
STATUTORY INSTRUMENTS

1998 No. 255

JUDICIAL COMMITTEE

The Brunei (Appeals) (Amendment) Order 1998

Made - - - - *11th February 1998*

Coming into force - - *1st April 1998*

At the Court at Buckingham Palace, the 11th day of February 1998

Present,

The Queen's Most Excellent Majesty in Council

Whereas Exchanges of Notes have taken place on 19th January 1995 and 21st August 1997 between the Government of the United Kingdom and the Government of Brunei Darussalam concerning the modification of arrangements for the reference to the Judicial Committee of the Privy Council of appeals from the Supreme Court of Brunei Darussalam:

Now, therefore, Her Majesty, by virtue and in exercise of the powers conferred on Her by section 1 of the Brunei (Appeals) Act 1989(1) 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 Brunei (Appeals) (Amendment) Order 1998 and shall come into force on 1st April 1998.

2. Article 2 of the Brunei (Appeals) Order 1989(2) shall be amended:—

(a) by inserting immediately after paragraph (3) the following paragraphs:—

“(4) Notwithstanding paragraphs (1) and (2) of this article, the Committee shall have jurisdiction in respect of appeals from the Supreme Court to His Majesty the Sultan and Yang Di-Pertuan in any case arising in a civil matter only where the parties to the proceedings have at any time before the hearing of the case on appeal by the Supreme Court consented in writing to be bound by an appeal to His Majesty the Sultan and Yang Di-Pertuan in that case.

(5) The Committee shall not have jurisdiction in respect of appeals from the Supreme Court to His Majesty the Sultan and Yang Di-Pertuan in any criminal matter.”

(b) by deleting sub-paragraph (2)(c);

(1) 1989 c. 36.
(2) S.I.1989/2396.

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- (c) by deleting the semi-colon and the word “and” after sub-paragraph (2)(b) and inserting a comma; and
- (d) by inserting the word “and” after sub-paragraph (2)(a).

N. H. Nicholls
Clerk of the Privy Council

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EXPLANATORY NOTE

(This note is not part of the Order)

This Order limits the jurisdiction of the Judicial Committee of the Privy Council to hear appeals from the Supreme Court of Brunei Darussalam in civil matters and removes its jurisdiction to hear any criminal matter.