1966 No. 686

OVERSEAS TERRITORIES

The Admiralty Jurisdiction (Falkland Islands) Order 1966

Made - - - - 9*th June* 1966
Coming into Operation 10*th June* 1966

At the Court at Buckingham Palace, the 9th day of June 1966

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 (Falkland Islands) Order 1966.

(2) This Order shall come into operation on 10th June 1966.

Admiralty jurisdiction of Supreme Court of the Falkland Islands.

2. The Colonial Courts of Admiralty Act 1890(b) shall, in relation to the Supreme Court of the Falkland Islands, have effect as if the reference in section 2(2) 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 1 of the Administration of Justice Act 1956 subject to the adaptation and modification of the said section 1 that is specified in schedule 1 to this Order.

Application of provisions of Administration of Justice Act 1956 to the Falkland Islands.

3. The provisions of sections 3, 4, 6, 7 and 8 of Part I of the Administration of Justice Act 1956 shall extend to the Falkland Islands and its Dependencies with the adaptations and modifications that are specified in Column II of schedule 2 to this Order.

H. G. Agnew.

Article 2

SCHEDULE 1

ADAPTATION AND MODIFICATION OF SECTION 1 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.

(a) 1956 c. 46. (b) 1890 c. 27.

SCHEDULE 2 Article 3

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

Column I	Column II
Section 3	In subsections (1), (3), (5), (6) and (7), for the references to the High Court, the Liverpool Court of Passage, and any county court there shall be substituted a reference to the Supreme Court of the Falkland Islands; In subsection (2) the words "the High Court" shall be deleted and the words "the Supreme Court of the Falkland 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 "Supreme Court of the Falkland Islands" shall be substituted; In subsection (8) the words "England and Wales" shall be deleted and the words "Falkland Islands" shall be substituted.
Section 4	Subsection (1) shall be deleted and the following subsection shall be substituted:— "(1) No court in the Falkland 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 place of business in the Falkland Islands; or (*b*) the cause of action arose within the territorial waters of the Falkland 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 Falkland Islands" include any port, dock or harbour in the Falkland Islands."; In subsection (2) the words "in England and Wales" shall be deleted and the words "in the Falkland Islands" shall be substituted, and the words "outside England and Wales" shall be deleted and the words "outside the Falkland Islands" shall be substituted;

Column I	Column II
Section 4—*cont.*	In subsection (5) the words "the High Court" shall be deleted and the words "the Supreme Court of the Falkland Islands" shall be substituted;
	Subsection (6) shall be omitted.
Section 6	The words "England and Wales" shall be deleted and the words "Falkland 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(a) (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 five hundred and fifty-two of the Merchant Shipping Act 1894 (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.
Section 8	In subsection (1) there shall be added the following definition:—
	'"Falkland Islands" means the Falkland Islands and its Dependencies;'.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order provides that the Supreme Court of the Falkland Islands, which is a Colonial Court of Admiralty, shall, in relation to the Falkland Islands, 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 Falkland Islands.

(a) 1894 c. 60.