



## ASCENSION

### REVISED EDITION OF THE LAWS, 2017

#### COURTS AND JUSTICE

### COURTS (EXTENSION OF JURISDICTION)(ASCENSION) ORDINANCE, 2016<sup>1</sup>

*Ordinance A6 of 2016*

*In force 27 October 2016*

*No amendments to 1 November 2017*

*No subsidiary legislation to 1 November 2017*

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### COURTS (EXTENSION OF JURISDICTION)(ASCENSION) ORDINANCE, 2016

#### ARRANGEMENT OF SECTIONS

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AN ORDINANCE to extend certain orders and sentences (including ancillary orders) made by the courts of St Helena and Tristan da Cunha to Ascension; and for connected or incidental purposes.

#### **Short title and commencement**

**1.** This Ordinance may be cited as the Courts (Extension of Jurisdiction) (Ascension) Ordinance, 2016 and comes into force on publication.

#### **Interpretation**

**2.** In this Ordinance —  
“**court**” means the Supreme Court, the Court of Appeal and any subordinate court established by law;

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<sup>1</sup> Under section 10 of the Revised Edition of the Laws Ordinance, 1999 this text is authoritative and is the sole authentic edition in respect of the law contained in it as at 1 November 2017.

**“orders”** means orders and sentences (including ancillary orders), of any court of St Helena or Tristan da Cunha, whether in criminal or civil proceedings, made or passed after the commencement of this Ordinance;

**“substantial connection”** means there is a real and substantial connection between the subject matter of the litigation or the damages suffered and Ascension.

### **Extension of jurisdiction of court**

**3. (1)** Subject to subsection (2), all orders extend to Ascension, unless the court at the time of the making of such an order, or thereafter a court in Ascension, orders otherwise.<sup>2</sup>

**(2)** Without prejudice to any continuing jurisdiction of the court which made the order, any subsequent proceedings arising from an order may be dealt with by the courts of Ascension exercising similar jurisdiction, as if the original order had been made by such court, but only if—

- (a)* in criminal proceedings, - the offender is in Ascension; or the act, omission or other circumstance giving rise to such subsequent proceedings took place in Ascension; or
- (b)* in civil proceedings - such proceedings have a substantial connection to Ascension.

**(3)** In the event of any issue arising as to which, if any, court should exercise jurisdiction in any particular proceedings as a consequence of the operation of this Ordinance, the issue of jurisdiction may be referred by the court, or by any party to such proceedings, to the Supreme Court, whose decision is final.

### **Repeal and amendment of legislation**

**4. (1)** The Courts (Jurisdiction)(Ascension) Ordinance, 2016 is repealed.

**(2)** Section 4 of the Magistrates’ Court Ordinance, 1968 is amended by adding the character and word “, personal” after the word “territorial”.

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<sup>2</sup> For equivalent St Helena provision see the Courts (Extension of Jurisdiction) Ordinance, 2016 (SH).