



Colonial Courts of Admiralty Act 1890

1890 CHAPTER 27 53 and 54 Vict

9 Power to establish Vice-Admiralty Court.

- (1) It shall be lawful for Her Majesty, by commission under the Great Seal, to empower the Admiralty to establish in a British possession any Vice-Admiralty Court or Courts.
- (2) Upon the establishment of a Vice-Admiralty Court in a British possession, the Admiralty, by writing under their hands and the seal of the office of Admiralty, in such form as the Admiralty direct, may appoint a judge, registrar, marshal, and other officers of the court, and may cancel any such appointment; and in addition to any other jurisdiction of such court, may (subject to the limits imposed by this Act or the said commission from Her Majesty) vest in such court the whole or any part of the jurisdiction by or by virtue of this Act conferred upon any courts of that British possession, and may vary or revoke such vesting, and while such vesting is in force the power of such last-mentioned courts to exercise the jurisdiction so vested shall be suspended.

Provided that—

- (a) nothing in this section shall authorise a Vice-Admiralty Court so established . . . ^{F1} . . . ^{F2}^{F3} . . . ^{F1} in any . . . ^{F1} British possession] having a representative legislature, to exercise any jurisdiction, except for some purpose relating to prize, to Her Majesty's Navy, ^{F4} . . . to the matters dealt with by the ^{M1}Foreign Enlistment Act 1870 . . . ^{F1} or to matters in which questions arise relating to treaties or conventions with foreign countries, or to international law; and
 - (b) in the event of a vacancy in the office of judge, registrar, marshal, or other officer of any Vice-Admiralty Court in a British possession, the Governor of that possession may appoint a fit person to fill the vacancy until an appointment to the office is made by the Admiralty.
- (3) The provisions of this Act with respect to appeals to Her Majesty in Council from courts in British possessions in the exercise of the jurisdiction conferred by this Act shall apply to appeals from Vice-Admiralty Courts, but the rules and orders made in relation to appeals from Vice-Admiralty Courts may differ from the rules made in relation to appeals from the said courts in British possessions.

Changes to legislation: There are currently no known outstanding effects for the Colonial Courts of Admiralty Act 1890, Section 9. (See end of Document for details)

- (4) If Her Majesty at any time by commission under the Great Seal so directs, the Admiralty shall by writing under their hands and the seal of the office of Admiralty abolish a Vice-Admiralty Court established in any British possession under this section, and upon such abolition the jurisdiction of any Colonial Court of Admiralty in that possession which was previously suspended shall be revived.

Textual Amendments

- F1** Words repealed by [Statute Law \(Repeals\) Act 1986 \(c. 12\)](#), [Sch. 1 Pt. IX](#)
- F2** Words repealed by [Burma Independence Act 1947 \(11&12 Geo. 6 c. 3, SIF 26:11\)](#), [Sch. 2 Pt. I](#)
- F3** Words substituted by S.R.&O. 1937/230 (Rev. X, p. 545, 1937, p. 963), Sch. Pt. II
- F4** Words in [s. 9\(2\)](#) proviso para. (a) repealed (19.11.1998) by [1998 c. 43, s. 1\(1\)](#), [Sch. 1 Pt. VIII](#)
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Marginal Citations

- M1** [1870 c. 90\(39:2\)](#)

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