STATUTORY INSTRUMENTS

1964 No. 1395

CARIBBEAN AND NORTH ATLANTIC TERRITORIES

The British Guiana (United Kingdom Forces) (No. 2) Order 1964

Made - - - - 2nd September 1964
Coming into Operation 2nd September 1964

At the Court at Buckingham Palace, the 2nd day of September 1964

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the power reserved to Her in pursuance of the British Guiana Act 1928(a) by section 22 of the British Guiana (Constitution) Order in Council 1961(b), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation and interpretation.

1.—This Order may be cited as the British Guiana (United Kingdom Forces) (No. 2) Order 1964 and shall be construed as one with the British Guiana (United Kingdom Forces) Order 1964(c) (hereinafter referred to as " the principal Order ").

Removal of doubt in principal Order.

2.—(1) For the avoidance of doubt, it is hereby declared that the reference in section 2(3) of the principal Order to assistance given to the civil authorities in British Guiana includes a reference to any such assistance whether or not it was given in pursuance of section 2(1) of that Order and whether it was given before or after the coming into operation of that Order.

(2) If any proceedings have been instituted in any court in British Guiana before the coming into operation of this Order in respect of anything done or omitted by any member of Her Majesty's forces in the course of giving assistance to the civil authorities in British Guiana otherwise than in pursuance of section 2(1) of the principal Order or in the course of giving any such assistance before the coming into operation of that Order, it is hereby further declared for the avoidance of doubt that those proceedings shall not be further proceeded with without the consent of the Governor, acting in his discretion, (which consent shall be signified by writing under his hand) and that the provisions of section 2(4) of the principal Order shall apply in relation to proceedings which, in the Governor's opinion, have been proceeded with in contravention of this subsection as they apply in relation to proceedings which, in his opinion, have been instituted in contravention of section 2(3) of the principal Order.

(3) In this section the expression " Her Majesty's forces " has the meaning attributed to it in section 2(5) of the principal Order.

W. G. Agnew.

(a) 18 & 19 Geo. 5. c. 5. (b) S.I. 1961/1188 (1961 II, p. 2152).
(c) S.I. 1964/1193 (1964 II, p. 2771).

EXPLANATORY NOTE

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

This Order removes doubts as to the application of the British Guiana (United Kingdom Forces) Order 1964 in relation to certain categories of legal proceedings.