

2002 No. 1076

GENEVA CONVENTIONS

**The Geneva Conventions (Amendment) Act (Overseas
Territories) Order 2002**

Made - - - - - *17th April 2002*

Coming into force *1st May 2002*

At the Court at Windsor Castle, the 17th day of April 2002

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 8(2) of the Geneva Conventions Act 1957**(a)**, as applied to the Geneva Conventions (Amendment) Act 1995**(b)** by section 7(4) of that Act, 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:

1. This Order may be cited as the Geneva Conventions (Amendment) Act (Overseas Territories) Order 2002. It shall come into force on 1st May 2002.

2. The provisions of the Geneva Conventions (Amendment) Act 1995 shall extend to the Territories specified in Schedule 1 hereto, subject to the exceptions and modifications specified in Schedule 2 hereto.

A. K. Galloway
Clerk of the Privy Council

(a) 5 & 6 Eliz. 2. c.52.
(b) 1995 c.27.

SCHEDULE 1

Article 2

Territories to which the Geneva Conventions (Amendment) Act 1995 extends

Anguilla
Bermuda
British Antarctic Territory
British Indian Ocean Territory
Cayman Islands
Falkland Islands
Montserrat
Pitcairn, Henderson, Ducie and Oeno Islands
St Helena and Dependencies
South Georgia and the South Sandwich Islands
Sovereign Base Areas of Akrotiri and Dhekelia
Turks and Caicos Islands
Virgin Islands

SCHEDULE 2

Article 2

Exceptions and modifications to be made in the extension of the Geneva Conventions (Amendment) Act 1995 to the Territories specified in Schedule 1

1. For the words “the Geneva Conventions Act 1957” in subsection (1) of section 1 there shall be substituted the words “the Geneva Conventions Act 1957 as extended to the Territory by the Geneva Conventions Act (Colonial Territories) Order in Council 1959”(a).

2. Subsection (4) of section 1 shall be omitted.

3.—(1) In subsection (2) of section 2, paragraph (a) shall be omitted.

(2) In subsection (3) of section 2, paragraph (a) shall be omitted.

(3) In subsection (4) of section 2, for paragraph (a) there shall be substituted the following paragraph:—

“(a) for the words “fifty pounds” there shall be substituted the words “five thousand pounds or its equivalent”;

(4) In subsection (5) of section 2, for the words “the passing of this Act” there shall be substituted the words “the coming into operation of this Act in the Territory”; and for the words “the passing of the Geneva Conventions (Amendment) Act 1995” there shall be substituted the words “the coming into operation of the Geneva Conventions (Amendment) Act 1995 in the Territory”.

(5) In subsection (6) of section 2, for paragraph (b) there shall be substituted the following paragraph:—

“(b) for the words “ship or aircraft” there shall be substituted the words “ship, aircraft or hovercraft”.

(6) In subsection (7) of section 2, paragraph (b) shall be omitted.

4. In section 3, for the words “the Secretary of State” wherever they occur there shall be substituted the words “the Governor”; and the words from “(3)” to “Parliament” shall be omitted.

5. For subsection (7) of section 4 there shall be substituted the following subsection:—

“(7) After subsection (2) there shall be inserted the following subsection:—

(a) S.I. 1959/1301.

“(2A) The first protocol and the second protocol shall for the purposes of this Act be construed subject to and in accordance with:—

- (a) any reservation or declaration certified by Her Majesty by Order in Council^(a) to have been made by the United Kingdom on ratification of the protocols, and which has not been so certified as having been withdrawn;
- (b) any amendment to the Fifth Schedule to this Act made by Her Majesty by Order in Council so as to ensure that the Schedule sets out the text of the first protocol as in force in relation to the United Kingdom.”

- 6. In section 5, paragraph (b) shall be omitted.
- 7. In section 7, subsections (2), (3) and (4) shall be omitted.

^(a) See S.I. 1998/1754.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order extends to the Territories specified in Schedule 1 the Geneva Conventions (Amendment) Act 1995, subject to the exceptions and modifications specified in Schedule 2.

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