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FRIDAY, 30 AUGUST, 1935

At the Court at *Buckingham Palace*, the 6th day of *June*, 1935.

PRESENT,

The KING's Most Excellent Majesty in Council.

WHEREAS by treaty, capitulation, grant, usage, sufferance, or other lawful means, His Majesty The King has jurisdiction within the places referred to in the Orders mentioned in the Schedule hereto:

Now, therefore, His Majesty, by virtue and in exercise of the powers in this behalf by the Foreign Jurisdiction Acts, 1890 (53 & 54 Vict. c. 37) and 1913 (3 & 4 Geo. 5. c. 16), 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 Foreign Jurisdiction (Probates) Order in Council, 1935".

2.—(1) This Order extends to all persons and to all property subject to the jurisdiction conferred on the court in matters of probate and administration by any of the Orders in Council mentioned in the Schedule hereto, or by any Order in Council substituted for any of them.

(2) This Order shall be exhibited in the public office of the highest of His Majesty's Courts established by each of the Orders specified in the Schedule, and shall take effect in the places referred to in each of the said Orders one month after the date on which this Order is first exhibited in that place as aforesaid.

3. The provisions of this Order shall be deemed to be supplementary to the powers conferred upon the Court by the Principal Order

for the exercise of its jurisdiction in matters of probate or administration and shall have effect subject to the provisions of the Principal Order.

4. In the construction of this Order, unless there be something in the subject or context repugnant thereto:—

(a) all words or expressions defined or interpreted by the Interpretation Act, 1889, shall, unless otherwise defined in this Article, be interpreted in the same sense as in that Act provided;

(b) all rules of construction enacted by the said Act shall have effect as if this Order were an English Act of Parliament;

(c) the following words and expressions shall have the meaning hereby assigned to them:—

"*Court*" means the Court having jurisdiction under the Principal Order or the Rules made thereunder in matters of Probate and Administration.

"*Personal Representative*" means the executor or administrator for the time being of a deceased person.

"*Principal Order*" means the Order under which the Court exercising jurisdiction is established, including therein any Order amending or substituted for that Order.

"*Property*" includes things in action and any interest in real and personal property.

"*Representation*" means probate of a will or letters of administration.