



Brunei (Appeals) Act 1989

1989 CHAPTER 36

An Act to make provision with respect to the reference of appeals from the Supreme Court of Brunei Darussalam to the Judicial Committee of the Privy Council. [16th November 1989]

Whereas arrangements, intended to be recorded in an Exchange of Notes, are being made between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Brunei Darussalam for the reference of appeals from the Supreme Court of Brunei Darussalam to the Judicial Committee of the Privy Council:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Appeals from Supreme Court of Brunei Darussalam

- (1) In this Act “arrangements” means arrangements made (whether before or after the passing of this Act) between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Brunei Darussalam with respect to the reference of appeals from the Supreme Court of Brunei Darussalam to the Judicial Committee of the Privy Council.
- (2) Her Majesty may by Order in Council confer on the Judicial Committee of the Privy Council such jurisdiction in respect of appeals from the Supreme Court of Brunei Darussalam as appears to Her to be appropriate for giving effect to any arrangements.
- (3) An Order under subsection (2) above may, in particular—
 - (a) determine—
 - (i) the classes of case in which, and the conditions as to leave and otherwise subject to which, any such appeal may be entertained by the Committee; and
 - (ii) the practice and procedure to be followed on any such appeal; and

Status: This is the original version (as it was originally enacted).

- (b) make such provision with respect to the form of the report or recommendation to be made by the Committee in respect of any such appeal, and the transmission to His Majesty the Sultan and Yang Di-Pertuan of such reports or recommendations, as appears to Her Majesty to be appropriate having regard to the arrangements.
- (4) Subject to any exceptions or modifications made by an Order under subsection (2) above, the Judicial Committee Act 1833 shall apply in relation to appeals referred to the Committee by virtue of this Act as it applies in relation to appeals to Her Majesty in Council.
- (5) Subject to any provision made by any arrangements, nothing in this Act shall be construed as continuing in force any right of appeal to Her Majesty in Council from any court in Brunei Darussalam.

2 Short title, commencement and revocation

- (1) This Act may be cited as the Brunei (Appeals) Act 1989.
- (2) This Act shall come into force on such day as the Secretary of State may by order made by statutory instrument appoint.
- (3) The Sarawak, North Borneo and Brunei (Appeal to Privy Council) Order in Council 1951 and the Brunei (Appeal to Privy Council) Order in Council 1963 shall be revoked as from the coming into force of the first Order made under section 1 above.