



# Habeas Corpus Act 1862

1862 CHAPTER 20 25 and 26 Vict

An Act respecting the Issue of Writs of Habeas Corpus out of England into Her Majesty's Possessions abroad. [16th May 1862]

**Modifications etc. (not altering text)**

- C1 Short title given by [Short Titles Act 1896 \(c. 14\)](#)
- C2 Preamble omitted under authority of [Statute Law Revision Act 1893 \(c. 14\)](#)

**1 Writ not to issue out of England into any Colony, having a Court with Authority to grant such Writ.**

No writ of habeas corpus shall issue out of England, by authority of any judge or court of justice therein, into any colony or foreign dominion of the Crown where Her Majesty has a lawfully established court or courts of justice having authority to grant and issue the said writ, and to ensure the due execution thereof throughout such colony or dominion.

**2 Not to affect Right of Appeal to Her Majesty in Council.**

Provided, that nothing in this Act contained shall affect or interfere with any right of appeal to Her Majesty in Council now by law existing.

**Changes to legislation:**

There are currently no known outstanding effects for the Habeas Corpus Act 1862.