courts of Admiralty Act 1890(b) shall, in relation to the Grand Court of the Cayman Islands, have effect as if for the reference in subsection (2) of section two thereof to the Admiralty jurisdiction of the High Court in England there were substituted a reference to the Admiralty jurisdiction of that court as defined by section one of the Administration of Justice Act 1956 subject to the adaptations and modifications of the said section one that are specified in the First Schedule to this Order.

Application of provisions of Administration of Justice Act 1956 to Cayman Islands.

3. The provisions of sections three, four, six, seven and eight of Part I of the Administration of Justice Act 1956 shall extend to the Cayman Islands with the adaptations and modifications that are specified in Column II of the Second Schedule to this Order.

W. G. Agnew.

(a) 4 & 5 Eliz. 2. c. 46. (b) 53 & 54 Vict. c. 27.

FIRST SCHEDULE

Article 2.

ADAPTATIONS AND MODIFICATIONS OF SECTION ONE OF THE ADMINISTRATION OF JUSTICE ACT 1956

In subsection (1) the words "and any other jurisdiction connected with ships and aircraft vested in the High Court apart from this section which is for the time being assigned by rules of court to the Probate, Divorce and Admiralty Division" shall be deleted;

In subsection (3) the words and figures "under sections five hundred and forty-four to five hundred and forty-six of the Merchant Shipping Act 1894" shall be deleted and the words "under sections twenty-two and twenty-three of the Wreck and Salvage Law of Jamaica(a)" shall be substituted;

In subsection (4) after the words and figures "Merchant Shipping Acts 1894 to 1954" there shall be inserted the words "or of the Wreck and Salvage Law of Jamaica".

SECOND SCHEDULE

Article 3.

PROVISIONS OF PART I OF THE ADMINISTRATION OF JUSTICE ACT 1956 EXTENDED TO THE CAYMAN ISLANDS AND ADAPTATIONS AND MODIFICATIONS THERETO.

Column I	*Column II*
Section 3	In subsections (1), (3), (5), (6) and (7), the words "the High Court, the Liverpool Court of Passage, and any county court" shall be deleted and the words "the Grand Court of the Cayman Islands" shall be substituted; In subsection (2) the words "the High Court" shall be deleted and the words "the Grand Court of the Cayman Islands" shall be substituted; In subsection (4) the words "High Court and (where there is such jurisdiction) the Admiralty jurisdiction of the Liverpool Court of Passage or any county court" shall be deleted and the words "Grand Court of the Cayman Islands" shall be substituted; In subsection (8) the words "England and Wales" shall be deleted and the words "the Cayman Islands" shall be substituted.
Section 4	Subsection (1) shall be deleted and the following subsection shall be substituted:— "(1) No court in the Cayman Islands shall entertain an action in personam to enforce a claim to which this section applies unless— (*a*) the defendant has his habitual residence or a place of business in the Cayman Islands; or

(a) Laws of Jamaica, Rev. 1953, Cap. 419.

	(*b*) the cause of action arose within the territorial waters of the Cayman Islands; or (*c*) an action arising out of the same incident or series of incidents is proceeding in the court or has been heard and determined in the court. In this subsection "territorial waters of the Cayman Islands" include any port, dock or harbour in the Cayman Islands.".
	In subsection (2) the words "in England and Wales" shall be deleted and the words "in the Cayman Islands" shall be substituted, and the words "outside England and Wales" shall be deleted and the words "outside the Cayman Islands" shall be substituted;
	In subsection (5) the words "the High Court" shall be deleted and the words "the Grand Court of the Cayman Islands" shall be substituted; Subsection (6) shall be omitted.
Section 6	The words "England and Wales" shall be deleted and the words "the Cayman Islands" shall be substituted.
Section 7	Subsection (1) shall be deleted and the following subsection shall be substituted:— "(1) Section six hundred and eighty-eight of the Merchant Shipping Act 1894 (which relates to the detention of ships by customs officers in certain cases) shall cease to have effect, but nothing in this Part of the Act affects the provisions of section thirty-four of the Wreck and Salvage Law of Jamaica (which relates to the power of a receiver of wreck to detain a ship in respect of a salvage claim)"; Subsection (2) shall be omitted.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order provides that the Grand Court of the Cayman Islands, which is a Colonial Court of Admiralty, shall have the Admiralty jurisdiction of the High Court of England, as defined in section 1 of the Administration of Justice Act 1956, with certain modifications. It also extends certain of the provisions contained in Part I of that Act to the Cayman Islands.