

An Act to determine the Time at which Letters Patent shall take effect in the Colonies.

26 & 27 Vic.
c. 76.

[28TH JULY, 1863.]

WHEREAS Her Majesty hath from time to time caused to be made under the Great Seal of the United Kingdom of Great Britain and Ireland divers letters patent intended to take effect within Her Majesty's Colonies and possessions beyond the seas: And whereas doubts are entertained respecting the period at which such letters patent have taken or may hereafter take effect within such colonies and possessions; and it is expedient that such doubts should be removed: Be it therefore enacted by the Queen's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. No such letters patent heretofore made shall (unless otherwise provided therein or by other lawful authority) be deemed to have taken or shall take effect in any such colony or possession as aforesaid until the same were or shall be publicly made known or acted upon therein: Provided, that any act or thing heretofore done or purporting to have been done in pursuance or under authority of such letters patent shall be as valid and effectual as if the same letters patent had taken effect at the date of the making thereof.

Existing letters patent not to take effect in colonies till published or acted on. Acts done under such letters patent valid.

2. No such letters patent hereafter to be made shall (unless otherwise provided therein or by other lawful authority) take effect in any such colony or possession until the making of the same shall have been signified therein by proclamation or other public notice.

Future letters patent not to take effect in colony till publication.

3. Any such letters patent by which any person may be hereafter appointed to any office or employment within any of such colonies or possessions shall (unless otherwise provided therein or by other lawful authority) become null and void in respect of such colony, unless the same shall be so signified as aforesaid within the following period; that is to say, within nine calendar months in case such colony or possession shall be to the eastward of Bengal in the East Indies, or to the west of Cape Horn in South America, or in any other case within six months after the making thereof.

Appointments by letters patent to be void unless published within nine or six months.

4.* * * * *

5. This Act shall take effect in each of Her Majesty's colonies and possessions so soon as the same shall be proclaimed therein by the officer administering the government thereof.

Commencement of Act.

* Section 4 contained a repeal of an earlier Act. It was itself repealed by The Statute Law Revision Act, 1875 (38 & 39 Vic. c. 66).