1969 No. 859

TRUCIAL STATES

The Trucial States (Amendment) Order 1969

Made - - - -	*25th June* 1969
Laid before Parliament	*1st July* 1969
Coming into Operation	*2nd July* 1969

At the Court at Buckingham Palace, the 25th day of June 1969

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 Rulers of Dubai, Sharjah, Ras-al-Khaimah, Ajman, Umm al Qaiwain, Abu Dhabi and Fujairah:

And Whereas provision was made for the exercise of such jurisdiction by the Trucial States Orders 1959 and 1963(a) (hereinafter referred to together as "the Principal Order"):

And Whereas it is now expedient to make certain amendments to the Principal Order:

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. This Order may be cited as the Trucial States (Amendment) Order 1969. The Trucial States Order 1959, the Trucial States (Amendment) Order 1963 and this Order may be cited together as the Trucial States Orders 1959 to 1969.

2. This Order shall come into operation on 2nd July 1969.

3. In Article 4 of the Principal Order, for the meaning assigned to the expression "Political Agent" there shall be substituted the following:—

"'Political Agent' means Her Majesty's Political Agent in the Trucial States resident at Dubai or Her Majesty's Political Agent in the Trucial States resident at Abu Dhabi."

4. The following shall be substituted for Article 14(2)(i) of the Principal Order:

"(2)(i) The Judge of the Court for the Trucial States shall be appointed by the Secretary of State. At the time of his appointment the Judge shall be a member of the Bar of England, Scotland or Northern Ireland, or a solicitor of the Supreme Court in England or Northern Ireland, or a Writer to Her Majesty's Signet or a solicitor in the Supreme Courts of Scotland or shall be a person who has held a judicial office which, in the opinion of the Secretary of State, makes him a fit person to hold

(a) S.I. 1959/1039, 1963/2095 (1959 II, p. 2676; 1963 III, p. 4666).
(b) 1890 c. 37; 1913 c. 16.

office as a Judge of the Court for the Trucial States. Persons similarly qualified may be appointed as Assistant Judges from time to time by the Secretary of State. Each Judge or Assistant Judge may exercise all the powers and jurisdiction of the Court."

5. The following shall be substituted for Article 14(3)(i) of the Principal Order:—

"(3)(i) The Judge of the Chief Court shall be appointed by Her Majesty by Warrant under Her Royal Sign Manual. He shall be a member of the Bar of England, Scotland or Northern Ireland of not less than nine years' standing or a person who has held a judicial office which, in the opinion of the Secretary of State, makes him a fit person to hold office as a Judge of the Chief Court. The Secretary of State may appoint from persons similarly qualified for such periods as he thinks fit such Assistant Judges of the Chief Court as may from time to time be required. Each Judge or Assistant Judge of the Chief Court may exercise all the powers and jurisdiction of the Court."

6. The following shall be substituted for Article 15(4) of the Principal Order:—

"(4)(i) The Registrar of the Court for the Trucial States shall be appointed by the Secretary of State and the other officers shall be appointed by the Political Agent with the approval of the Political Resident.

(ii) The Political Resident may appoint any fit person to act for the Registrar of the Court for the Trucial States for such period as he may consider advisable or until the appointment is revoked and the person so appointed may act during a vacancy in the office of Registrar or whenever the Registrar is absent or ill or on any other occasion at the request of the Registrar."

7. The following paragraph shall be added to Article 17 of the Principal Order:—

"(3) In case of the absence or illness of the Judge of the Court for the Trucial States the Registrar of the Court for the Trucial States shall have all the power and authority of an Assistant Judge of the Court; provided that such power and authority shall not extend to the hearing of criminal cases committed for trial, or to civil matters other than those which may be assigned to a Registrar under the preceding paragraph of this Article, or to the hearing of appeals."

8. The following paragraph shall be added to Article 25 of the Principal Order:—

"(6) Where a person who is a member of a levy force referred to in Article 8(1)(ii) is accused of an offence alleged to have been committed when he was outside the Trucial States in the course of his service with that levy force, such person may be tried and punished under this Order as if the offence had been committed within the Trucial States. In this paragraph an offence means any act or omission which would be an offence if done within the Trucial States."

9. The amendments to the Principal Order shall not affect the past operation of the Principal Order or any right, title, obligation or liability accrued or the validity or invalidity of anything done or suffered under the Principal Order before the coming into operation of this Order.

W. G. Agnew.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Trucial States Orders 1959 and 1963:

(i) to change the definition of " Political Agent " ;

(ii) to provide that the Judge and Assistant Judges of the Chief Court may be appointed from persons who have held appropriate judicial office and that the Judge of the Court for the Trucial States should be a person having legal qualifications rather than, as hitherto, the Political Agent *ex officio* ;

(iii) to provide for persons to act in case of need for the Judge or Registrar of the Court for the Trucial States ;

(iv) to make express provision for the exercise of jurisdiction within the Trucial States over offences committed by members of a levy force (such as the Trucial Oman Scouts) when outside the Trucial States in the course of their service.