STATUTORY INSTRUMENTS

1961 No. 1001

KUWAIT

The Kuwait (Repealing) Order, 1961

Made - - - -	*26th May*, 1961
Laid before Parliament	*1st June*, 1961
Coming into Operation	*1st July*, 1961

At the Court at Buckingham Palace, the 26th day of May, 1961

Present,

The Queen's Most Excellent Majesty in Council

Whereas by treaty, capitulation, grant, usage, sufferance, and other lawful means Her Majesty the Queen has jurisdiction within the territories of the Ruler of Kuwait;

And Whereas provision was made for the exercise of such jurisdiction by the Kuwait Orders, 1959 and 1960(a);

And Whereas the Ruler of Kuwait has agreed that the said jurisdiction should be terminated and it is now expedient to terminate the same;

Now, therefore, Her Majesty, by virtue and in exercise of the powers in this behalf by the Foreign Jurisdiction Acts, 1890 and 1913(b), or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1.—(1) This Order may be cited as the Kuwait (Repealing) Order, 1961.

(2) This Order shall come into force on the 1st day of July, 1961.

(3) Printed copies of this Order shall be exhibited in the offices of Her Britannic Majesty's Court for Kuwait until its closure in accordance with Article 3 of this Order, and in the offices of Her Majesty's Political Agent at Kuwait until the expiration of three months after the closure of the said Court.

2. The Kuwait Order, 1959, and the Kuwait (Amendment) Order, 1960, and all Regulations, rules and orders made thereunder are hereby repealed; but this repeal shall not affect their past operation or the validity or invalidity of anything done or suffered under them before the entry into force of this Order.

3.—(1) On the date of the entry into force of this Order, Her Britannic Majesty's Court for Kuwait, Her Britannic Majesty's Chief Court for the Persian Gulf and Her Britannic Majesty's Full Court for the Persian Gulf shall cease to exercise jurisdiction under the Kuwait Order, 1959, and the appointments of the Judge, Assistant Judges, and all officers of Her Britannic Majesty's Court for Kuwait shall terminate.

(2) Any proceedings under the Kuwait Order, 1959, pending at that date before those Courts shall be remitted to the Courts of the Ruler of Kuwait at the stage they have then reached, and the records of such cases shall be handed over to the said Ruler's Courts.

(a) S.I. 1959/1036, 1960/207 (1959 I, p. 1486; 1960 II, p. 1738).
(b) 53 & 54 Vict. c. 37 and 3 & 4 Geo. 5. c. 16.

(3) The records of the said Courts which relate to matters to which the Kuwait Order, 1959, extended, other than the records mentioned in paragraph (2) of this Article, shall be retained in the office of Her Majesty's Political Agent at Kuwait for not less than ten years after the entry into force of this Order, and certified copies thereof shall, on the application of any properly interested party or of the Government of Kuwait or of any Kuwaiti Court having jurisdiction in the matter, be supplied in accordance with such instructions as may be issued for this purpose and on the payment of such fees as may be fixed from time to time by one of Her Majesty's Principal Secretaries of State.

4. Where a bond has been taken in connexion with the administration of the estate of a deceased person or of a lunatic or otherwise in any proceeding before Her Britannic Majesty's Court for Kuwait and remains undischarged on the 30th day of June, 1961, such a bond shall be deemed to have been assigned on that date to the appropriate Kuwaiti authority or persons interested.

W. G. Agnew.

EXPLANATORY NOTE

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

The Kuwait (Amendment) Order, 1960, provided for the gradual return of jurisdiction to the Ruler of Kuwait by Queen's Regulation. The Queen's Regulation making the final transfer of jurisdiction to the Ruler was made by Her Majesty's Political Resident in the Persian Gulf on 1st April, 1961. The purpose of this repealing Order is to provide that any proceedings under the Kuwait Order, 1959, which, on 1st July, 1961, are still pending in any of the Courts established by that Order, shall be transferred to the Ruler's Court on that date. On the same date the Kuwait Orders, 1959 and 1960, will be repealed and all Her Majesty's jurisdiction in Kuwait will end.