



ASCENSION

REVISED EDITION OF THE LAWS, 2017

ST HELENA LAWS APPLIED TO ASCENSION

- *All St Helena Laws extant at 1 April 2017 (including UK laws applied to St Helena) apply to Ascension with exceptions and modifications by virtue of the [St Helena Law \(Application to Ascension\) Ordinance, 1988](#) (SHL(AA)O, 1988).*
- *The following is a list by category of St Helena laws that apply to Ascension, either by their own terms, by virtue of the SHL(AA)O, 1988, or by another Ordinance enacted in Ascension.*
- *St Helena Ordinances that have an equivalent in Ascension do not apply – section 3(c) of the SHL(AA)O, 1988. Some St Helena Ordinances are not appropriate for application or are expressed to be limited to St Helena.*
- *The precise way in which other St Helena laws apply to Ascension, if not expressly stated in an Ascension Ordinance, needs to be judged by reference to section 2(2) of the SHL(AA)O, 1988.¹ This list is therefore not to be taken as authoritative. For guidance, see the court cases at the [General Introduction](#) to the website*
- *The text of the St Helena laws can be accessed on the [St Helena](#) section of the website.*

St Helena Law

Application to Ascension

BASIC LAWS

Constitution of St Helena, Ascension and Tristan da Cunha, 2009

Applies by its own terms

[St Helena, Ascension and Tristan da Cunha Royal Instructions, 2009](#)

[Apply by their own terms](#)

St Helena and Dependencies Territorial Sea Order, 1989 (UK)

Applies by its own terms

Revised Edition of the Laws Ordinance, 1999

Applies by its own terms; see s. 14

CONSTITUTIONAL AND ADMINISTRATIVE LAW

Census Ordinance, 1986

Applied by Ordinance A1 of 1987, as if Ascension were part of St Helena

¹ “(2) The law of St Helena applies to Ascension only in so far as it is applicable and suitable to local circumstances, and subject to such modifications, adaptations, qualifications, and exemptions as local circumstances render necessary.”

Commission for Equality and Human Rights Ordinance, 2015	Applied by SHL(AA)O, 1988
Commissions of Enquiry Ordinance, 1926	Applied by Cap.16 of the 1950 Revised Edition and by SHL(AA)O, 1988
Decimal Currency Ordinance, 1971	Applied by Ascension Island Ordinances (Application) (Amendment) Ordinance A1 of 1971
Elections Ordinance, 2009	Does not apply; see Island Government (Ascension) Ordinance, 2008
English Law (Application) Ordinance, 2005 - Application Orders and Disapplication Orders	Applied by s.2(1) SHL(AA)O, 1988
Interpretation Ordinance, 1968	Does not apply; see the Interpretation Ordinance, 1968
Legislative Council Proceedings Ordinance, 1974	Does not apply
Legislative Council (Remuneration and Allowances) Ordinance, 2010	Does not apply
Pensions Ordinance 2012	Does not apply; SH public service only
Statistics Ordinance, 2000	Applied by SHL(AA)O, 1988

CORPORATE BODIES

Charities Ordinance, 2005 - Charities Regulations, 2005 - Charities (Exempt Bodies) Regulations, 2006 - Charities (Exempt Bodies) Regulations, 2007 - Courts (Charities) Rules, 2015	Applied by SHL(AA)O, 1988
Companies Ordinance, 2004 - Companies (Appointment of Registrar) Regulations, 2004 - Companies (Fees And Forms) Regulations, 2004	Applied by SHL(AA)O, 1988
Co-operative Societies Ordinance, 1932	Does not apply
Friendly Societies Ordinance, 1939	Applied by SHL(AA)O, 1988

Mutual Organisations Ordinance, 2008

Does not apply; not in force in SH

COURTS AND JUSTICE

Administration of Estates Ordinance, 1986

Applied by SHL(AA)O, 1988

- [Administration of Estates \(Forms\) Rules, 1986](#)
- [Administration of Estates Rules, 2009](#)

Civil Procedure Ordinance, 1968

Applied by Ordinance A3 of 1995 and by SHL(AA)O 1998; see Civil Procedure (Ascension) Ordinance, 1968

- [Civil Procedure Rules, 1969](#)

Commissioners for Oaths Ordinance, 1968

Applied by SHL(AA)O, 1988

- [Commissioners For Oaths Rules, 1968](#)

Coroners and Presumption of Death Ordinance, 2015

Applied by SHL(AA)O, 1988; see Coroners & Presumption of Death (Ascension) Ordinance, 2015

- [Coroners \(Inquests\) Rules, 2015](#)
- [Coroners \(Investigations\) Regulations, 2015](#)
- [Coroners \(Allowances, Fees and Expenses\) Regulations, 2015](#)

Courts (Appeals and Rules) Ordinance, 2017

Applied by s.6 of the Revised Edition of the Laws Ordinance, 1999². Courts (Rules) Ordinance, 1968 applied by LR (Misc Prov) Ordinance 1988; Appeals Ordinance, 1960 applied by its own terms (section 1)

- [Supreme Court \(Fees\) Rules, 1984](#)
- [Magistrates' Court Fees Rules, 1984](#)
- [Sound Recordings Rules, 1989](#)
- [Supreme Court \(Miscellaneous Applications\) Rules, 1992](#)
- [Courts \(Rights of Audience and Enrolment\) Rules, 1992](#)
- [Court of Appeal Rules, 1998](#)
- [St Helena Court of Appeal \(Appeal to Privy Council\) Order, 1964 \(UK\)](#)
- [Courts \(Welfare Of Children\)\(Forms\) Rules, 2010\)](#)

Courts (Extension of Jurisdiction) Ordinance, 2106

Does not apply; see Courts (Extension of Jurisdiction) (Ascension) Ordinance, 2016

Crown Proceedings Ordinance, 1993

Applied by SHL(AA)O, 1988

² “6. In the preparation of a revised edition, the Commissioner has the following powers—
 (b) to consolidate into one Ordinance any 2 or more Ordinances in *pari materia*, making the alterations thereby rendered necessary and assigning a date to the Ordinance as may seem to be most convenient;”

Foreign Judgments (Reciprocal Enforcement) Ordinance, 1961	Applied by its own terms; section 1
- Foreign Judgments (Reciprocal Enforcement) Rules, 1961 - Foreign Judgments (Australia and its External Territories) Order, 1994	
Imperial Probates Ordinance, 1899	Applied by SHL(AA)O, 1988
Law Officers Ordinance, 2013	Applied by SHL(AA)O, 1988
Legal Aid, Assistance and Services	Applied by section 6(b) of the Revised Edition of the Laws Ordinance, 1999 ³
- Legal Aid Regulations, 2003	
Magistrates' Court Ordinance, 2011	Does not apply; see Magistrates' Court (Ascension) Ordinance, 1968
Powers of Attorney Ordinance, 1979	Applied by SHL(AA)O, 1988
Public Trustee Ordinance, 1977	Applied by SHL(AA)O, 1988
Sheriff of St Helena Ordinance, 1969	Does not apply
CRIME AND CRIMINAL PROCEDURE	
Criminal Damage Ordinance, 1979	Applied by Ordinance A3 of 1985 and SHL(AA)O, 1988; see Criminal Damage (Ascension) Ordinance, 1979
Criminal Procedure Ordinance, 1975	Applied by Ordinance A1 of 1976 and Ordinance A2 of 2011; see Criminal Procedure (Ascension) Ordinance, 1975
Drugs (Prevention of Misuse) Ordinance, 2003	Applied by SHL(AA)O, 1988
- Drugs (Authorisation of Cultivation and Possession) Regulations, 2009	
Drugs (Trafficking Offences) Ordinance, 2003	Applied by SHL(AA)O, 1988
Firearms Ordinance, 1997	Applied by SHL(AA)O, 1988
Juries Ordinance, 1979	Applied by Ordinance A1 of 1985; see Juries (Ascension) Ordinance, 1979
Money Laundering Ordinance, 2008	Applied by SHL(AA)O, 1988

³ See note 2 above. But Part II of the Legal Aid, Assistance and Services Ordinance, 2017, does not apply to Ascension; see the Lay Advocates (Ascension) Ordinance, 2007.

Obscene Publications Ordinance, 1930	Applied by SHL(AA)O, 1988
Police and Criminal Evidence Ordinance, 2003	Applied by SHL(AA)O, 1988
- Codes of Practice Order, 2003 - Code of Practice Order, 2009	
Protection of Women Ordinance, 1930	Does not apply; sections 2 and 3 ‘St Helena ‘
Public Order Ordinance, 1997	Applied by SHL(AA)O, 1988
Summary Offences Ordinance, 1975	Applied by SHL(AA)O, 1988 and amended by Ordinance A1 of 2013; see Summary Offences (Asc) Ordinance, 1975
EMPLOYMENT AND COMMERCE	
Employees’ Compensation Ordinance, 1946	Applied by its own terms; section 1 ⁴
- Employees’ Compensation Regulations, 1947 - Employees’ Compensation (Prescribed Diseases) Regulations, 1978	
Employment Rights Ordinance, 2010	Does not apply; see L.N.A1 of 2017 under the SHL(AA)O, 1988
Enterprise St Helena Ordinance, 1994	Does not apply
Financial Services Ordinance, 2008	Applied by SHL(AA)O, 1988
Media Standards Ordinance, 2011	Does not apply
Patents (Registration) Ordinance, 1927	Applied by SHL(AA)O, 1988
- Patents (Fees) Regulations, 1989	(Cap. 120 of the Revised Edition 1951)
Price Control Ordinance, 1957	Does not apply
Public Holidays Ordinance, 1945	Applied by s.31(a) of the Customs Ordinance, 2002 and by SHL(AA)O, 1988; see Public Holidays (Ascension) Ordinance, 1945
Race Relations Ordinance, 1997	Applied by SHL(AA)O, 1988
Sunday Observance Ordinance, 1849 ⁵	Applied by s.31(a) of the Customs Ordinance,

⁴ See the court cases noted under the SHL(AA)O, 1988

	2002 and by SHL(AA)O, 1988; see Sunday Observance (Ascension) Ordinance, 1849
Trade Marks (Registration) Ordinance, 1949 - Trade Marks (Registration) Rules, 1949	Applied by SHL(AA)O, 1988
Trade Unions and Trade Disputes Ordinance, 1959	Applied by its own terms – section 1
United Kingdom Designs (Protection) Ordinance, 1930	Applied by SHL(AA)O, 1988
Weights and Measures Ordinance, 1905 - Weights And Measures (Fees) Regulations, 1997	Applied by SHL(AA)O, 1988
ENVIRONMENT AND NATURAL RESOURCES	
Agriculture and Livestock Improvement Ordinance, 1940	Does not apply
Animals (Diseases) Ordinance, 1944 - Animals (Diseases) Regulations, 1950	Applied by Cap. 98 of the 1950 Revised Laws of St Helena and by SHL(AA)O, 1988; see Animals (Diseases)(Ascension) Ordinance, 1944
Bees Ordinance, 1995	Does not apply; see Wildlife Protection Ordinance, 2013
Birds Protection Ordinance, 1996	Does not apply; see Wildlife Protection Ordinance, 2013
Conservation and Management of Fisheries Resources Ordinance, 2003	Does not apply; see Fisheries (Conservation and Management) Ordinance, 2015
Dogs and Cats Ordinance, 2011	Does not apply; see Dogs & Cats Ordinance, 2000
Environmental Protection Ordinance, 2016	Does not apply; see section 3
Fish and Fish Products Ordinance, 2010	Does not apply; see Fisheries (Conservation and Management) Ordinance, 2015
Fishery Limits Ordinance, 1977	Does not apply; St Helena only.

⁵ The Sunday Observance Ordinance, 1949, was repealed for St Helena by the Employment Rights (Amendment) Ordinance 2017 (Ordinance 13/2017) but is still law in Ascension.

	See Fisheries (Conservation and Management) Ordinance, 2015
Forestry Ordinance, 1954	Does not apply; see section 1
High Seas Fishing Ordinance, 2001	Applied by SHL(AA)O, 1988
National Parks Ordinance, 2003 1988	Does not apply; only St Helena in s.3 (And see National Protected Areas Ordinance, 2003)
Plants Protection Ordinance, 1938	Does not apply; see Wildlife Protection Ordinance, 2013
Protection of Animals Ordinance, 1969	Does not apply; see Wildlife Protection Ordinance, 2013
Spear Guns Control Ordinance, 2014	Does not apply; waters of St Helena only
St Helena Fisheries Corporation Ordinance, 1979	Does not apply
Termites Ordinance, 1957	Does not apply; St Helena areas only

FAMILY, EDUCATION AND WELFARE

Births and Deaths (Registration) Ordinance, 1853	Applied by its own terms (Long Title)
- Births and Deaths (Fees) Order, 2013	
Education Ordinance, 2008	Does not apply
Marriage Ordinance, 1851	Does not apply; see Marriage (Ascension) Ordinance, 2016
Matrimonial Causes Ordinance, 1961	Applied by s.25 and SHL(AA)O, 1988
- Matrimonial Causes Rules, 1973	
Social Security Ordinance, 2010	Does not apply
Welfare of Children Ordinance, 2008	Does not apply; see Child Welfare Ordinance, 2011

INFRASTRUCTURE AND PUBLIC UTILITIES

Electricity Ordinance, 1961	Does not apply; section 1
Highways Ordinance, 1881	Does not apply ('Island of St Helena')
Motor Vehicles (Third Party Insurance)	Applied by Ordinances A2 of 1985 and

Ordinance, 1962	A4 of 1986 and by section 2(2); see Motor Vehicles (Third Party Insurance)(Ascension) Ordinance, 1962
Petroleum Ordinance, 1966	Does not apply
Post Office Ordinance, 1898 - Postage and Revenue Stamps - (Invalidation) Order, 2008	Applied by Cap. 5 of 1951 Revised Edition and SHL(AA)O, 1988; see Post Office (Ascension) Ordinance, 1898
Road Traffic ordinance, 1985/ Road Traffic Ordinance, 2016 ⁶	Do not apply; see Road Traffic Do not apply; see Road Traffic Ordinance, 1984 and Road Safety Ordinance, 2010
Telecommunications Ordinance, 1989	Does not apply; see Telecommunications Ordinance, 1997
Utility Services Ordinance, 2013	Does not apply
Water Ordinance, 1978	Does not apply
LAND OWNERSHIP AND USE	
Animal Trespass Ordinance, 1982	Does not apply
Building Control Ordinance, 2013	Does not apply; section 2(3) St Helena only
Burial Grounds Ordinance, 1895	Does not apply
French Government Lands (Vesting) Ordinance, 1858	Does not apply (site in St Helena)
Land Acquisition Ordinance, 2006	Does not apply; see Land (Ascension) Ordinance, 2008
Land Planning and Development Control Ordinance, 2013	Does not apply
Minerals Vesting Ordinance, 1951	Applied by its own terms - section 7; see Minerals Vesting (Ascension) Ordinance, 1951
Mining Ordinance, 1923 - Prospecting Regulations, 1927	Applied by Ordinance 7 of 1951 and by regulations 3 and 9 of the Prospecting

⁶ The SH 985 RTO will be replaced by the 2016 RTO when that is brought into force

Regulations; see Mining (Ascension) Ordinance, 1923

Pasturage (Government Lands) Ordinance,

Does not apply

Registered Land Ordinance, 1980

Does not apply; see Land (Ascension) Ordinance, 2008

MARITIME AND AVIATION LAWS

Airport Development Ordinance 2006

Does not apply; St Helena airport only

Aviation Ordinance 2015

Does not apply; St Helena airport only

Merchant Shipping laws

Applied by Ordinance 18 of 1951
Apply as listed in 'UK Laws applied to St Helena, Ascension and Tristan da Cunha'

Ports Ordinance, 2016

Does not apply; see Harbours Ordinance, 2005

Ports (Health) Ordinance, 1905

- [Ports \(Health\) Regulations, 1932](#)

Applied by Cap. 5 of the 1951 Revised Edition and SHL(AA)O, 1988; see Ports (Health)(Ascension) Ordinance, 1905

PUBLIC FINANCE AND REVENUE LAW

Currency Ordinance, 1975

Applies only for the purpose of giving effect to section 3(1)(a) and (b); see the Currency (Ascension) Ordinance, 2009

Customs and Excise Ordinance, 1999

Does not apply; see Customs Ordinance, 2002

Income Tax Ordinance, 2012

Does not apply; see Income Tax Ordinance, 2001

Light Dues Ordinance, 1955

Does not apply; see Light Dues Ordinance, 1929

Liquor Duty Ordinance, 2014

Applied by SHL(AA)O, 1988

Public Finance Ordinance, 2010

Does not apply; see Financial Management Ordinance, 2001

Services Tax Ordinance, 2011

Does not apply

Special Funds Ordinance, 2012

Does not apply; s.3 Financial

	Management Ordinance, 2001
Stamp Duties Ordinance, 1987	Does not apply
PUBLIC HEALTH AND SAFETY	
Dentists Ordinance, 1955	Applied by SHL(AA)O, 1988
- Dental Nurses Regulations, 1955 - Dentists (Qualification) Regulations, 2009	
Food Safety Ordinance, 2016	Applied by SHL(AA)O, 1988
Health and Safety Ordinance, 1977	Applied by SHL(AA)O, 1988
- Health and Safety Regulations, 1977	But see s.12(4) re 'St Helena'
Ionising Radiations (Protection) Ordinance,	Applied by SHL(AA)O, 1988
Medical Practitioners Ordinance, 1910	Applied by Cap. 5 of the 1951 Revised Edition, and by s.3 of the Interpretation (Ascension) Ordinance 1968; see Medical Practitioners (Ascension) Ordinance, 1910
- Medical Practitioners Regulations, - Medical Practitioners (Qualifications) - Medical Regulations, 2009	
Mental Health and Mental Capacity Ordinance, 2015	Applied by SHL(AA)O, 1988; see Mental Health & Mental Capacity (Ascension) Ordinance, 2015
- Courts (Mental Capacity and Appointment of Deputies) Rules, 2016	
Nurses and Midwives Ordinance, 1987	Applied by SHL(AA)O, 1988
- Nurses and Midwives Regulations, 1988	
Pharmacy and Poisons Ordinance, 1937	Applied by SHL(AA)O, 1988
- Poisons Lists Order, 1937 - Pharmacy & Poisons (Forms and Fees) Rules, 1937	
Public Health Ordinance, 1939	Does not apply; see Public Health Ordinance, 1967
Tobacco Control Ordinance, 2011	Does not apply: see Control of Tobacco Ordinance, 2013
Vaccination Ordinance, 1854	Does not apply; section 2(2) 'residents of St Helena' and s.9(2) Births etc. Ordinance, 1853
RECREATION AND TOURISM	
Community Centres Ordinance, 1988	Does not apply

Gaming Machines Ordinance, 1984	Does not apply
Liquor Ordinance, 1988	Does not apply; see Control of Alcohol, etc. Ordinance, 2013
Protection of Wrecks and Marine	Does not apply; see Protection of Wrecks (Asc) Ordinance, 2009
Public Recreation Grounds Ordinance, 1938	Applied by SHL(AA)O, 1988
St Helena National Trust Ordinance, 2001	Does not apply

SECURITY AND LAW ENFORCEMENT

British Nationality and Passports (Fees & Offences) Ordinance, 2017 - British Nationality (Fees) Order, 1991	Applied by section 6(b) of the Revised Edition of the Laws Ordinance, 1999 ⁷
Consular Conventions Ordinance, 1950	Applied by SHL(AA)O, 1988
Consular Relations Ordinance, 1972 - Consular Relations (Merchant Shipping) Orders	Applied by SHL(AA)O, 1988
Emergency Powers Ordinance, 1978	Applied by SHL(AA)O, 1988
Fire Service Ordinance, 1985	Does not apply
Immigration Ordinance, 2011	Does not apply; see Entry Control (Ascension) Ordinance, 2007
Police Service Ordinance, 1975 - Police (Discipline) Regulations, 1976 - Police Regulations, 2000 - Colonial Special Constabulary Medal Regulations, 1957 - Colonial Police Long Service Medal Regulations, 1973	Applied by Ordinance A1 of 1976 and SHL(AA)O, 1988. Note the references to Ascension in sections 2(2), 19 and the Schedule
Prisons Ordinance, 1960 - Prisons Rules, 1999 - Colonial Prisoners Removal Order in Council, 1907 (UK) - Colonial Prison Service Medal Regulations, 1956	Applied by Ordinance A1 of 1976 and SHL(AA)O, 1988; see Prisons (Ascension) Ordinance, 1960

⁷ See note 2 above. But section 3 and the Schedule do not apply to Ascension; see the Passports (Fees) Ordinance, 1997.

