



# Prize Act 1939

## 1939 CHAPTER 65

### **2 Establishment of prize courts outside His Majesty's dominions**

- (1) The power conferred by section two of the Prize Courts Act, 1894, to issue any commission, warrant or instructions for the purpose of commissioning or regulating the procedure of a prize court, and to establish a Vice-Admiralty Court under the authority of any such commission or warrant, shall be exercisable not only in relation to a place in a British possession, but also in relation to a place in any of the following countries and territories, that is to say,—
- (a) any British protectorate,
  - (b) any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty, and is being exercised by His Majesty's Government in the United Kingdom, in the Commonwealth of Australia or in the Dominion of New Zealand, and
  - (c) any other country or territory in which for the time being His Majesty has jurisdiction in matters of prize;

and accordingly subsection (1) of the said section shall have effect as if the reference therein to a British possession included a reference to any of the countries and territories mentioned in paragraphs (a) to (c) of this subsection; and subsection (2) of the said section shall, in relation to any of the said countries and territories, have effect as if for the reference in that subsection to the Vice-Admiral of the possession, there were substituted a reference to such authority as may be prescribed, in relation to that country or territory, by Order of His Majesty in Council.

- (2) The Admiralty may appoint a judge, registrar and marshal, and other officers, of any Vice-Admiralty court established by any commission or warrant the issue of which is authorised by section two of the Prize Courts Act, 1894, as amended by this section, in any of the countries and territories mentioned in paragraphs (a) to (c) of the preceding subsection.
- (3) Any commission or warrant for the purpose of commissioning or regulating the procedure of a prize court which has been issued before the commencement of this Act and is in force at the commencement of this Act, shall have effect as if any reference therein to ships included a reference to aircraft.