



# The London Gazette

Published by Authority.

TUESDAY, DECEMBER 15, 1903.

[In substitution for the Order published in the London Gazette of the 8th December, 1903.]

At the Court at *Buckingham Palace*, the 8th day of *December*, 1903.

PRESENT,

The KING's Most Excellent Majesty in Council.

**WHEREAS** by Treaty, grant, usage, sufferance, and other lawful means His Majesty the King has power and jurisdiction within the dominions of His Highness the Sultan of Zanzibar:

Now, therefore, His Majesty, by virtue and in exercise of the powers on this behalf by "The Foreign Jurisdiction Act, 1890," or otherwise in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:--

1. This Order may be cited as "The Zanzibar Order in Council, 1903."

2. This Order shall be construed as one with "The Zanzibar Order in Council, 1897," hereinafter called the "Principal Order."

3.—(1.) Notwithstanding anything contained in the Principal Order, a Second Assistant Judge may be appointed for the Court for Zanzibar.

(2.) The Second Assistant Judge shall be appointed in like manner and upon the same conditions as, and shall possess the like qualifications as are required for, the Assistant Judge.

(3.) The Second Assistant Judge shall have the same powers as the Assistant Judge.

(4.) In case of the illness or temporary absence of the Second Assistant Judge, or of his temporary appointment as Judge or Assistant Judge, the Consul-General may appoint either a person qualified to be appointed Second Assistant Judge, or a person appointed to hold a subordinate Court under the Principal Order, or a commissioned Consular officer to act as Second Assistant Judge.

4. The Assistant Judge and the Second Assistant Judge shall respectively undertake such part of the duties prescribed in the Principal Order for the Assistant Judge and such other

duties of a judicial, magisterial, or legal nature as the Judge, with the approval of the Secretary of State, shall direct.

5. In the event of the death, incapacity, removal or absence from Zanzibar of the Consul-General for the time being, all and every the powers and authorities by the Principal Order granted to him shall, until His Majesty's further pleasure is signified through the Secretary of State, be vested in the senior Consular officer in His Majesty's service for the time being in Zanzibar.

6. The production of a grant of probate or of letters of administration shall, notwithstanding any provision to the contrary contained in any Indian Act or Law in force in Zanzibar or in the Principal Order, be necessary to establish the right to recover or receive any part of the estate or effects of any deceased person situate in Zanzibar.

7. The powers of the Secretary of State with respect to the application to Zanzibar of enactments and Acts of the Governor-General of India in Council or of the Governor of Bombay in Council under Article 11 of the Principal Order, and of laws and ordinances for the time being in force in African possessions of His Majesty, under Article 13 of that Order shall, on the commencement of this Order, be transferred to the Consul-General, but those powers shall be exercised by him only by means of Regulations made under and subject in all respects to the provisions of Article 47 of the Principal Order.

8. The Consul-General may by Regulations made under, and subject in all respects to, the provisions of Article 47 of the Principal Order, repeal or amend with respect to Zanzibar any enactments, Acts, laws, or ordinances which are made applicable or have been brought into operation in Zanzibar by or under any of the provisions of Articles 11 and 13 of the Principal Order.

9. In Article 9 of the Principal Order the word "Judge" shall be substituted for the word "Consul-General."