1965 No. 133

AFRICA

The Basutoland, Bechuanaland Protectorate and Swaziland Court of Appeal (Amendment) Order 1965

Made - - - -	*29th January* 1965
Laid before Parliament	*4th February* 1965
Coming into Operation	*30th April* 1965

At the Court at Buckingham Palace, the 29th day of January 1965

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers in that behalf by the Foreign Jurisdiction Act 1890(a), or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation, construction and commencement.

1.—(1) This Order may be cited as the Basutoland, Bechuanaland Protectorate and Swaziland Court of Appeal (Amendment) Order 1965 and shall be construed as one with the Basutoland, Bechuanaland Protectorate and Swaziland Court of Appeal Order in Council 1954(b) (hereinafter called " the principal Order ").

(2) This Order and the Basutoland, Bechuanaland Protectorate and Swaziland Court of Appeal Orders 1954 and 1964(c) may be cited together as the Basutoland, Bechuanaland Protectorate and Swaziland Court of Appeal Orders 1954 to 1965.

(3) This Order shall come into operation on the day appointed under section 1(2) of the Basutoland Order 1965.

Amendment of section 9 of principal Order.

2. Section 9 of the principal Order (as amended by section 5 of the Basutoland, Bechuanaland Protectorate and Swaziland Court of Appeal (Amendment) Order 1964(d)) is amended by the deletion of subsection (3) thereof and the substitution therefor of the following subsection:—

" (3) Power to make appointments to or to act in the office of Registrar and the other offices of the Court for each of the Territories, to exercise disciplinary control over persons holding or acting in such offices and to remove such persons from office shall vest in the Judicial Service Commission of Basutoland, Her Majesty's Commissioner for Bechuanaland or Her Majesty's Commissioner for Swaziland, as the case may be:

(a) 53 & 54 Vict. c. 37. (b) S.I. 1954/1369 (1954 I, p. 167).
(c) S.I. 1954/1369, 1964/1187 (1954 I, p. 167; 1964 II, p. 2759).
(d) S.I. 1964/1187 (1964 II, p. 2759).

Provided that the provisions of section 7 of the Basutoland Order 1965 shall apply in relation to the powers vested by this subsection in the Judicial Service Commission of Basutoland as they apply in relation to the powers vested in the Commission by section 117 of the Constitution of Basutoland that is set out in Schedule 2 to that Order".

Amendment of section 15 of principal Order.

3. Section 15(3) of the principal Order (as amended by section 6 of the Basutoland, Bechuanaland Protectorate and Swaziland Court of Appeal (Amendment) Order 1964) is amended—

(*a*) by the deletion therefrom of the words "the Resident Commissioner for Basutoland" and the substitution therefor of the words "the Paramount Chief of Basutoland"; and

(*b*) by the deletion therefrom of the words "the said Commissioners" and the substitution therefor of the words "the Paramount Chief and the said Commissioners".

W. G. Agnew.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order makes the necessary amendments to the Basutoland, Bechuanaland Protectorate and Swaziland Court of Appeal Order in Council 1954 consequent upon the establishment of the new Constitution for Basutoland which is contained in the Basutoland Order 1965.