

1990 No. 991

JUDICIAL COMMITTEE

**The St. Helena Court of Appeal (Appeal to Privy Council)
(Amendment) Order 1990**

Made - - - - 1st May 1990

Coming into force 1st June 1990

At the Court at Buckingham Palace, the 1st day of May 1990

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers in that behalf conferred on Her by section 1 of the Judicial Committee Act 1844^(a) 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.—(1) This Order may be cited as the St. Helena Court of Appeal (Appeal to Privy Council) (Amendment) Order 1990 and shall be construed as one with the St. Helena Court of Appeal (Appeal to Privy Council) Order 1964^(b).

(2) This Order shall come into force on 1st June 1990.

2. Article 2(1) of the St. Helena Court of Appeal (Appeal to Privy Council) Order 1964 is amended by substituting for the definition of "Court" contained therein the following words—

“ “Court” means the St. Helena Court of Appeal established by the St. Helena Constitution Order 1988”^(c) ;

3. Article 3(a) of the St. Helena Court of Appeal (Appeal to Privy Council) Order 1964 is amended by substituting for the words “five hundred pounds sterling or upwards” contained therein the following words—

“one thousand pounds sterling or upwards”.

4. Article 22 of the St. Helena Court of Appeal (Appeal to Privy Council) Order 1964 is replaced by the following—

“22.—(1) In respect of any judgment of the St. Helena Court of Appeal established by the St. Helena Court of Appeal Order 1964, or of the Court, given before the commencement of this Order, an appeal may be commenced, continued and concluded or continued and concluded, as the case may be, in accordance with the provisions of this Order as nearly as may be as if it were an appeal from a judgment of the Court given after the commencement of this Order.

(a) 1844 c.69.
(b) S.I. 1964/1846.
(c) S.I. 1988/1842.

(2) Any Order that Her Majesty in Council may see fit to make on any such appeal or any Order on an appeal from the St. Helena Court of Appeal established by the St. Helena Court of Appeal Order 1964 or from the Court made by Her Majesty before the commencement of this Order, but not enforced before such commencement, may be enforced as if it were an Order made on an appeal from a judgment of the Court given after the commencement of this Order.”.

G. I. de Doney
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order creates a right of appeal from the St. Helena Court of Appeal established by the St. Helena Constitution Order 1988 (S.I. 1988/1842) in place of the Court of Appeal constituted by the St. Helena Court of Appeal Order 1964 (S.I. 1964/1845). It also raises the minimum value of the dispute on the appeal to one thousand pounds sterling. Transitional provision is made for appeals to be made from judgments of the St. Helena Court of Appeal given before the commencement of this Order, and for the enforcement of Privy Council Orders made before the commencement of this Order.

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