STATUTORY INSTRUMENTS

1961 No. 2272

FUGITIVE CRIMINAL

The Fugitive Offenders (Grouping of Territories) Order in Council, 1961

Made - - - -	*27th November*, 1961
Laid before Parliament	*1st December*, 1961
Coming into Operation	*Immediately before the 9th December*, 1961

At the Court of Saint James, the 27th day of November, 1961

Present,

Her Majesty Queen Elizabeth The Queen Mother

Her Royal Highness The Princess Margaret, Countess of Snowdon

Lord President	**Lord Carrington**
Earl of Perth	**Mr. Secretary Amery**

Whereas Her Majesty, in pursuance of the Regency Acts, 1937 to 1953, was pleased, by Letters Patent dated the eighth day of November, 1961, to delegate to the following Counsellors of State (subject to the exceptions hereinafter mentioned) or to any two or more of them, that is to say, His Royal Highness Prince Philip, Duke of Edinburgh, Her Majesty Queen Elizabeth The Queen Mother, Her Royal Highness The Princess Margaret, Countess of Snowdon, His Royal Highness The Duke of Gloucester, His Royal Highness The Duke of Kent and Her Royal Highness The Princess Alexandra of Kent, full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval for anything for which Her Majesty's approval in Council is required:

And whereas Her Majesty was further pleased to except from the number of the said Counsellors of State His Royal Highness Prince Philip, Duke of Edinburgh, and Her Royal Highness The Princess Alexandra of Kent while absent from the United Kingdom:

Now, therefore, Her Majesty Queen Elizabeth The Queen Mother and Her Royal Highness The Princess Margaret, Countess of Snowdon, being authorized thereto by the said Letters Patent and in exercise of the powers conferred on Her Majesty by the Fugitive

Offenders Act, 1881(a), and of all other powers enabling Her Majesty in that behalf, do hereby, by and with the advice of Her Majesty's Privy Council, on Her Majesty's behalf order, and it is hereby ordered, as follows:—

Citation, commencement and construction.

1.—(1) This Order may be cited as the Fugitive Offenders (Grouping of Territories) Order in Council, 1961, and shall come into operation immediately before the ninth day of December, 1961.

(2) 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 an Act of Parliament.

Grouping of territories.

2.—(1) Part II of the Fugitive Offenders Act, 1881, shall apply to the following group of territories, that is to say—

Aden Colony (which includes Perim and the Kuria Muria Islands);
Basutoland;
Bechuanaland Protectorate;
India;
~~Kenya Colony and Protectorate~~; 1963/1967
Mauritius;
Pakistan;
~~Federation of Rhodesia and Nyasaland:~~ 1963/2085
Southern Rhodesia;
~~Northern Rhodesia;~~ 1964/1657
Nyasaland;
~~Republic of South Africa;~~ 1963/613
Swaziland;
Tanganyika;
~~Uganda Protectorate~~;
~~Zanzibar Protectorate.~~ } 1963/1967

(2) Part II of the Fugitive Offenders Act, 1881, shall apply to the following group of territories, that is to say—

Aden Colony (which includes Perim and the Kuria Muria Islands);
Kamaran;
Kenya Colony and Protectorate;
Uganda Protectorate;
Zanzibar Protectorate.

Revocations.

3. The Orders in Council specified in the first column of the Schedule to this Order are revoked to the extent indicated in the second column of that Schedule.

(a) 44 & 45 Vict. c. 69. (b) 52 & 53 Vict. c. 63.

Application of Act of 1881 to Uganda.

4. Notwithstanding the provisions of paragraph (i) of Article 13 of the Uganda Order in Council, 1902(a), the Fugitive Offenders Act, 1881, shall be construed in its application to Uganda as if references to a Magistrate or a Justice of the Peace were references to any person who, under the Subordinate Courts Ordinance(b) of Uganda or any law amending or replacing that Ordinance, is or is deemed to be or has the powers of a first class Magistrate, sitting in a subordinate court constituted by or under that Ordinance or any such law.

W. G. Agnew.

Section 3

SCHEDULE

REVOCATIONS

Order in Council	*Extent of Revocation*
1. The Uganda Order in Council, 1902(a).	Sub-paragraph (*d*) of paragraph (iv) of Article 13.
2. The Tanganyika Order in Council, 1920(c).	Sub-paragraph (*d*) of paragraph (iv) of Article 14.
3. The East Africa Fugitive Offenders Order in Council, 1920(d).	The whole Order.
4. The East Africa Fugitive Offenders Order in Council, 1924(e).	The whole Order.
5. The Zanzibar Order in Council, 1924(f).	Sub-paragraph (*d*) of paragraph (5) of Article 25.
6. The Kamaran Order in Council, 1949(g).	Sub-paragraph (*d*) of paragraph (iv) of subsection (1) of section 13.
7. The Kenya (Constitution) Order in Council, 1958(h).	Sub-paragraph (*d*) of paragraph 5 of the Third Schedule.
8. The Perim Order in Council, 1959(i).	Section 12.
9. The Kuria Muria Islands Order in Council, 1959(j).	Section 12.
10. The Nyasaland (Constitution) Order in Council, 1961(k).	Paragraph (*d*) of subsection (5) of section 84.

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(a) S.R. & O. 1902/662 (Rev. VIII, p. 288: 1902, p. 145).
(b) Cap. 4 of the Laws of Uganda, 1951 Revised Edition.
(c) S.R. & O. 1920/1583 (Rev. VIII, p. 266: 1920 I, p. 685).
(d) S.R. & O. 1920/2351 (Rev. IX, p. 526: 1920 I, p. 754).
(e) S.R. & O. 1924/1219 (Rev. IX, p. 527: 1924, p. 465).
(f) S.R. & O. 1924/1401 (Rev. VIII, p. 313: 1924, p. 434).
(g) S.I. 1949/137 (1949 I, p. 1795).
(h) S.I. 1958/600 (1958 I, p. 961).
(i) S.I. 1959/1298 (1959 I, p. 64).
(j) S.I. 1959/1299 (1959 I, p. 58).
(k) S.I. 1961/1189 (Pt. II, p. 2218).

EXPLANATORY NOTE

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

The purpose of this Order is to reproduce in a single instrument but without any alteration of the existing law, the effect of certain provisions grouping territories for the purposes of Part II of the Fugitive Offenders Act, 1881, in so far as those provisions operate as part of the law of Aden Colony (including Perim and the Kuria Muria Islands), Basutoland, Bechuanaland, Kamaran, Kenya (Colony and Protectorate), Mauritius, the Federation of Rhodesia and Nyasaland (Southern Rhodesia, Northern Rhodesia and Nyasaland), Swaziland, Tanganyika, Uganda and Zanzibar. The Order also makes a minor modification of the Uganda Order in Council, 1902, in so far as that Order deals with the application of the Fugitive Offenders Act, 1881, to Uganda.