
STATUTORY INSTRUMENTS

1992 No. 802

OVERSEAS TERRITORIES

The Admiralty Jurisdiction (British Indian Ocean Territory) (Amendment) Order 1992

Made - - - - - *16th March 1992*
Coming into force - - - - - *17th March 1992*

At the Court at Buckingham Palace, the 16th day of March 1992

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers vested in Her by subsections (2), (3) and (4) of section 150 of the Supreme Court Act 1981(1), and section 7 of the Colonial Courts of Admiralty Act 1890(2) 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:—

Citation and Entry into Force

1.—(1) This Order may be cited as the Admiralty Jurisdiction (British Indian Ocean Territory) (Amendment) Order 1992.

(2) This Order shall come into force on 17th March 1992.

2. Article 5 of the Admiralty Jurisdiction (British Indian Ocean Territory) Order 1984(3) is revoked and replaced by the following article:

“Supreme Court may sit in the United Kingdom

5.—(1) In any Admiralty proceeding the Supreme Court of the Territory may exercise in the United Kingdom all or any of its jurisdiction and powers in that proceeding as the Chief Justice of the Territory may direct.

(2) A direction under paragraph (1) of this article may be made at any stage of the proceeding and on the application of any party or of the Chief Justice's motion where it appears to him, having regard to all the circumstances of the case, that to do so would be in

(1) 1981 c. 54.
(2) 1890 c. 27.
(3) S.I.1984/540.

the interests of the efficient administration of justice and would not impose an unfair burden on any party to the proceeding.

(3) Paragraphs (1) and (2) of this article have effect as well in relation to proceedings that have been instituted before the Supreme Court of the Territory before the commencement of this Order (but have not been finally determined) as to proceedings instituted thereafter but, without prejudice to any other powers that are vested in him in that behalf, the Chief Justice of the Territory may, on giving a direction in reliance on these paragraphs or at any stage of the proceedings thereafter, make such order as to costs previously incurred as he considers that the justice of the case may require.

(4) Anything done in the United Kingdom by virtue of this article shall have, and have only, the same validity and effect as if done in the Territory.”.

G. I. de Deney
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Admiralty Jurisdiction (British Indian Ocean Territory) Order 1984 so as to authorise the Chief Justice of the Territory, in certain circumstances, to direct that the Supreme Court of the Territory may exercise in the United Kingdom its jurisdiction and powers in Admiralty proceedings.