

Assented to in Her Majesty's name this 5th day of July, 1963.

Edwin Arrowsmith
Governor.



No. 3



1963

Colony of the Falkland Islands.

IN THE TWELFTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II.
SIR EDWIN ARROWSMITH, K.C.M.G.,
Governor.

An Ordinance

**Further to amend the Foreign Judgments
(Reciprocal Enforcement) Ordinance, 1959.**

[28th June, 1963]

ENACTED by the Legislature of the Colony of the Falkland Islands as follows —

1. This Ordinance may be cited as the Foreign Judgments (Reciprocal Enforcement) (Amendment) Ordinance, 1963, and shall be read as one with the Foreign Judgments (Reciprocal Enforcement) Ordinance, 1959, hereinafter referred to as the principal Ordinance.

2. The definition of the expression "judgment" in section 2 of the principal Ordinance is amended —

- (a) by deleting the comma after the word "party" and substituting a semicolon;
- (b) by deleting the words from "and includes an award" to the end of the definition.

3. Section 9 of the principal Ordinance is repealed and replaced as follows —

"Power to apply Part I of the Ordinance to other parts of the Commonwealth.

9. (1) The Governor may by Order in Council direct that this Ordinance shall apply to any part of the Commonwealth outside the Colony and to judgments obtained in the superior courts of such parts of the Commonwealth in like manner as it applies to foreign countries and judgments obtained in the superior courts of foreign countries, and on any such order being made, this Part of this Ordinance shall have effect accordingly and the Reciprocal Enforcement of Judgments Ordinance shall cease to have effect except in relation to those parts of the Commonwealth to which it extends at the date of the Order.

Title.

Date of commencement.

Enacting clause.

Short title.

No. 4 of 1959.

Amendment of section 2 of the principal Ordinance.

Repeal and replacement of section 9 of the principal Ordinance.

(2) If at any time after the Governor has directed as aforesaid an Order in Council is made under section 3 of this Ordinance extending this Part of this Ordinance to any Part of the Commonwealth to which the Reciprocal Enforcement of Judgments Ordinance extends as aforesaid, then, in relation to that part of the Commonwealth —

(a) the last mentioned Ordinance shall cease to have effect —

(b) this Part of this Ordinance shall have effect as if —

(i) the expression “judgment” included an award in proceedings on an arbitration if the award has, in pursuance of the law in force in the place where it was made, become enforceable in the same manner as a judgment given by a court in that place;

(ii) the fact that a judgment was given before the coming into operation of the Order in Council did not prevent it from being a judgment to which this Part of this Ordinance applies, but the time limited for the registration of a judgment were, in the case of a judgment so given, twelve months from the date of the judgment or such longer period as may be allowed by the Supreme Court;

(iii) any judgment registered in the Supreme Court under the Reciprocal Enforcement of Judgments Ordinance before the coming into operation of the Order in Council had been registered in that Court under this Part of this Ordinance and anything done in relation thereto under the Reciprocal Enforcement of Judgments Ordinance had been done under this Part of this Ordinance of the corresponding rules of court or other provisions applicable to the said Part.

(3) References in this section to any Part of the Commonwealth outside the Colony shall be construed as including references to any territories which are under Her Majesty’s protection and to any territories administered by the Government of any part of the Commonwealth under the trusteeship of the United Nations.”.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

Ref. 2233.


Clerk of the Legislative Council.