STATUTORY INSTRUMENTS

1976 No. 2142

FUGITIVE CRIMINAL

Fugitive Offenders (United Kingdom Dependencies) (Amendment) Order 1976

Laid before Parliament in draft

Made - - - - 15*th December* 1976
Coming into Operation 16*th December* 1976

At the Court at Buckingham Palace, the 15th day of December 1976

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by sections 2(2)(*c*) and (3) and 20(2) of the Fugitive Offenders Act 1967(**a**), is pleased, by and with the advice of Her Privy Council, to make the following Order, a draft of which has been laid before Parliament and has been approved by resolution of each House of Parliament:

1. This Order may be cited as the Fugitive Offenders (United Kingdom Dependencies) (Amendment) Order 1976 and shall come into operation on 16th December 1976.

2. The Interpretation Act 1889(**b**) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. For the proviso set out in Article 3 of the Fugitive Offenders (United Kingdom Dependencies) Order 1968(**c**) (hereinafter referred to as " the Order of 1968 ") there shall be substituted the following:

> " Provided that an offence of which a person is accused or has been convicted in the New Hebrides shall not be a relevant offence unless he is liable to be tried therefor or, as the case may be, has been convicted thereof, by the High Court of the New Hebrides or by the former High Court of the Western Pacific or by the Joint Court established for the New Hebrides."

4. For the words " British Solomon Islands Protectorate " in Article 2 of the Order of 1968 and in the Schedule to that Order there shall be substituted the words " Solomon Islands ".

5. The words " Brunei " and " The Government of Brunei " shall be omitted from the Schedule to the Order of 1968.

6. For the words " Her Majesty's High Commissioner for the Western Pacific or the Resident Commissioner for the New Hebrides acting with his

(a) 1967 c. 68. (b) 1889 c. 63. (c) S.I. 1968/2033 (1968 III, p. 5494).

authority " in the Schedule to the Order of 1968 there shall be substituted the words " The Resident Commissioner in the New Hebrides ".

N. E. Leigh,
Clerk of the Privy Council.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order varies the Fugitive Offenders (United Kingdom Dependencies) Order 1968 in the following ways:

(*a*) so as to include reference to the High Court of the New Hebrides which has replaced the High Court of the Western Pacific as a superior court for Her Majesty's jurisdiction in the New Hebrides ;

(*b*) so as to replace the reference to the British Solomon Islands Protectorate following the change of name of the territory to the Solomon Islands ;

(*c*) so as to omit the references to Brunei and to the Government of Brunei as Brunei has ceased to be a Protected State following an Agreement between Her Majesty and the Sultan of Brunei;

(*d*) so as to omit the reference to the High Commissioner for the Western Pacific.

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