

1970 No. 1114

JUDICIAL COMMITTEE

The Gambia Appeals to Judicial Committee Order 1970

Made - - - - 28th July 1970

At the Court at Buckingham Palace, the 28th day of July 1970

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers vested in Her by section 2 of the Republic of The Gambia Act 1970(a), 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 Gambia Appeals to Judicial Committee Order 1970.

2. The Judicial Committee of the Privy Council shall have and exercise the jurisdiction in respect of appeals from the Court of Appeal of The Gambia that, in the law of The Gambia, is conferred on the Committee by Chapter VII of the Constitution of The Gambia which came into operation on 24th April 1970(b), and the provisions of the Judicial Committee Act 1833(c) and of any rules made thereunder from time to time shall, in so far as they relate to the powers of the Committee and the procedure to be adopted with respect to proceedings before it, apply in relation to proceedings before the Committee under the said Chapter VII and for that purpose shall be construed with such modifications, adaptations, qualifications and exceptions as may be necessary by reason of the nature of those proceedings or otherwise to bring them into conformity with the provisions of the said Constitution of The Gambia.

3. Section 13 of The Gambia Independence Order 1965(d) shall, in so far as, by virtue of subsection (5) of section 2 of the Republic of The Gambia Act 1970, it applies in relation to any such appeal or petition as is referred to in paragraph (a) or (b) of that subsection, be amended by the insertion after the words "by Chapter VII of the Constitution" of the words "(and section 127 of the Constitution of The Gambia which came into operation on 24th April 1970)".

W. G. Agnew.

EXPLANATORY NOTE

(This Note is not part of the Order.)

The Order confers on the Judicial Committee of the Privy Council jurisdiction to hear appeals from decisions of the Court of Appeal established by the republican Constitution of The Gambia. It also makes a consequential amendment to The Gambia Independence Order 1965 in relation to appeals pending immediately before Republic Day, i.e. 24th April 1970.

(a) 1970 c. 37.

(b) Act No. 1 of 1970.

(c) 3 & 4 Will. 4. c. 41.

(d) S.I. 1965/135 (1965 I, p. 330).

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