

# ST HELENA, ASCENSION AND TRISTAN DA CUNHA

## REVISED EDITION OF THE LAWS, 2017

### LIST OF UK LAWS APPLIED TO ST HELENA, ASCENSION AND TRISTAN DA CUNHA

(Annexed to the General Introduction)

- *This is a list of United Kingdom laws that expressly apply to St Helena, Ascension and Tristan da Cunha by their own force, or that have been applied by Order in Council. There are 5 Parts to the list:*

Part A: UK Acts applied to Overseas Territories, including St Helena, Ascension and Tristan da Cunha

Part B: UK Orders and Regulations applied to Overseas Territories, including St Helena, Ascension and Tristan da Cunha

Part C: UN Sanctions and Restrictive Measures Orders (Specified Countries)

Part D: Civil Aviation and related Acts and Orders

Part E: Merchant Shipping and related Acts and Orders

- *All the UK Orders that are expressed to apply to ‘St Helena and Dependencies’ apply also to Ascension and Tristan da Cunha by virtue of the Overseas Territories (Change of Name) Orders 2011(see below).*
- *There is also a separate category of UK laws that apply to St Helena by virtue of the [English Law \(Application\) Ordinance, 2005](#). See that Ordinance for the list and texts. See also the Court judgements on the topic of applied UK laws set out in the Annex to the general Introduction to this website.*
- *UK Laws applied to St Helena by virtue of the 2005 Ordinance also apply to Ascension and Tristan da Cunha by virtue of the [St Helena Law \(Application to Ascension\) Ordinance, 1988](#) and the [Application of St Helena Law \(Tristan da Cunha\) Ordinance, 1988](#) respectively; see those Ordinances for details.*
- *There are also some UK Acts and Orders referred to in St Helena, Ascension and Tristan da Cunha Ordinances, which have the effect given them by the respective Ordinance.*
- *Note that any UK law of general application may apply if it is not contrary to a local law, and can be adapted to local conditions. For this reason, the lists may not be complete, and they are not authoritative as there is no definitive list kept by HM Government in the UK and the applicability of some laws may be challenged in court.*
- *The texts of English or UK laws that apply to St Helena, Ascension and Tristan da Cunha can be accessed on various websites, including [www.legislation.gov.uk](http://www.legislation.gov.uk). The*

*Orders listed below are named as they appear on that website. The lists include for information some UK laws that apply to some other Overseas Territories but not to St Helena.*

- *Parts A, B and C are based on lists prepared by the FCO of the UK Government in early 2017 for the Falkland Islands, supplemented by the United Nations (Sanctions) (Amendment) Order 2000 and the Restrictive Measures (Amendment) (Overseas Territories Order 2012 and Orders applied specifically to St Helena. They are not however definitive and advice should be taken on the current status of UK laws applying to St Helena, Ascension and Tristan da Cunha.*

## **PART A**

### **UK ACTS APPLIED TO OVERSEAS TERRITORIES, INCLUDING ST HELENA**

| <u>UK Act</u>                                                                     | <u>How applied</u>                                                                                                  |
|-----------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| Administration of Justice Act 1920, Part II                                       | See under Reciprocal Enforcement of Judgments                                                                       |
| Antarctic Act 1994                                                                | Antarctic Act 1994 (Overseas Territories) Order 1995 (SI 1995/1030) am'd SI 2015/823, SI 2017/779)                  |
| Anti-Terrorism, Crime and Security Act 2001, ss. 50 – 56                          | Chemical Weapons (Overseas Territories) Order 2005 (SI 2005/854)                                                    |
| Arbitration (International Investment Disputes) Act 1966 ss. 1, 2, 3, 4, & 9      | Arbitration (International Investment Disputes) Act 1966 (Application to the Colonies etc) Order 1967 (SI 1967/159) |
| Armed Forces Act 2006                                                             | By its own terms; section 384(2)                                                                                    |
| Arms Control and Disarmament (Privileges and Immunities) Act 1988 ss. 1(2) - 1(4) | Arms Control and Disarmament (Privileges and Immunities) Act 1988 (Overseas Territories) Order 1992 (SI 1992/1298)  |
| Biological Weapons Act 1974 ss. 1 - 4                                             | Biological Weapons Act 1974 (Overseas Territories) Order 1975 (SI 1975/240)                                         |
| British Law Ascertainment Act 1859                                                | By implication                                                                                                      |
| British Nationality Act 1948 ss. 3, 32(3), 33(1), & 34(1)                         | By implication                                                                                                      |

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| British Nationality Act 1981, except:<br>s. 39 & Schedule 4, s. 52(7) & Schedule 8,<br>so far as they relate to the Immigration Act 1971;<br>s. 52(8) & Schedule 9, so far as they relate to the<br>Immigration Act 1971 (except Schedule 1) | By its own terms; s. 53(5)                                                |
| British Overseas Territories Act 2002                                                                                                                                                                                                        | By its own terms; s. 8(4)                                                 |
| British Settlements Acts 1887 and 1945                                                                                                                                                                                                       | By implication                                                            |
| Chemical Weapons Act 1996                                                                                                                                                                                                                    | Chemical Weapons (Overseas<br>Territories) Order 2005 (SI 2005/854)       |
| Child Abduction and Custody Act 1985                                                                                                                                                                                                         | <b>Not</b> applied to St Helena                                           |
| Citizenship (Armed Forces) Act 2014                                                                                                                                                                                                          | By its own terms; s. 2(3)                                                 |
| Colonial Affidavits Act 1859, s. 2                                                                                                                                                                                                           | By implication                                                            |
| Colonial Boundaries Act 1895                                                                                                                                                                                                                 | St Helena and Dependencies (Territorial<br>Sea) Order 1989 (SI 1989/1994) |
| Colonial Laws Validity Act 1865                                                                                                                                                                                                              | By implication                                                            |
| Colonial Marriages Act 1865                                                                                                                                                                                                                  | By implication                                                            |
| Colonial Prisoners Removal Act 1869                                                                                                                                                                                                          | By implication                                                            |
| Colonial Prisoners Removal Act 1884                                                                                                                                                                                                          | By implication                                                            |
| Colonial Probates Act 1892                                                                                                                                                                                                                   | Colonial Probates Act Application<br>Order 1965 (SI 1965/1530)            |
| Colonial Stock Acts 1877 to 1998                                                                                                                                                                                                             | By implication                                                            |
| Constitutional Reform Act 2005<br>(in relation to the Privy Council)                                                                                                                                                                         | By implication                                                            |
| Copyright Act 1956, except ss. 32, 34, 35, 42<br>& 44 and Schedules 4 & 5                                                                                                                                                                    | Copyright (St Helena) Order 1963<br>(SI 1963/1038)                        |
| Copyright (Computer Software)<br>Amendment Act 1985 except ss. 4(3), & 5                                                                                                                                                                     | <b>Not</b> applied to St Helena                                           |

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| Court of Chancery Act 1851s. 16                                                                                                                                                                                                             | By implication                                                                                                                                              |
| Courts (Colonial) Jurisdiction Act 1874                                                                                                                                                                                                     | By implication                                                                                                                                              |
| Criminal Evidence (Witness Anonymity) Act 2008 in respect of “service courts provisions”                                                                                                                                                    | By its own terms; s.15(3)                                                                                                                                   |
| Criminal Justice Act 1988 ss. 134 & 135                                                                                                                                                                                                     | Criminal Justice Act 1988 (Torture) (Overseas Territories Order 1988 (SI 1988/2242 <u>am’d</u> SI 1992/1715)                                                |
| Documentary Evidence Act 1868                                                                                                                                                                                                               | By its own terms; s. 3                                                                                                                                      |
| Evidence Act 1851 s. 11                                                                                                                                                                                                                     | By implication                                                                                                                                              |
| Evidence (Foreign, Dominion and Colonial Documents) Act 1933                                                                                                                                                                                | Evidence (St. Helena) Order 1961 (SI 1961/2049)                                                                                                             |
| Evidence (Proceedings in Other Jurisdictions) Act 1975 ss. 1 - 3, & 5 - 10, & Schedules 1 & 2                                                                                                                                               | <b>Not</b> applied to St Helena. See instead the English Law (Application) Ordinance, 2005 Schedule                                                         |
| Export Control Act 2002                                                                                                                                                                                                                     | By implication                                                                                                                                              |
| Extradition Act 2003 ss. 69 - 112, 114 – 130, 132 - 134, 136 - 140A, 149A, 150, 151A, 152 - 154, 156 - 164, 166 - 168, 172, 174 - 174D, 180, 181, 186, 187, 189, 194, 196 - 197A, 202, 203, 205 - 206C, 208 - 211, 213, & 214, & Schedule 1 | Extradition Act 2003 (Overseas Territories) Order 2016 (SI 2016/990)                                                                                        |
| Family Law Act 1986, Part I only                                                                                                                                                                                                            | <b>Not</b> applied to St Helena.<br>See the Family Law Act 1986 (Dependent Territories) Order 1991 (SI 1991/1723 <u>am’d</u> SI 1994/2800 and SI 2006/1456) |
| Food and Environment Protection Act 1985 Parts II and V, & Schedules 2, 3, and 4, as modified by SI 1998/1084                                                                                                                               | Environment Protection (Overseas Territories) Order 1988 (SI 1988/1084), <u>am’d</u> SI 1997/1748 and SI 1999/669                                           |
| Foreign Enlistment Act 1870 sections 3 to 9                                                                                                                                                                                                 | By its own terms; s. 2.                                                                                                                                     |

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| Foreign Judgments (Reciprocal Enforcement) Act 1933           | Reciprocal Enforcement of Judgments (General Application to His Majesty's Dominions, etc.) Order 1933 (SR&O 1933/1073) |
| Foreign Jurisdiction Act 1890 ss. 4, 6, 9, 13, 16, & 19       | By implication                                                                                                         |
| Forged Transfers Act 1891 ss. 5 & 6                           | By implication                                                                                                         |
| Fugitive Offenders Act 1967                                   | Fugitive Offenders (St Helena) Order 1968 (SI 1968/184)                                                                |
| Geneva Conventions Act 1957                                   | Geneva Conventions (Overseas Territories) Order 2010 (SI 2010/2963)                                                    |
| Genocide Act 1969                                             | <b>Not</b> applied to St Helena<br>(See the Genocide Act 1969 (Overseas Territories) Order 1970 (SI 1970/146))         |
| Government of India Act 1915                                  | By implication (Replaced the Saint Helena Act 1933)                                                                    |
| Habeas Corpus Act 1862                                        | By implication                                                                                                         |
| Hijacking Act 1971                                            | Hijacking Act 1971 (Overseas Territories) Order 1971 (SI 1971/1739 am'd SI 1973/1893)                                  |
| Intelligence Services Act 1994 ss. 5(1) & 11(1)               | Intelligence Services Act 1994 (Dependent Territories) Order 1995 (1995/752 am'd SI 1996/2876)                         |
| International Criminal Court Act 2001                         | International Criminal Court Act (Overseas Territories) Order 2009 (SI 2009/1738 am'd SI 2010/763)                     |
| Internationally Protected Persons Act 1978 ss. 1 - 3 Act 1978 | Internationally Protected Persons (Overseas Territories) Order 1979 (SI 1979/456)                                      |
| Interpretation Acts 1978 and 1979                             | By implication                                                                                                         |
| Judicial Committee Acts 1833, 1843,                           | By implication                                                                                                         |

1844 and 1915

Landmines Act 1998

Landmines Act 1998 (Overseas Territories) Order 2001 (SI 2001/3499)

Maintenance Orders (Reciprocal Enforcement) Act 1972 ss. 5 and 8 to 21

Reciprocal Enforcement of Maintenance Orders (Designation of Reciprocating Countries) Order 1983 (SI 1983/1125) See also the English Law (Application) ordinance, 2005 Schedule

Multilateral Investment Guarantee Agency Act 1988 ss. 3 – 6

**Not** applied to St Helena  
See the MIGA(Overseas Territories) Order 1988 (SI 1988/791)

Nuclear Installations Act 1965 ss. 10 - 17, 21, 26, & 30

Nuclear Installations (St. Helena) Orders 1972 and 1983 (SI 1972/128, SI 1983/1892)

Official Secrets Acts 1911 and 1920

By implication

Perjury Act 1911 s. 1A

**Not** applied to St Helena; see the Evidence (Proceedings in Other Jurisdictions) Act 1975

Policing and Crime Act, 2017

Policing and Crime Act (Financial Sanctions) (Overseas Territories) Order, 2017 (SI 2017/984)

Privy Council Registrar Act 1853

By implication

Recognition of Trusts Act 1987

Recognition of Trusts Act 1987 (Overseas Territories) Order 1989 (SI 1989/673)

Repatriation of Prisoners Act 1984 ss. 1 – 9

Repatriation of Prisoners (Overseas Territories) Order 2017 (SI 2017/983)

Saint Helena Act 1833

By implication (mostly repealed by the Government of India Act 1915)

Security Service Act 1989 s. 3(1)

Security Service Act 1989 (Overseas Territories) Order 1990 (SI 1990/238)

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| Senior Courts Act 1981 ss. 20 - 24                                   | See the Admiralty Jurisdiction (St Helena and its Dependencies) Order 1969 (SI 1969/858) in the Merchant Shipping list                                                            |
| State Immunity Act 1978                                              | <b>Not</b> applied to St Helena<br>See the State Immunity (Overseas Territories) Order 1979 (SI 1979/458).<br>But see also the English Law (Application) Ordinance, 2005 Schedule |
| Statutory Declarations Act 1835 ss. 15 & 17                          | By implication                                                                                                                                                                    |
| Submarine Telegraph Act 1885                                         | By its own terms; s. 11                                                                                                                                                           |
| Suppression of Terrorism Act 1978 ss. 1 - 5, 8, 9 & Schedule 1       | Suppression of Terrorism Act 1978 (Overseas Territories) Order 1986 (SI 1986/2019)                                                                                                |
| Taking of Hostages Act 1982 ss. 1 – 4                                | Taking of Hostages Act 1982 (Overseas Territories) Order 1982 (SI 1982/1540)                                                                                                      |
| Territorial Waters Jurisdiction Act 1878                             | By implication                                                                                                                                                                    |
| Terrorist Asset-Freezing etc. Act 2010 Part 1 & Part 1 of Schedule 2 | Terrorist Asset-Freezing etc. Act 2010 (Overseas Territories) Order (SI 2011/750 am'd SI 2017/157)                                                                                |
| Tokyo Convention Act 1967 ss. 1, 3 – 7 & Schedule                    | Tokyo Convention Act 1967 (Overseas Territories) Order 1968 (SI 1968/1864)                                                                                                        |
| United Nations Act 1946                                              | By implication                                                                                                                                                                    |
| Visiting Forces (British Commonwealth) Act 1933 ss. 1 - 4 & 8        | Visiting Forces (British Commonwealth) (Application to Colonies etc) Order in Council 1940 (SR&O No 1373 of 1940) SH                                                              |

## **PART B**

### **UK ORDERS AND REGULATIONS APPLIED TO OVERSEAS TERRITORIES, INCLUDING ST HELENA**

| <u>UK Order/Regulations</u> | <u>How applied</u> |
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| Anti-terrorism (Financial and Other Measures)<br>(Overseas Territories) Order 2002<br>(SI 2002/1822)<br>(Made under the St Helena Act & British Settlements<br>Acts) | By its own terms; article 2(1)  |
| British Nationality (General) Regulations 2003<br>(SI 2003/548)<br>(Made under the British Nationality Act 1981)                                                     | By implication                  |
| British Nationality (British Overseas Territories)<br>Regulations 2007 (SI 2007/3139)<br>(Made under the British Nationality Act 1981)                               | By implication                  |
| British Dependent Territories Citizenship<br>(Deprivation) Rules 1982 (SI 1982/989)<br>(Made under the British Nationality Act 1981)                                 | By implication                  |
| British Dependent Territories Citizenship<br>(Designated Service) Order 1982 (SI 1982/1710<br>am'd SI 2008/1240)<br>(Made under the British Nationality Act 1981)    | By implication                  |
| Colonial Prisoners Removal Order 1907<br>(SR&O No 742 of 1907)                                                                                                       | By implication                  |
| Co-operation of Insolvency Courts (Designation<br>of Relevant Countries and Territories) Order 1986<br>(SI 1986/2123)<br>(Made under the Insolvency Act 1986)        | By its own terms; article 2     |
| Copyright (International Conventions) Order 1979<br>(SI 1979/1715)<br>(Made under the Copyright Act 1956)                                                            | By implication                  |
| Copyright (International Organisations) Order<br>(SI 1957/1524, am'd SI 1963/1037)<br>(Made under the Insolvency Act 1986)                                           | <b>Not</b> applied to St Helena |
| Copyright (Singapore) Order 1987 (SI 1987/940)<br>(Made under the Insolvency Act 1986)                                                                               | By implication                  |
| Copyright (Taiwan) Order 1985 SI 1985/1777                                                                                                                           | By the Copyright (Taiwan)       |

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| (Made under the Insolvency Act 1986)                                                                                                                                                                                                                                                   | (Extension to Territories) Order 1987 (SI 1987/1826) |
| Co-operation of Insolvency Courts (Designation of Relevant Countries and Territories) Order 1986 (SI 1986/2123)                                                                                                                                                                        | By its own terms; article 2                          |
| Customs Duties and Drawbacks (Revenue Duties) (Overseas Countries and Territories) Order 1975 (SI 1975/1267)<br>(Made under the Finance Act 1973)                                                                                                                                      | By its own terms; article 2                          |
| Design Right (Reciprocal Protection)(No 2) Order 1989 (SI 1989/1294)<br>(To the extent that St Helena is designated under Part III of the Copyright, Designs and Patents Act 1988)<br>(Made under that Act)                                                                            | By implication                                       |
| Emergency Powers (Overseas Territories) Order 2017 (SI 2017/181)<br>(Made under the St Helena Act and the British Settlements Acts, etc.)                                                                                                                                              | By its own terms; article 1(2)(a)                    |
| Environment Protection (Overseas Territories) Order 1988 (SI 1988/1084 am'd SI 1999/669 and SI 1997/1748)<br>(Made under the Food & Environment Protection Act 1985)                                                                                                                   | By its own terms; article 11                         |
| Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003 (SI 2003/2764)<br>(Made under the Export Control Act 2002)                                                                                                                          | By SI 2004/3101                                      |
| Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) (Overseas Territories) Order 2004 (SI 2004/3101)<br>(as saved by Article 45 of the Export Control Order 2008 (SI 2008/3231) and am'd SI 2009/3212)<br>(Made under the Export Control Act 2002) | By its own terms; article 2(1)                       |
| Immigration (Certificate of Entitlement to Right of abode in the United Kingdom) Regulations 2006 (SI 2006/3145)<br>(Made under the Nationality, Immigration and                                                                                                                       | By implication                                       |

Asylum Act 2002)

|                                                                                                                                                                                                                        |                                        |
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| International Criminal Tribunal for the former Yugoslavia (Restrictive Measures) (Overseas Territories) Order 2004 (SI 2004/3039)<br>(Made under the St Helena Act 1833 and the British Settlements Acts)              | By its own terms; article 1(1)(a)      |
| Judicial Committee (Appellate Jurisdiction) Rules Order 2009 (SI 2009/224)<br>(Made under the Judicial Committee Acts)                                                                                                 | By implication                         |
| Judicial Proceedings in Specified Overseas Territories (Restrictive Measures) Order 2009 (SI 2009/888)                                                                                                                 | <b>Not</b> applied to St Helena        |
| National Health Service (Charges to Overseas Visitors) Regulations 1989 (SI 1989/306)<br>(Made under the National Health Service Act 1977)                                                                             | By its own terms; Schedule 2           |
| Order in Council Making Continuing Order Directing that all Appeals to Her Majesty in Council shall be referred to the Judicial Committee 1909 (SR&O No 1228 of 1909)<br>(Made under the Judicial Committee Act, 1844) | By implication                         |
| Overseas Service (Pensions Supplement) 1995 (SI 1995/238)<br>(Made under the Pensions (Increase) Act 1971)                                                                                                             | By implication                         |
| Overseas Territories (Change of Name) Orders, 2011 (SIs 2011 1403 – 1407 and 2974 – 2984)                                                                                                                              | Amended orders that apply to St Helena |
| Pet Travel Scheme (Pilot Arrangements) (England) Order 2001 (SI 2001/6)<br>(Made under the Animal Health Act 1981)                                                                                                     | By its own terms; article 2(13)        |
| Reciprocal Enforcement of Judgments (General Application to His Majesty's Dominions, etc) Order 1933 (SR&O 1933/1073)<br>(Made under the Foreign Judgments (Reciprocal Enforcement) Act, 1933)                         | By its own terms; para. (1)            |
| Reciprocal Enforcement of Judgments (Administration of Justice Act 1920, Part II) (Consolidation) Order 1984 (SI 1984/129)                                                                                             | By its own terms; article 2            |

(Made under the Administration of Justice Act 1920)

Reciprocal Enforcement of Maintenance Orders  
(Designation of Reciprocating Countries) Order 1983  
(SI 1983/1125)  
(Made under the Foreign Judgments (Reciprocal  
Enforcement) Act, 1933)

By its own terms; article 3

Restrictive Measures (Amendment) (Overseas  
Territories) Order 2012 (SI 2012/362)  
(Made under the St Helena Act 1833, the United  
Nations Act 1946, etc.)

Amended Orders that apply to S  
Helena

St Helena Constitution Order 1988  
(SI 1988/1842)

St Helena Constitution Order 1989  
(SI 1989/155)

Both replaced by:

St Helena, Ascension and Tristan da Cunha  
Constitution Order 2009  
(SI 2009/1751)

By its terms

(Made under the Saint Helena Act 1833 and  
the British Settlements Acts)

*Text is in the Basic Laws category of Ordinances*

St Helena Court of Appeal (Appeal to Privy  
Council) Order 1964 (SI 1964/1846,  
am'd SI 1990/991, SI 2009/3204)  
(Made under the Judicial Committee Act, 1844)  
*Text is in the Courts category of Ordinances*

By its terms

St Helena Supreme Court Order 1969 (SI 1969/857  
am'd SI 1975/1211 and SI 1983/1113  
(Made under the British Settlements Acts)

By its terms

Suppression of Terrorism Act 1978 (Designation  
of Countries) Orders 1978 to 1990  
(SIs 1978/1245, 1979/49, 1980/357, 1980/1392,  
1981/1389, 1981/1507, 1986/271, 1986/1137,  
1986/2019, 1987/2137, 1989/2210,  
1990/1272)  
(Made under the Suppression of Terrorism Act 1978)

By implication

Terrorism (United Nations Measures)(Overseas  
Territories) Order 2001 (SI 2001/3366)

By its own terms; article 1(4)(a)

(Made under the United Nations Act, 1946)

Tokyo Convention (Certification of Countries)  
Order 1977 (SI 1977/1258)  
(Made under the Tokyo Convention Act 1967)

By implication

Trade in Goods (Control) (Overseas Territories)  
Order 2004 (SI 2004/3102)  
(Made under the Export Control Act 2002)

By its own force; article 2(1)

Trade in Controlled Goods (Embargoed  
Destinations) (Overseas Territories (SI 2004/3103)  
(Made under the Export Control Act 2002)

By its own force; article 2(1)

Treaty on Open Skies (Privileges and Immunities)  
(Overseas Territories) Order 1993 (SI 1993/1247)  
(Made under the Arms Control and Disarmament  
(Privileges and Immunities) Act 1988 as above

By its own terms; article 1

United Kingdom Forces (Jurisdiction of Colonial  
Courts) Order 1965 (SI 1965/1203)  
(Made under the British Settlements Acts and  
the Foreign Jurisdiction Act 1890)

By its own terms; article 2(1)

United Nations Arms Embargoes (Dependent  
Territories) Order 1995 (SI 1995/1032 am'd  
SI 1997/272 and SI 1998/3123)  
(Made under the United Nations Act, 1946)

By its own terms; article 1(3)

United Nations (International Tribunals)(Former  
Yugoslavia) Order 1996 (SI 1996/716 am'd  
SI 1997/1753 below)

By SI 1997/1753 below

United Nations (International Tribunals)(Rwanda)  
Order 1996 (SI 1996/1296 am'd SI 1997/1753 below)

By SI 1997/1753 below

United Nations (International Tribunals)(Former  
Yugoslavia and Rwanda)(Dependent Territories)  
Order 1997 (SI 1997/1753)  
(Made under the United Nations Act, 1946)

By its own terms; article 3

United Nations (Sanctions) (Amendment) Order  
2000 (SI 2000/1106)  
(Made under the United Nations Act, 1946)

Amended orders that apply to  
St Helena

Visiting Forces (British Commonwealth)(Application

By its own terms; article 2(1)

to the Colonies etc) Order in Council 1940  
(SR&O 1373 of 1940)

## **PART C**

### **UN SANCTIONS AND RESTRICTIVE MEASURES ORDERS (SPECIFIED COUNTRIES)**

| <u>UK Order</u>                                                                                                                                                           | <u>How applied</u>             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| Afghanistan (United Nations Measures) (Overseas Territories) Order 2012 (SI 2012/1758)                                                                                    | By its own terms; article 1(2) |
| Belarus (Restrictive Measures) (Overseas Territories) Order 2011 (SI 2011/2440 am'd SI 2011/2988)                                                                         | By its own terms; article 1(2) |
| Burma (Sanctions)(Overseas Territories) Order 2013 (SI 2014/1447)                                                                                                         | By its own terms; article 1(3) |
| Burundi (Sanctions)(Overseas Territories) Order 2015 (SI 2015/1898)                                                                                                       | By its own terms; article 1(3) |
| Central African Republic (Sanctions)(Overseas Territories) Order 2014 (SI 2014/1368 am'd SI 2015/1380)                                                                    | By its own terms; article 1(3) |
| Côte d'Ivoire (Sanctions) (Overseas Territories) Order 2012 (SI 2012/3067)                                                                                                | By its own terms; article 1(3) |
| Democratic People's Republic of Korea (Sanctions) (Overseas Territories) Order 2012 (SI 2012/3066 am'd SI 2013/1718, SI 2013/2599, SI 2016/991, SI 2017/320, SI 2017/780) | By its own terms; article 1(3) |
| Democratic Republic of the Congo (Sanctions) (Overseas Territories) Order 2015 (SI 2015/1382 am'd SI 2017/160)                                                            | By its own terms; article 1(3) |
| Egypt (Restrictive Measures)(Overseas Territories) Order 2011 (SI 2011/1679)                                                                                              | By its own terms; article 1(2) |
| Eritrea (Sanctions)(Overseas Territories) Order 2012 (SI 2012/2751)                                                                                                       | By its own terms; article 1(3) |

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| Guinea (Sanctions)(Overseas Territories) Order 2013 (SI 2013/244)                                                         | By its own terms; article 1(3)    |
| Guinea-Bissau (Sanctions)(Overseas Territories) Order 2012 (SI 2012/3068)                                                 | By its own terms; article 1(3)    |
| Iran (Restrictive Measures) (Overseas Territories) Order 2011 (SI 2011/2989 am'd SI 2012/1389)                            | By its own terms; article 1(2)    |
| Iran (Sanctions)(Overseas Territories) Order 2016 (SI 2016/371 am's SI 2016/1120)                                         | By its own terms; article 1(2)    |
| Iraq (Sanctions)(Overseas Territories) Order 2015 (SI 2015/1383)                                                          | By its own terms; article 1(3)    |
| ISIL (Da'esh) and Al-Qaida (Sanctions)(Overseas Territories) Order 2016 (SI 2016/1218)                                    | By its own terms; article 1(3)    |
| Lebanon (United Nations Sanctions)(Overseas Territories) Order 2007 (SI 2007/283, am'd SI 2007/2131)                      | By its own terms; article 1(3)    |
| Lebanon and Syria (United Nations Measures) (Overseas Territories) Order 2006 (SI 2006/311)                               | By its own terms; article 1(2)    |
| Libya (Restrictive Measures)(Overseas Territories) Order 2011 (SI 2011/1080 am'd SI 2011/2717, SI 2012/356, SI 2013/3160) | By its own terms; article 1(2)    |
| Libya (United Nations Prohibition of Flights) (Dependent Territories) Order 1992 (SI 1992/974)                            | By its own terms; article 1(3)(a) |
| Libya (United Nations Sanctions)(Dependent Territories) Order 1992 (SI 1992/976)                                          | By its own terms; article 1(3)(a) |
| Russia, Crimea and Sevastopol (Sanctions) (Overseas Territories) Order 2014 (SI 2014/2710 am'd SI 2014/2919, SI 2015/213) | By its own terms; article 1(3)    |
| Somalia (Sanctions)(Overseas Territories) Order 2012 (SI 2012/3065 am'd SI 2013/1443)                                     | By its own terms; article 1(3)    |
| South Sudan (Sanctions)(Overseas Territories) Order                                                                       | By its own terms; article 1(3)    |

2014 (SI 2014/2703 am'd SI 2015/1527)

|                                                                      |                                |
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| Sudan (Sanctions)(Overseas Territories) Order 2014<br>(SI 2014/2707) | By its own terms; article 1(3) |
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| Syria (Restrictive Measures) (Overseas Territories)<br>Order 2012 (SI 2012/1755 am'd SI 2012/3069,<br>SI 2013/1719, SI 2013/2598, SI 2014/269,<br>SI 2015/824, SI 2015/1528, SI 2017/169) | By its own terms; article 1(2) |
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| Tunisia (Restrictive Measures)(Overseas Territories)<br>Order 2011 (SI 2011/748) | By its own terms; article 1(2) |
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| Ukraine (Sanctions)(Overseas Territories)(No 2)<br>Order 2014 (SI 2014/1100) | By its own terms; article 1(3) |
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| Ukraine (Sanctions)(Overseas Territories)(No 3)<br>Order 2014 (SI 2014/1098) | By its own terms; article 1(3) |
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| Yemen (Sanctions)(Overseas Territories)(No 2)<br>Order 2015 (SI 2015/1381) | By its own terms; article 1(3) |
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| Zimbabwe (Sanctions)(Overseas Territories) Order<br>2012 (SI 2012/2753, am'd SI 2013/1445,<br>SI 2015/826) | By its own terms; article 1(3) |
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## PART D

### CIVIL AVIATION AND RELATED ACTS AND ORDERS

| <u>Act</u>                                                                                                                                                         | <u>How applied</u>                                                                                                                                                                     |
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| Aviation and Maritime Security Act 1990<br>ss. 1 & 50<br>and<br>Aviation Security Act 1982, Part I, Part II,<br>ss. 37 & 38, & Schedule 1                          | Aviation Security and Piracy (Overseas<br>Territories) Order 2000 (SI 2000/3059)<br>am'd 2016/369)                                                                                     |
| Carriage by Air Act 1961 ss. 1(1), 2(1), 2(2),<br>2(3), 3 - 8, 13, & 14(2),<br>and<br>Carriage by Air (Supplementary Provisions)<br>ss. 1(1), 2(1)(b), 2(2), 3 & 6 | Carriage by Air (Overseas Territories)<br>Order 1967 (SI 1967/809) and Carriage<br>by Air Acts (Application of<br>Provisions) (Overseas Territories) 1962,<br>Order 1967 (SI 1967/810) |
| Civil Aviation Act 1949 ss. 8 (except 8(4)), 9,                                                                                                                    | Civil Aviation Act 1949 (Overseas                                                                                                                                                      |

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| 11, 13, 14, 27, 38, 40, 41, 51, 53, 57, 58, 59,<br>60, 61, 62 & 63 | Territories) Order 1969 (SI 1969/592)<br>and Civil Aviation Act 1982 (Overseas<br>Territories) Order 2001 (SI 2001/1452) |
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|----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Civil Aviation Act 1982 ss. 61, 75 and 76(1) | Civil Aviation Act 1982 (Overseas<br>Territories) Order 2001 (SI 2001/1452)<br>and Civil Aviation Act 1982 (Overseas<br>Territories) (No 2) Order 2001 (SI<br>2001/3367) |
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| Protection of Aircraft Act 1971<br>(Overseas Territories Order) 1973 (SI 1973/1757)<br>Order | Protection of Aircraft Act 1971 |
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| Air Navigation (Overseas Territories)<br>Order 2013 (SI 2013/2870)<br>(Am'd SI 2014/2925, SI 2014/3281, SI 2015/1769)<br>(Made under the Civil Aviation Acts 1949 & 1961) | By its own terms; article 187 |
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| Air Navigation (Overseas Territories)<br>(Environmental Standards) Order 2014<br>(SI 2014/2926, am'd SI 2015/236)<br>(Made under the Civil Aviation Acts 1949 & 1961) | By its own terms; article 26 |
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| Carriage by Air (Parties to Convention) Order 1999<br>(SI 1999/1313)<br>(Made under s. 2(1) of the Carriage by Air Act 1961) | By implication |
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**Local legislation (see the Aviation Ordinance 2015 for the texts):**

**Aerodrome Charges Regulations, 2015**

*L.N 16 of 2015*

*Issued under Article 158 of the Air Navigation (Overseas Territories) Order 2013*

**Civil Aviation (Investigation of Air Accidents and Incidents) Regulations, 2016**

*L.N. 12 of 2016; amended by LN 13 of 2016*

*Issued under section 75 of the Civil Aviation Act 1982 as extended to St Helena by  
Article 4 of the Civil Aviation Act 1982 (Overseas Territories) Order 2001 and in  
accordance with Schedule 1 to that Order*

## **PART E**

### **MERCHANT SHIPPING AND RELATED ACTS AND ORDERS**

|            |                    |
|------------|--------------------|
| <u>Act</u> | <u>How applied</u> |
|------------|--------------------|

Administration of Justice Act, 1956

Admiralty Jurisdiction (St Helena and

|                                                                                                                                      |                                                                                                                    |
|--------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| (Admiralty Jurisdiction) <sup>1</sup>                                                                                                | its Dependencies) Order 1969 (SI 1969/858)                                                                         |
| Admiralty Offences (Colonial) Acts 1849 and 1860                                                                                     | By implication                                                                                                     |
| Carriage of Goods by Sea Act 1971                                                                                                    | <b>Not</b> applied to St Helena; see the Carriage of Goods by Sea (Overseas Territories) Order 1982 (SI 1982/1664) |
| Colonial Courts of Admiralty Act 1890                                                                                                | By implication                                                                                                     |
| Dumping at Sea Act 1974                                                                                                              | Dumping at Sea (Overseas Territories) Order 1975 (SI 1975/1831 am'd SI 1984/542) <sup>2</sup>                      |
| Maritime Conventions Act 1911                                                                                                        | By its own terms; s. 9                                                                                             |
| Merchant Shipping Act 1894, except ss. 92 - 237, 239 - 266 & Parts IV & VIII                                                         | By implication                                                                                                     |
| Merchant Shipping Act 1906, except ss. 54, 55, & 69                                                                                  | By implication                                                                                                     |
| Merchant Shipping Act 1921                                                                                                           | By implication                                                                                                     |
| Merchant Shipping Act 1965 ss. 1, 7, 8(2) & (4), & Schedules 1 & 2 and<br>Merchant Shipping (Tonnage) Regulations 1982 (SI 1982/841) | Merchant Shipping (Tonnage) (Overseas Territories) Order 1971 (SI 1971/383) am'd by SI 1972/447                    |
| Merchant Shipping Act 1970 ss. 14, 17, 18, 19(1), 21, 22, 50, 51, 52 & Schedules 3, 4, 5                                             | Merchant Shipping (Tonnage) (Overseas Territories) Order 1988 (SI 1988/1085)                                       |
| Merchant Shipping Act 1979 ss. 14, 17, 18 19(1), 50, 51 and 52 and Schedules 3, 4                                                    | Merchant Shipping Act 1979 (Saint Helena) Order 1980 (SI 1980/1517) <sup>3</sup>                                   |

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<sup>1</sup> See now sections 20 – 24 of the Senior Courts Act, 1981

<sup>2</sup> And see Environment Protection (Overseas Territories) Order 1988 (SI 1988/1084) for deposits in the sea.

and 5 and Part I of Schedule 7

|                                                                                       |                                                                                                                                                                                                    |
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| Merchant Shipping Act 1979<br>ss. 21 and 22                                           | Merchant Shipping Act 1979 (Overseas Territories) Order 1989 (SI 1989/2400 am'd SI 1993/1786)                                                                                                      |
| Merchant Shipping Act 1981 ss. 2, 3, 5 & the Schedule                                 | <b>Not</b> applied to St Helena; see the Carriage of Goods by Sea (Overseas Territories) Order 1982 (SI 1982/1664)                                                                                 |
| Merchant Shipping Act 1995 ss. 152 - 170, 172 – 181, 224, 255(1) and Schedules 5 & 11 | Merchant Shipping (Salvage Convention) (Overseas Territories) Order 1997 (SI 1997/2586)                                                                                                            |
| Merchant Shipping Act, 1995 (remainder)                                               | English Law (Application) Ordinance, 2005                                                                                                                                                          |
| Merchant Shipping and Maritime Security Act 1997 s. 26 & Schedule 5                   | Aviation Security and Piracy (Overseas Territories) Order 2000 (SI 2000/3059)                                                                                                                      |
| Merchant Shipping (Oil Pollution) Act 1971                                            | Merchant Shipping (Oil Pollution) (St Helena) Order 1998 (SI 1998/1263)                                                                                                                            |
| Prevention of Oil Pollution Act 1971 ss. 12 - 16, 20, 29, 32, & 34                    | Prevention of Oil Pollution Act 1971 (Overseas Territories) Order 1982 (SI 1982/1668)<br>and<br>Prevention of Oil Pollution (Shipping Casualties) (Overseas Territories) Order 1982 (SI 1982/1669) |
| Naval Prize Act 1864                                                                  | By implication                                                                                                                                                                                     |
| Prize Courts Act 1894                                                                 | By implication                                                                                                                                                                                     |
| Prize Courts (Procedure) Act 1914                                                     | By implication                                                                                                                                                                                     |
| Prize Courts Act 1915                                                                 | By implication                                                                                                                                                                                     |

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<sup>3</sup> SI 1981/428 amended the 1980 Order to add section 5(2A) of the Merchant Shipping (Oil Pollution) Act 1971 and section 4(13) of the Merchant Shipping Act 1974 to the jurisdiction of the St Helena Supreme Court.

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| Naval Prize (Procedure) Act 1916                                                                                                   | By implication                        |
| Prize Act 1939                                                                                                                     | By its own terms; s. 4(1)(d)          |
| Prize Salvage Act 1944                                                                                                             | By its own terms; s. 2(1)(c)          |
| <u>Order</u>                                                                                                                       | <u>How applied</u>                    |
| St Helena and Dependencies (Territorial Sea) Order 1989 (SI 1989/1994)                                                             | By its own terms <sup>4</sup>         |
| Carriage of Goods by Sea (Parties to Convention) Order 1985 (SI 1985/443)                                                          | <b>Not</b> applied to St Helena       |
| Merchant Shipping (Categorisation of Registries of Relevant British Possessions) Order 2003 (SI 2003/1248)                         | By its own terms; article 6           |
| Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1983 (SI 1983/708) Regulations 1(3), & 1(4)(b)       | By SI 1983/762 as below               |
| Merchant Shipping (Distress Signals and Prevention of Collisions)(Overseas Territories) Order 1983 (SI 1983/762 am'd SI 1984/1688) | By its own terms; article 2           |
| Replaced by:<br>Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1989 (SI 1989/1798)                  | Not extended to Overseas Territories? |
| Merchant Shipping (Limitation of Liability for Maritime Claims) (Overseas Territories) Order 1997 (1997/2579)                      | <b>Not</b> applied to St Helena       |
| Merchant Shipping (Prevention of Pollution) (Intervention) Order 1980 (SI 1980/1093)                                               | By SI 1982/1666 as below              |
| Merchant Shipping (Prevention of Pollution) (Intervention) (Overseas Territories) Order 1982 (SI 1982/1666)                        | By its own terms; article 2           |
| Merchant Shipping (Registration of Colonial                                                                                        | By implication                        |

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<sup>4</sup> For the text of this Order, see under the Interpretation Ordinance, 1968

Government Ships) Order 1963 (SI 1963/1631)

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