

His Excellency the Governor has it in Command from His Majesty the King to publish the following Act and Order in Council for the information of the Public.

PRIZE COURT (PROCEDURE) ACT, 1914.

[4 & 5 George V, Chapter 13.]

An Act to amend the Law relating to Procedure in Prize Courts.
[5th August, 1914.]

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. (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in the Schedule to this Act (being enactments relating to the practice and procedure in Prize Courts) shall be repealed: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 taken as prizes, 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 taken as prizes."

(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.) Recommended and proceeded with in accordance with the said rules;
- (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.

3. This Act may be cited as the Prize Court (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, 1864–1914.

SCHEDULE.

PROVISIONS OF NAVAL PRIZE ACT, 1864, REPEALED.

Sections 7 and 8, 18–29, 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."

Order in Council prescribing the Rules and Tables of Fees to be observed and taken in Prize Proceedings.

At the Court at Buckingham Palace, the 5th day of August, 1914.

Present:

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by section 3 of the Prize Courts Act, 1894, His Majesty in Council is authorized to make rules of Court for regulating, subject to the provisions of the Naval Prize Act, 1864, and the said Act, the procedure and practice of Prize Courts within the meaning of the Naval Prize Act, 1864, and the duties and conduct of the officers thereof, and of the practitioners therein, and for regulating the fees to be taken by the officers of the Courts, and the costs, charges, and expenses allowed to the practitioners therein: And whereas by section 5 of the Naval Prize Act, 1864, it is also provided that every appeal from a Prize Court within the meaning of that Act shall be made in such manner and form, and subject to such regulations (including regulations as to the fees, costs, charges, and expenses), as may for the time being be directed by Order in Council: And whereas in pursuance of the Prize Courts Act, 1894, certain rules were made