
STATUTORY INSTRUMENTS

2001 No. 3918

UNITED NATIONS

The High Court of Justiciary (Proceedings in the Netherlands) (United Nations) (Variation) Order 2001

Made - - - - *11th December 2001*
Laid before Parliament
Laid before the Scottish Parliament - - - - *12th December 2001*
Coming into force - - *13th December 2001*

At the Court at Buckingham Palace, the 11th day of December 2001

Present,

The Queen's Most Excellent Majesty in Council

Whereas under Article 41 of the Charter of the United Nations the Security Council of the United Nations has, by a resolution adopted on 27th August 1998, called upon Her Majesty's Government in the United Kingdom to take certain actions to facilitate the conducting of criminal proceedings under Scots law in the Netherlands:

Now therefore, Her Majesty, in exercise of the powers conferred on Her by section 1 of the United Nations Act 1946(1) is pleased, by and with the advice of the Privy Council, to order, and it is hereby ordered:—

Citation and commencement

1. This Order may be cited as the High Court of Justiciary (Proceedings in the Netherlands) (United Nations) (Variation) Order 2001 and shall come into force on 13th December 2001.

Variation of the 1998 Order

2. In article 4 of the High Court of Justiciary (Proceedings in the Netherlands) (United Nations) Order 1998(2) ("the 1998 Order") (initiation of proceedings conducted by virtue of the 1998 Order), paragraph (5) is omitted.

(1) 1946 c. 45. Section 1 was amended by the Scotland Act 1998 (c. 46), Schedule 8, paragraph 6.
(2) S.I. 1998/2251.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

3. In paragraph (3) of article 14 of the 1998 Order (appointment of the Lords Commissioners of Justiciary who are to constitute the court to hear any appeal), for “Lord Justice Clerk” there is substituted “Lord Justice General”.

A. K. Galloway
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the High Court of Justiciary (Proceedings in the Netherlands) (United Nations) Order 1998 (“the 1998 Order”) to remove the requirement that anything which the Lord Justice General requires, or has power, to do in relation to criminal proceedings must, in relation to proceedings conducted by virtue of the 1998 Order, be done by the Lord Justice Clerk; and to provide that the appointments of the Lords Commissioners of Justiciary who are to constitute the court for the purpose of hearing any appeal in relation to proceedings to which the 1998 Order applies are to be made by the Lord Justice General.