

(2) In subsection (1) of this section the expression "period of emergency" means, in relation to any colony referred to in that subsection, a period beginning with a declaration made by the Governor by Proclamation published in that colony that a public emergency exists therein and ending with a declaration so made that a public emergency no longer exists therein.

(3) For the avoidance of doubt, it is hereby declared that the Governor shall not, in the exercise of the powers conferred upon him by this section in relation to any colony, be obliged to consult with the Executive Council of that colony.

(4) In the exercise of the powers conferred upon him by this section any Deputy to the Governor appointed under article 5 of the Leeward Islands Letters Patent, 1956, shall conform to and observe all instructions that the Governor may from time to time address to him in that behalf:

Provided that the question whether or not any such Deputy has conformed to and observed any such instructions shall not be enquired into by any Court.

W. G. Agnew.

1958 No. 1517

The North Borneo (Definition of Boundaries) Order in Council, 1958

Made - - - - 11th September, 1958

At the Court at Balmoral, the 11th day of September, 1958

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of the powers conferred upon Her by the Colonial Boundaries Act, 1895(a), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation

1. This Order may be cited as the North Borneo (Definition of Boundaries) Order in Council, 1958.

Definition of boundary in and in neighbourhood of Brunei Bay

2.—(1) The boundary of the waters and continental shelf of the Colony of North Borneo in and in the neighbourhood of Brunei Bay shall follow a series of straight lines joining in sequence the following positions:—

- (i) the termination of the land boundary between the Colony of North Borneo and the Colony of Sarawak in the mouth of the Benkulit River (latitude 4 degrees, 59 minutes and 10 seconds North, longitude 115 degrees, 26 minutes and 48 seconds East, approximately);

- (ii) a position bearing 070 degrees, distant 12·65 miles from Sapo Point light-structure on Pulau Muara ;
- (iii) a position bearing 061½ degrees, distant 13·1 miles from Sapo Point light-structure ;
- (iv) a position bearing 050 degrees, distant 10·5 miles from Sapo Point light-structure ;
- (v) a position bearing 045½ degrees, distant 8·65 miles from Sapo Point light-structure ;
- (vi) a position bearing 350 degrees, distant 7·40 miles from Sapo Point light-structure ;
- (vii) a position bearing 009 degrees, distant 4·65 miles from Pelong Rocks light-structure ;
- (viii) a position bearing 330½ degrees, distant 8·55 miles from Pelong Rocks light-structure ;
- (ix) a position bearing 311 degrees, distant 17·4 miles from Pelong Rocks light-structure ;
- (x) a position bearing 310½ degrees, distant 20·4 miles from Pelong Rocks light-structure ; and
- (xi) the intersection with the 100 fathom depth contour of a straight line drawn in a direction of 316 degrees from the position given in paragraph (x) of this subsection.

(2) In this section—

- (i) references to Sapo Point light-structure and Pelong Rocks light-structure are references to those light-structures as shown on Admiralty Chart Number 1844 at the date of this Order (their respective positions being approximately latitude 4 degrees, 59 minutes and 45 seconds North, longitude 115 degrees, 7 minutes and 45 seconds East, and latitude 5 degrees, 4 minutes and 45 seconds North, longitude 115 degrees, 3 minutes and 9 seconds East) ;
- (ii) references to bearings are references to bearings by the true compass reckoned clockwise from 000 degrees (North) to 359 degrees ; and
- (iii) references to miles are references to sea miles, each comprising one sixtieth of a degree of latitude.

Order not to affect the high seas

3. Nothing in this Order shall be construed as prescribing boundaries of waters beyond the territorial waters of the Colony of North Borneo and above the continental shelf of the Colony or as affecting the character as high seas of any such waters.

W. G. Agnew.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order defines the boundary of the waters and continental shelf of the Colony of North Borneo in and in the neighbourhood of Brunei Bay.