



Territorial Waters Jurisdiction Act 1878

1878 CHAPTER 73 41 and 42 Vict

^{F1}4 Provisions as to procedure.

On the trial of any person who is not a subject of Her Majesty for an offence declared by this Act to be within the jurisdiction of the Admiral, it shall not be necessary to aver in any indictment or information on such trial that such consent or certificate of the Secretary of State or Governor as is required by this Act has been given, and the fact of the same having been given shall be presumed unless disputed by the defendant at the trial; and the production of a document purporting to be signed by one of Her Majesty's Principal Secretaries of State as respects the United Kingdom, and by the Governor as respects any other part of Her Majesty's dominions, and containing such consent and certificate, shall be sufficient evidence for all the purposes of this Act of the consent and certificate required by this Act. [^{F1}Any stage of proceedings—

(a) before the summary trial of the offence; or

(b) before the offender has been sent for trial for the offence,]

shall not be deemed proceedings for the trial of the offence committed by such offender for the purposes of the said consent and certificate under this Act.

Textual Amendments

F1 Words in s. 4 substituted (18.6.2012 for specified purposes, 5.11.2012 for specified purposes, 28.5.2013 for specified purposes) by [Criminal Justice Act 2003 \(c. 44\), s. 336\(3\)\(4\), Sch. 3 para. 29](#); [S.I. 2012/1320, art. 4\(1\)\(c\)\(2\)\(3\)](#) (with [art. 5](#)) (see [S.I. 2012/2574, art. 4\(2\)](#) and [S.I. 2013/1103, art. 4](#)); [S.I. 2012/2574, art. 2\(2\)\(3\)\(c\), Sch.](#) (with [arts. 34](#)) (as amended (4.11.2012) by [S.I. 2012/2761, art. 2](#)) (with [S.I. 2013/1103, art. 4](#)); [S.I. 2013/1103, art. 2\(1\)\(c\)\(2\)\(3\)](#) (with [arts. 34](#))

Changes to legislation:

There are currently no known outstanding effects for the Territorial Waters Jurisdiction Act 1878, Section 4.