

"British subject" includes a subject of His Majesty by birth or naturalisation;

"British protected person" means a person (a) who being a native of any place beyond the dominions of the Sultan of Zanzibar, which is under the protection of His Majesty, is temporarily within the limits of this Order; or (b) who by virtue of 'The Foreign Jurisdiction Act, 1890,' or otherwise, enjoys His Majesty's protection in Zanzibar;

"British ship" includes a British ship within the meaning of 'The Merchant Shipping Act, 1894,' and also a ship owned by a British protected person, provided that it is not registered under a foreign flag;

"Zanzibar subject" means a subject of the Sultan of Zanzibar;

"Foreigner" means a subject or citizen of a State in amity with His Majesty, other than Zanzibar, and any person under or claimed as being under the protection of such State;

"Treaty" includes any Convention, Agreement, or Arrangement, made by or on behalf of His Majesty with any State or Government, King, Chief, people, or tribe, whether the Sultan of Zanzibar is or is not a party thereto;

"Administration" means (unless a contrary intention appears from the context) letters of administration, including the same with will annexed, or granted for special or limited purposes, or limited in duration;

"Ship" includes any vessel used in navigation, however propelled, with her tackle, furniture and apparel, and any boat or other craft;

"Offence" means any act or omission made punishable by any law for the time being in force;

"Imprisonment" means imprisonment of either description, namely:—(1) rigorous, that is, with hard labour, or (2) simple;

"Month" means calendar month;

"Will" means will, codicil, or other testamentary instrument;

"Oath" or "affidavit" includes affirmation or declaration;

"Person" includes Corporation;

Words importing the plural or the singular may be construed as referring to one person or thing, or to more than one person or thing, and words importing the masculine as referring to females (as the case may require):

4.—(1) Where this Order confers a power or imposes a duty, the power may be exercised and the duty shall be performed from time to time as occasion requires.

(2) Where this Order confers a power or imposes a duty on the holder of an office, then, unless a contrary intention appears, the power may be exercised and the duty shall be performed by the holder of the office for the time being, or by a person duly appointed to act for him.

(3) Where this Order confers a power to make rules, regulations, or orders, the power shall be construed as including a power exercisable in the like manner, and, subject to the like approval and conditions (if any), to rescind, revoke, amend, or vary the rules, regulations, or orders.

PART II.—APPLICATION AND EFFECT OF ORDER.

5.—(1) This Order extends to British subjects, to British protected persons, to foreigners with respect to whom the Sultan of Zanzibar has decreed, or the Sovereign or Government whose subjects or citizens they are or under whose protection they are or are claimed as being, has, by Treaty or otherwise, agreed with His Majesty for or consented to the exercise of jurisdiction by His Majesty, and to Zanzibar subjects in the regular service of such foreigners; and the expression "person subject to this Order" shall be construed accordingly.

(2) This Order also extends to (a) the property and all personal or proprietary rights and liabilities in Zanzibar of persons subject to this Order; (b) British ships, with their boats, and the property on board thereof; and (c) foreign ships belonging to persons who are, or if they were in Zanzibar would be, persons subject to this Order, so, however, that jurisdiction over such foreign ships shall not be exercised otherwise than according to the practice of the High Court in England in the exercise of jurisdiction over foreign ships.

(3) This Order also extends, in the cases and according to the conditions specified in this Order, to Zanzibar subjects and to foreigners not otherwise subject to this Order.

6. If any question arises whether the Sovereign or Government of any country has agreed with His Majesty for or consented to the exercise of jurisdiction by His Majesty over all or any of his or their subjects or citizens or over persons under or claimed as being under his or their protection, it shall be referred to the Secretary of State, and a certificate under his hand and seal shall be conclusive on the question, and judicial notice shall be taken thereof.

Provided that nothing herein shall be held to abridge or take away the jurisdiction of the Court to determine whether any particular individual is or is not a subject or citizen of such Sovereign or Government, or under or claimed as being under his or their protection.

PART III.—ADMINISTRATION.

7. There shall be a High Commissioner for the Zanzibar Protectorate, and appointments to the said office shall be made by Commission under His Majesty's Sign Manual and Signet. Such High Commissioner shall act in His Majesty's name and on His behalf and represent His Majesty's Crown and authority in matters occurring within the Zanzibar Protectorate, and further shall take all such measures and do all such matters and things as in the interest of His Majesty's service he may think expedient, subject to such instructions as he may from time to time receive from His Majesty or through the Secretary of State.

8. During a vacancy in the office of the High Commissioner or in case of his absence or incapacity by reason of illness or otherwise, the powers of the High Commissioner shall be vested in such person as His Majesty may appoint under His Sign Manual and Signet or through the Secretary of State.

Where the person appointed to the office of High Commissioner is also the Governor of one of His Majesty's Colonies or Protectorates he shall not be deemed to be absent within the