



ST HELENA

REVISED EDITION OF THE LAWS, 2017

COURTS AND JUSTICE

COURTS (EXTENSION OF JURISDICTION) ORDINANCE, 2016¹

*Ordinance 7 of 2016
In force 27 May 2016*

No amendments to 1 November 2017

No subsidiary legislation to 1 November 2017

COURTS (EXTENSION OF JURISDICTION) ORDINANCE, 2016

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

Citation and commencement

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

Interpretation

2. In this Ordinance —
“**court**” means the Supreme Court, Court of Appeal and any subordinate court established by law;
“**orders**” means orders and sentences (including ancillary orders), of any court of Ascension or Tristan da Cunha, whether in criminal or civil proceedings, made or passed after the commencement of this Ordinance; and
“**substantial connection**” means a real and substantial connection between the subject matter of the litigation or the damage suffered and St Helena.

Extension of jurisdiction of court

3. (1) Subject to subsection (2), all orders extend to St Helena, unless the court at the time of the making of an order, or a court in St Helena subsequently, orders

¹ 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.

otherwise.²

(2) Without affecting 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 St Helena 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 St Helena, or the act, omission or other circumstance giving rise to the subsequent proceedings took place in St Helena; or
- (b) in civil proceedings - the proceedings have a substantial connection to St Helena.

(3) If an issue arises as to whether any court, and if so which, 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 the proceedings, to the Supreme Court, whose decision is final.

Amendment of legislation

3. *Omitted*

Repeal of legislation and savings

4. *Omitted*
-

² For equivalent Ascension provision see the Courts (Extension of Jurisdiction)(Ascension) Ordinance, 2016.