Criminal Jurisdiction Act 1802

1802 CHAPTER 85 42 Geo 3

U.K.

An Act for the trying and punishing in Great Britain Persons holding publick Employments, for Offences committed abroad; and for extending the Provisions of an Act passed in the Twenty-first Year of the Reign of King James made for the Ease of Justices and others in pleading in Suits brought against them, to all Persons, either in or out of this Kingdom, authorized to commit to safe Custody. [22nd June 1802]

Whereas persons holding and exercising publick employments out of Great Britain often escape punishment for offences committed by them for want of courts having a sufficient jurisdiction in or by reason of their departing from the country or place where such offences have been committed, and that such persons cannot be tried in Great Britain for such offences as the law now stands, in as much as such offences cannot be laid to have been committed within the body of any county: And whereas it is therefore expedient that such and the like provisions as are contained in an Act passed in the eleventh and twelfth years of the reign of his late Majesty King William the Third, intituled "An [M1] Act to punish governors of plantations of this kingdom for crimes by them committed in the plantations," and in the[M2] East India Company Act 1772 and in the[M3] East India Company Act 1784, should be extended and applied to the punishment of such offenders:

Modifications etc. (not altering text)

C1 Short title given by Short Titles Act 1896 (c. 14)

C2 Act applied by Official Secrets Act 1911 (c. 28), **s. 10(2)**; extended by Criminal Law Act 1967 (c. 58), **Sch. 2 para. 15(1)**

Marginal Citations

M1 1698 c. 12 (11 Will. 3).

M2 1772 c. 63.

M3 1784 sess. 2. c. 25.

[1.] Offences committed by persons employed in any publick service abroad may be prosecuted in the Court of King's Bench in England; and may be laid in Middlesex, and the offenders punished as the offences had been committed in England. U.K.

From and after the passing of this Act, if any person who now is, or heretofore has been, or shall hereafter be employed by or in the service of his Majesty, his heirs or successors, in any civil or military station, office, or capacity out of Great Britain, or shall heretofore have had, held, or exercised, or now has, holds, or exercises, or shall hereafter have, hold, or exercise any publick station, office, capacity, or employment, out of Great Britain, shall have committed, or shall commit, or shall have heretofore been, or is, or shall hereafter be guilty of any crime, misdemeanor, or offence, in the execution, or under colour, or in the exercise of any such station, office, capacity, or employment as aforesaid, every such crime, offence, or misdemeanor may be prosecuted or enquired of, and heard and determined . . . [F1] here in England, . . . [F2] and all such persons so offending, and also all persons tried under any of the provisions of [F3]. . . this Act [F3]. . . for any offence, crime, or misdemeanor, and not having been before tried for the same out of Great Britain, shall, on conviction, be liable to such punishment as may, by any law or laws now in force, or any Act or Acts that may hereafter be passed, be inflicted for any such crime, misdemeanor, or offence committed in England, and shall also be liable, . . . [F1] to be adjudged to be incapable of serving his Majesty in any station, office, or capacity, civil or military, or of holding or exercising any publick employment whatever.

Textual Amendments

F1 Words repealed by Criminal Justice Act 1948 (c. 58), **Sch. 10 Pt. I**

F2 Words repealed by Criminal Justice Act 1948 (c. 58), **Sch. 10 Pt. I** and Criminal Law Act 1967 (c. 58), **Sch. 3 Pt. III**

F3 Words in s. 1 repealed (8.11.1995) by 1995 c. 44, s. 1(1), **Sch. 1 Pt. II** Group 2

Modifications etc. (not altering text)

C3 Unreliable marginal note

C4 References to "military station, office or capacity" to be construed, in application of Act to air force, as including references to air-force station, office or capacity: S.R. & O. 1918/548 (Rev. I, p. 896: 1918 I, p. 507) art. 1, Sch.

2—6 . . . . . [F4] U.K.

Textual Amendments

F4 Ss. 2–6 repealed by Statute Law Revision Act 1964 (c. 79)

Changes to legislation:
There are currently no known outstanding effects for the Criminal Jurisdiction Act 1802.