



ST. HELENA

CHAPTER 15

SHERIFF OF ST. HELENA ORDINANCE

Non-authoritative Consolidated Text

This is not an authoritative 'revised edition' for the purposes of the Revised Edition of the Laws Ordinance; it has been prepared under the supervision of the Attorney General for the purpose of enabling ready access to the current law, and specifically for the purpose of being made accessible via the internet.

Whilst it is intended that this version accurately reflects the current law, users should refer to the authoritative texts in case of doubt. Enquiries may be addressed to the Attorney General at Essex House, Jamestown

[Telephone (+290) 2270; Fax (+290) 2454; email pa.lawofficers@legalandlands.gov.sh]¹

Visit our [LAWS page](#) to understand the St. Helena legal system and the legal status of this version of the Ordinance.

This version contains a consolidation of the following laws—

SHERIFF OF ST. HELENA ORDINANCE

Ordinance 9 of 1969 .. in force 29 December 1969

Amended by Ordinance 2 of 1990 .. in force 31 January 1990

Page

2

No Subsidiary Legislation has been made under this Ordinance

¹ These contact details may change during 2011 or early in 2012. In case of difficulty, email shgwebsite@sainthelena.gov.sh or telephone (+290) 2470.

CHAPTER 15**SHERIFF OF ST. HELENA ORDINANCE**

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Interpretation
3. Office of Sheriff
4. Appointment of Sheriff and duration of office
5. Vacation of office
6. Temporary vacancies
7. Duties of Sheriff
8. Protection of Sheriff from personal liability

CHAPTER 15**SHERIFF OF ST. HELENA ORDINANCE**

(Ordinances 9 of 1969 and 2 of 1990)

AN ORDINANCE TO MAKE PROVISION FOR THE OFFICE OF SHERIFF OF ST. HELENA AND FOR PURPOSES CONNECTED THEREWITH AND INCIDENTAL THERETO.

Commencement

[29 December 1969]

Short title

1. This Ordinance may be cited as the Sheriff of St. Helena Ordinance.

Interpretation

2. In this Ordinance, unless the context otherwise requires—
“**Sheriff**” means the Sheriff of St. Helena;
“**St. Helena**” means the Island of St. Helena.

Office of Sheriff

3. There shall be a Sheriff of St. Helena who—
 - (a) shall be appointed in the manner provided by this Ordinance; and
 - (b) shall exercise such powers and perform such duties as may be conferred or imposed upon him by the provisions of this Ordinance.

Appointment of Sheriff and duration of office

4. (1) The Governor shall not later than the thirty-first day of December in every year by warrant under his hand and the public seal appoint a fit and proper person to be Sheriff for the ensuing year.

(2) The person appointed to be the Sheriff under the provisions of subsection (1) of this section shall before entering into the execution of his office take and subscribe the oath of allegiance and an oath for the due execution and performance of the powers, functions and duties of that office.

(3) The person appointed to be the Sheriff under the provisions of subsection (1) of this section shall hold office until the thirty-first day of December next ensuing after the date of his appointment and thereafter until his successor in office is appointed and has taken the oaths prescribed by the foregoing provisions of this section.

(4) Any person who holds or has held the office of Sheriff shall be eligible for re-appointment to that office.

Vacation of office

5. If the Sheriff—

- (a)* dies;
- (b)* resigns his office by writing addressed to the Governor;
- (c)* departs from St. Helena;
- (d)* becomes bankrupt or insolvent or enters into any composition with his creditors;
- (e)* is convicted of any offence involving moral turpitude; or
- (f)* becomes, in the opinion of the Governor, permanently incapable, whether by reason of illness or other cause, of performing the functions of his office,

the office of Sheriff shall become vacant, and as soon as may be thereafter another person shall be appointed to that office in the manner provided by section 4 and such person shall continue to hold office for the remainder of the period for which his predecessor in office was appointed and thereafter until his successor in office is appointed and has taken and subscribed the prescribed oaths.

Temporary vacancies

6. Whenever the Sheriff is—

- (a)* temporarily absent from St. Helena; or
- (b)* temporarily incapable, whether by reason of illness or any other cause, of performing the functions of his office,

it shall be lawful for the Governor to appoint a fit and proper person to act in the place of the Sheriff during the period of such illness or incapacity.

Duties of Sheriff

7.² (1) The Sheriff shall—

- (a)* execute all writs, summonses, rules, orders, warrants, commands and processes of the Supreme Court, and make return of the same, together with the manner of such execution, to the Supreme Court;

² Section 7 substituted by Ord. 2 of 1990

- (b) receive and detain in prison all such persons as are committed to his custody by the Supreme Court or the Magistrates' Court; and
- (c) do and perform all such other acts, functions, matters and things relating to the office of Sheriff as may be prescribed by any law for the time being in force in St. Helena.

(2) The Sheriff may by writing under his hand appoint and authorise a sufficient number of deputies to assist him in performing the functions and duties of his office for so long as he continues to hold that office, or until any such appointment and authority is earlier determined, as the case may be.

(3) Every duty of the Sheriff in the execution of any process of a court may be performed by—

- (a) a duly authorised deputy; or
- (b) a police officer,

and for all purposes of such execution such deputy or police officer shall be an officer of the court.

Protection of Sheriff from personal liability

8. No act matter or thing done by the Sheriff or by a deputy duly appointed and authorised by him shall, if such act matter or thing was done *bona fide* in the exercise of the powers, functions and duties conferred or imposed upon the Sheriff by the provisions of this Ordinance or of any other law for the time being in force in St. Helena, render the Sheriff or any such deputy personally liable to any action, suit, claim or demand whatsoever.
