

PART II**Subsidiary Legislation under the Arbitration (International Awards Investment Disputes) Act, 1966 (1966 c. 41) of the United Kingdom)****ARBITRATION (INTERNATIONAL INVESTMENT DISPUTES) ACT, 1966 (APPLICATIONS TO COLONIES, etc.) ORDER, 1967***Made* 10th February, 1967*Coming into Operation* 20th February, 1967

At the Court at Buckingham Palace, the 10th day of February 1967

Present,

The Queen's Most Excellent Majesty in Council.

Her Majesty, by virtue and in exercise of the powers conferred upon Her by section 6 of the Arbitration (International Investment Disputes) Act, 1966¹ (hereinafter referred to as "the Act") and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. This Order may be cited as the Arbitration (International Investment Disputes) Act, 1966 (Application to Colonies etc.) Order, 1967, and shall come into operation on 20th February, 1967.

Citation and commencement.

2. Subject to the adaptations and modifications specified in Schedule 2 to this Order, the provisions of the Act, except sections 5, 6, 7 and 8 thereof, shall extend to the territories (including any dependencies thereof) specified in Schedule I to this Order.

Application of Act to certain territories.

3. (1) For the purposes of the application of the provisions of the Act to any territory specified in Schedule I to this Order, in Schedule 2 to this Order —

Interpretation.

¹ 1966 c. 41.

“the Territory” means that territory;

“the Supreme Court” means the court (by whatever name styled) having unlimited original jurisdiction in that territory in civil matters;

“the Governor” means the Governor or other officer for the time being administering the government of that territory.

(2) The Interpretation Act, 1889 ²(b) shall apply, with the necessary adaptations, for the purpose of interpreting this Order and otherwise in relation thereto as it applies for the purpose of interpreting and in relation to Acts of Parliament of the United Kingdom.

SCHEDULE 1 (Section 2)

TERRITORIES TO WHICH THE ACT EXTENDS

Antigua
Bahamas
Bermuda
British Honduras
British Solomon Islands Protectorate
Cayman Islands
Dominica Falkland Islands
Fiji
Gibraltar
Gilbert and Ellice Islands Colony
Grenada
Hong Kong
Mauritius
Montserrat
St. Christopher, Nevis and Anguilla
St. Helena
St. Lucia
St. Vincent
Seychelles
Swaziland
Turks and Caicos Islands
Virgin Islands.

² 1889 c. 63.

SCHEDULE 2 (Section 2)**ADAPTATIONS AND MODIFICATIONS TO BE MADE IN
THE APPLICATION OF THE ACT TO A TERRITORY**

1. In sections 1(2) and 2(1), for the references to the High Court there shall be substituted references to the Supreme Court of the Territory.

2. In section 1(3), for the words “the United Kingdom” there shall be substituted the words “the Territory”.

3. In sections 1(6) and 2(2), for the references to section 99 of the Supreme Court of Judicature (Consolidation) Act, 1925 ³(a) there shall be substituted references to the corresponding enactment forming part of the law of the Territory enabling rules of court to be made with respect to the practice and procedure of the Supreme Court of the Territory in civil proceedings.

4. For section 3 there shall be substituted the following section —

“3. (1) The Governor may by order —

(a) make provision, in relation to such proceedings pursuant to the Convention as are specified in the order, for the attendance of witnesses, the hearing of evidence and the production of documents;

(b) direct that the Foreign Tribunals Evidence Act, 1856 ⁴(b) (which relates to the taking of evidence for the purpose of proceedings before a foreign tribunal) shall apply to such proceedings pursuant to the Convention as are specified in the order, with or without any modifications or exceptions specified in the order.

(2) Except as provided by any order made under subsection (1)(a) of this section, no enactment relating to arbitration which forms part of the law of the Territory shall apply to proceedings pursuant to the Convention, but this subsection shall not be taken as affecting any provision of such an enactment relating to staying court proceedings where there is submission to arbitration.

(3) An order made under this section may be varied or revoked by a subsequent order so made.”.

³ 1925 c. 49.

⁴ 1856 c. 113.