

Prize Courts (Procedure) Act 1914

Imperial Act 13
Date of assent 5 August 1914

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An Act to amend the law relating to procedure in Prize Courts.

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1 Procedure in prize courts

- (1) As from the date when rules under an Order in Council made after the passing of this Act in pursuance of section three of the Prize Courts Act 1894, regulating the procedure and practice in prize courts, come into operation, such of the provisions of the Naval Prize Act 1864, as are specified in the Schedule to this Act (being enactments relating to the practice and procedure in prize courts) shall be repealed:

Provided that nothing in such repeal shall have the effect of extending section sixteen of that Act to ships of war or military aircraft taken as prize, and accordingly that section shall have effect as if the following words were inserted therein:—

“Nothing in this section shall apply to ships of war or military aircraft taken as prize.”

Note

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- (2) Any cause or proceeding commenced in any prize court before such rules as aforesaid come into operation as respects that court may, as the court directs, be either—
- (a) recommenced and proceeded with in accordance with the said rules; or
 - (b) continued in accordance with the said rules subject to such adaptations as the court may deem necessary to make them applicable to the case; or
 - (c) continued to the determination thereof in accordance with the procedure applicable to the case at the commencement of the cause or proceeding.

This section was amended, as from 1 September 1939, by section 1 Prize Act 1939 (2 & 3 Geo 6, c 65) by inserting the words “or military aircraft”.

2 Short title and construction

This Act may be cited as the Prize Courts (Procedure) Act 1914, and shall be construed as one with the Naval Prize Act 1864; and that Act and the Prize Courts Act 1894, and this Act may be cited together as the Naval Prize Acts, 1864 to 1914.

Schedule

Provisions of Naval Prize Act 1864 Repealed

Sections 7 and 8, 18 to 29, 32, 33, and 36, and in section 41, the words, “either by warrant of arrest against the ship or goods, or by monition and attachment against the owner.”