STATUTORY INSTRUMENTS

# 1966 No. 1175

## AFRICA

## The Botswana (Pending Appeals) Order 1966

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| *Made* - - - - | 20*th September* 1966 |
| *Laid before Parliament* | 26*th September* 1966 |
| *Coming into Operation Immediately before* | 30*th September* 1966 |

At the Court at Balmoral, the 20th day of September 1966

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers vested in Her by sections 6 and 7 of the Botswana Independence Act 1966(**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, commencement and construction.

**1.**—(1) This Order may be cited as the Botswana (Pending Appeals) Order 1966.

(2) This Order shall come into operation immediately before 30th September 1966 (in this Order referred to as " the appointed day ").

(3) The Interpretation Act 1889(**b**) shall apply, with the necessary adaptations, for the purpose of interpreting this Order and otherwise in relation thereto as it applies for the purpose of interpreting and in relation to Acts of the Parliament of the United Kingdom.

Transitional provisions relating to certain appeals.

**2.**—(1) Any appeal or petition for special leave to appeal to Her Majesty in Council from a decision given by the Basutoland, Bechuanaland Protectorate and Swaziland Court of Appeal on appeal from the High Court of the Bechuanaland Protectorate, being an appeal or petition that is pending immediately before the appointed day and—

(*a*) in the case of an appeal, is one in which the records have been registered in the Office of the Privy Council before that day ; or

(*b*) in the case of a petition, is one that has been lodged in that Office before that day,

may be continued before and disposed of by the Judicial Committee of the Privy Council in accordance with the law regulating the procedure in such appeals to Her Majesty in Council that is in force immediately before that day.

(2) Any order made by the Judicial Committee of the Privy Council on any appeal that may be continued before and disposed of by the Judicial Committee by virtue of subsection (1) of this section shall be enforced in accordance with the law regulating the enforcement of like orders by the Judicial Committee that is in force on the appointed day.

*W. G. Agnew.*

(**a**) 1966 c. 23. (**b**) 1889 c. 63.

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order makes provision for the continuance before the Judicial Committee of the Privy Council of certain appeals to Her Majesty in Council from the Basutoland, Bechuanaland Protectorate and Swaziland Court of Appeal that are pending immediately before 30th September 1966.