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من المصادر الإلكترونية في مكتبة قطر الرقمية ٢٠٢٢/٠١/١٧ تم إنشاء هذا الملف بصيغة PDF بتاريخ
النسخة الإلكترونية من هذا السجل متاحة للاطلاع على الإنترنت عبر الرابط التالي:

http://www.qdl.qa/العربية/archive/81055/vdc_100000000831.0x000159

تحتوي النسخة الإلكترونية على معلومات إضافية ونصوص وصور بدقة عالية تسمح بإمكانية تكبيرها ومطالعتها بسهولة.

"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي"

المكتبة البريطانية: أوراق خاصة وسجلات من مكتب الهند

IOR/R/15/5/302

٣١ ديسمبر ١٩٤٨-١٤ ديسمبر ١٩٤٩ (ميلادي)

الإنجليزية في اللاتينية

ملف واحد (١٩ ورقة)

رخصة حكومة مفتوحة

المؤسسة المالكة

المرجع

التاريخ/ التواريخ

لغة الكتابة

الحجم والشكل

حق النشر

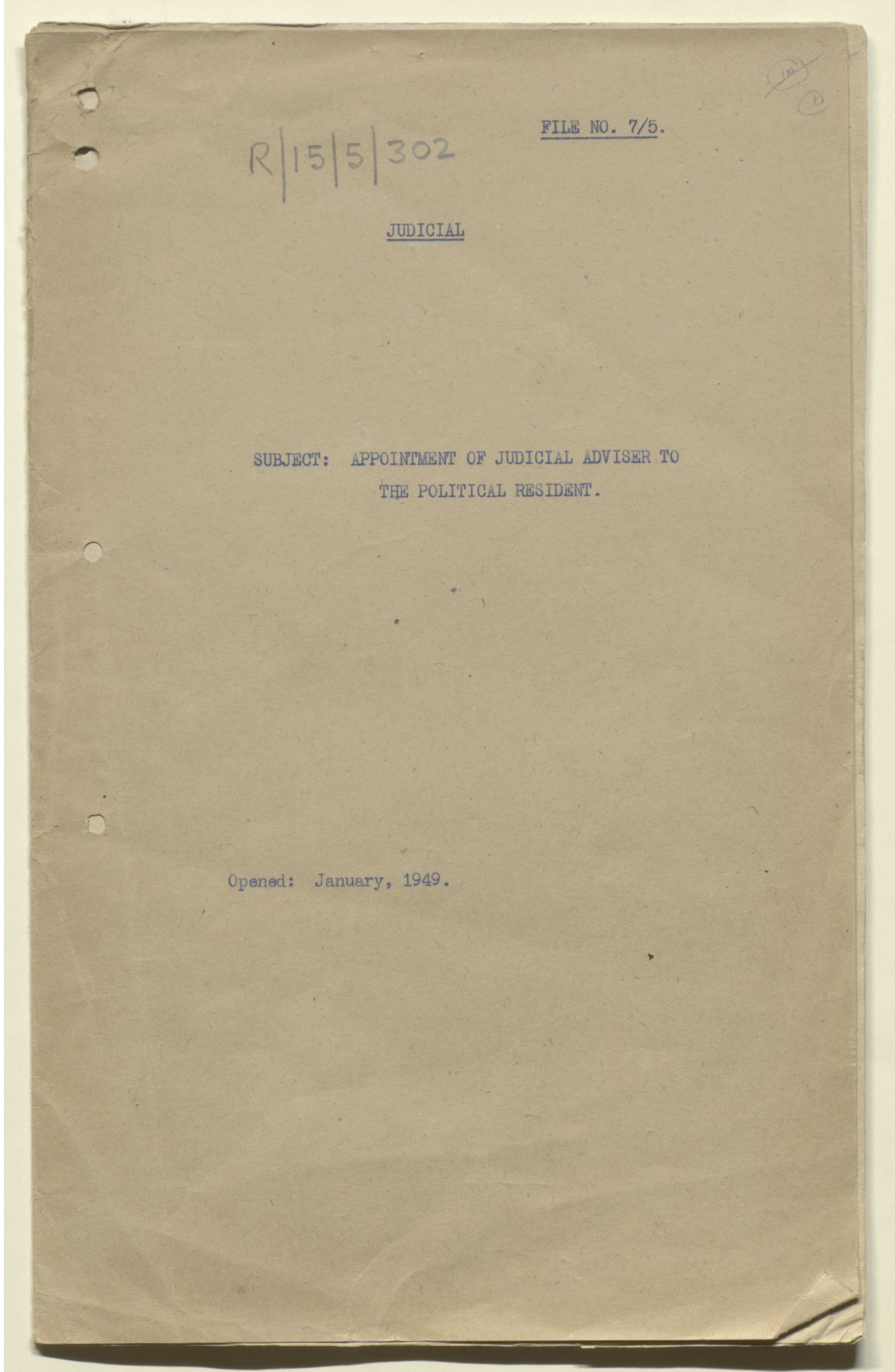


حول هذا السجل

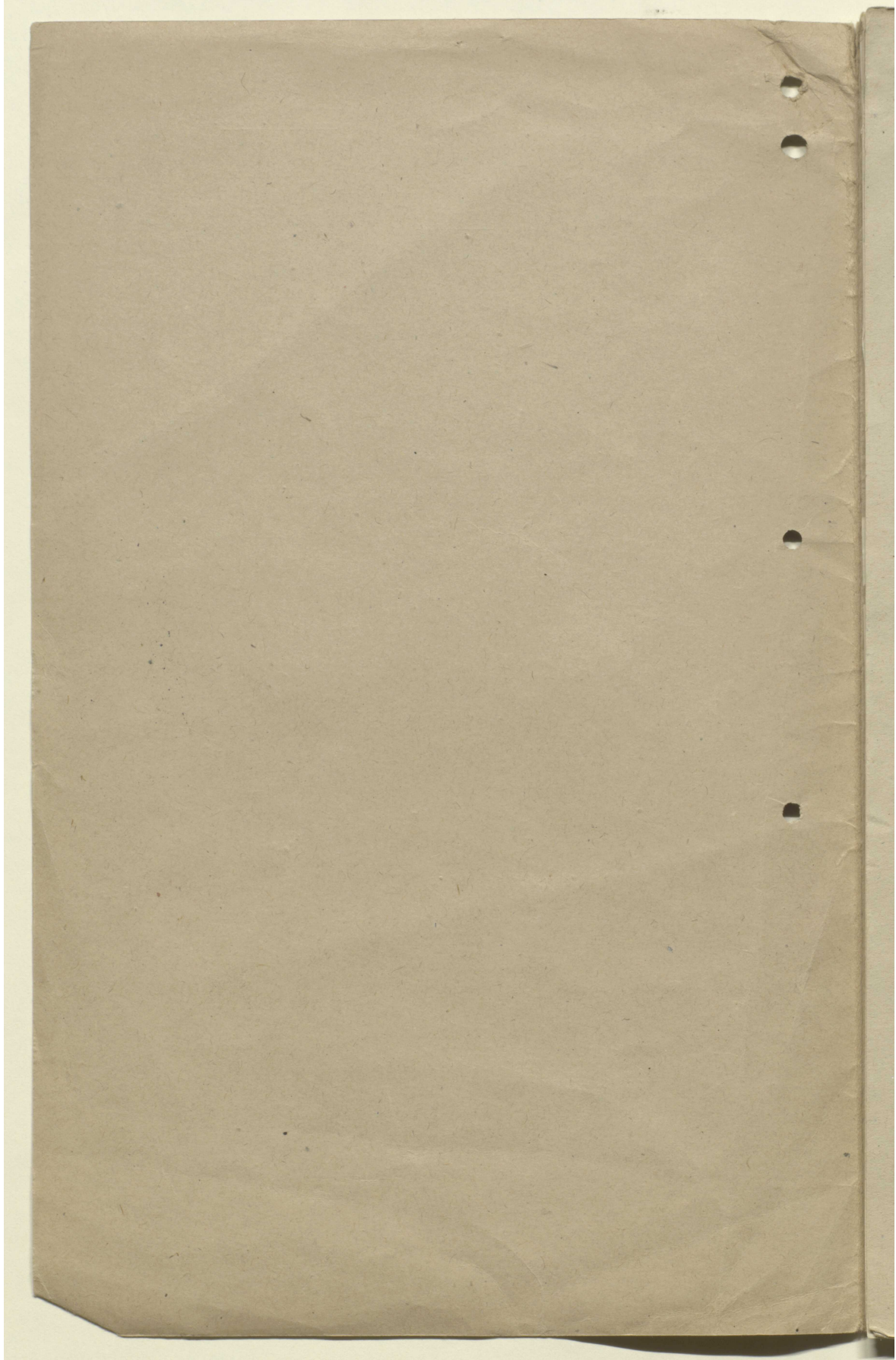
يتعلق هذا الملف بتعيين مساعد قضائي - سمر هايز (يُكتب هاينز أيضاً) - للمقيم السياسي في الخليج العربي بغرض التخفيف من الأعمال القضائية الملقاة على عاتق الوكلاء السياسيين التابعين. كما يحتوي أيضاً على نسخة غير مُكتملة (في الأوراق ٢-٧) من لائحة الملاحاة الجوية الكويتية، ١٩٤٩ ونسخة (في الورقة ٨) من إخطار، بتاريخ ٢٢ مايو ١٩٣٦، لإصدار قانون سنة ١٩٣٦ الملغي.

يتألف الملف في أغلبه من برقيات، والرسالة الغربية بين الوكيل السياسي في الكويت (هيربيرت جورج جاكينز) والمقيم السياسي بالخليج العربي (السير ويليام روبرت هاي)، ووزارة الخارجية. يشمل نطاق تاريخ الإنشاء المواد الرئيسية لهذه المراسلات.

"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [أمامي] (٤٢/١)



"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [أمامي-داخلي] (٤٢/٢)



"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [و٢] (٤٢/٣)

- 2 -

6. The conditions governing the use of the aerodrome or aerodromes at Kuwait set out in the Annex to this Order shall apply in respect of all aircraft using any such aerodrome.

7. The aircraft and the persons on board shall conform with such orders as may lawfully be given by any authorised person.

8. Personnel of the aircraft required by the law of the State where the aircraft is registered to be provided with licences shall on demand by any authorised person, produce their licences for inspection by him.

The person in charge of the aircraft shall, on demand by any authorised person, produce any prescribed certificate, licence or logbook relating to the aircraft and, if it carries passengers or freight, the list of names and the bills of lading and manifest.

9. Any authorised person shall have the right of access at all reasonable times to any aircraft for the purpose of carrying out his powers and duties under these Regulations.

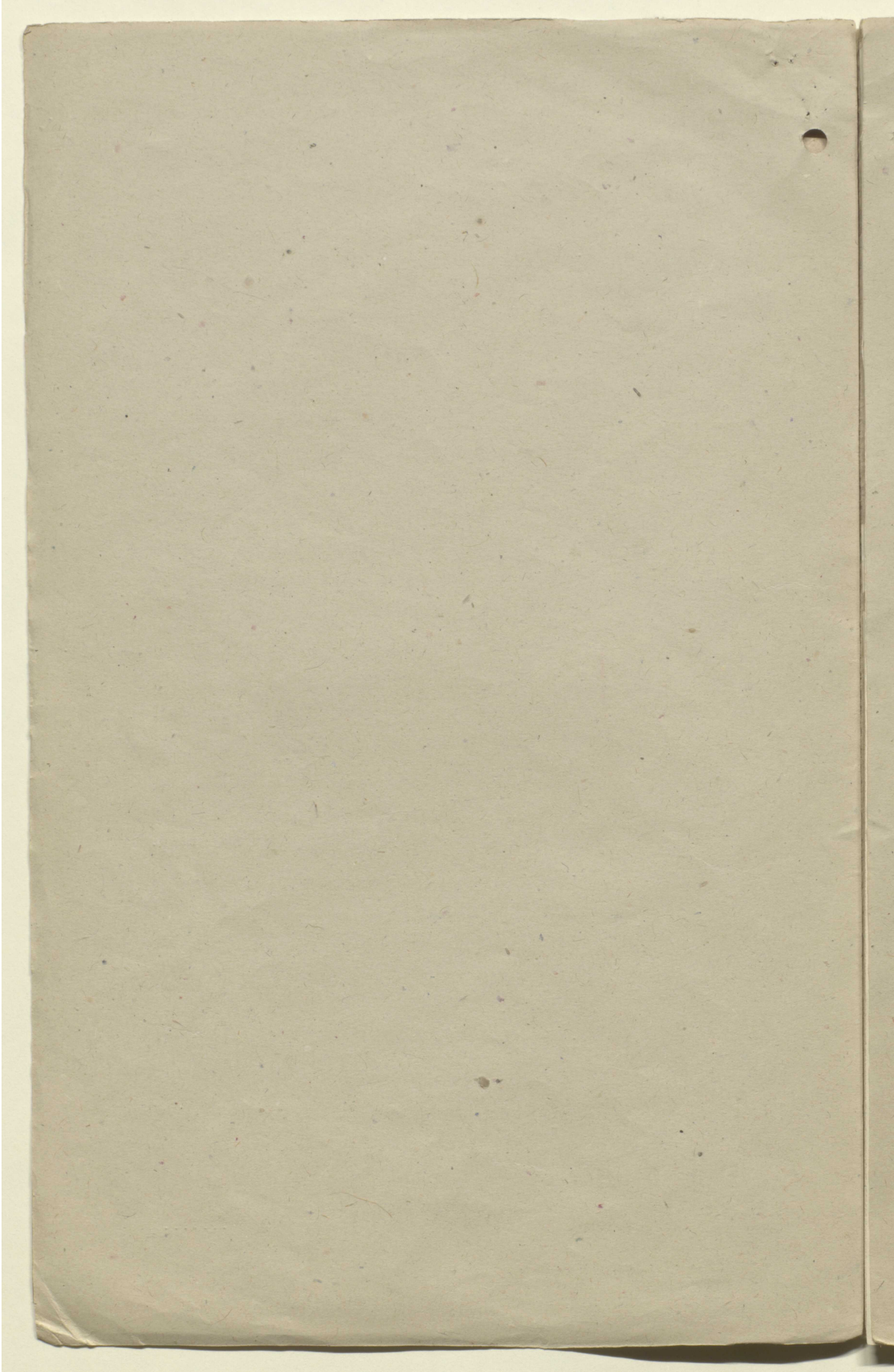
10. The aircraft shall comply in customs matters with the provisions of the Chicago Convention.

11. The aircraft, and the persons on board shall, immediately on landing in the territories of Kuwait from abroad and prior to departure from those territories for abroad, submit to the sanitary formalities prescribed by the Public Health Administration of Kuwait.

12. Prior notice of the time of the intended arrival of the aircraft from abroad at any Kuwait aerodrome and of departure of the aircraft for abroad from any Kuwait aerodrome shall be given to the Customs, Public Health and Police Administration.

13

"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [ظ٢] (٤٢/٤)



"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [٣و] (٤٢/٥)

= 3 =

13. Persons on board the aircraft shall be in possession of valid national passports or equivalent documents and shall produce them on demand to any authorised person. Through passengers not breaking ^{will not require transit visas. Passengers breaking journey} or leaving the aerodrome will need visas issued by, or on behalf of, His Highness the Sheikh of Kuwait.

14. Subject to the provision of these Regulations, the laws and regulations for the time being in force in Kuwait concerning the entry into and the departure from the territories of Kuwait of persons by sea and land and concerning the importation into and the exportation from the territories of Kuwait of goods by sea and land shall apply respectively to the entry and departure of persons, and the importation and exportation of goods, by air.

15. (1) If an aircraft fails to comply with these Regulations, or if any act is committed in, or in ~~the~~ respect of, the aircraft in contravention of these Regulations, the pilot of the aircraft shall be deemed to have contravened these Regulations.

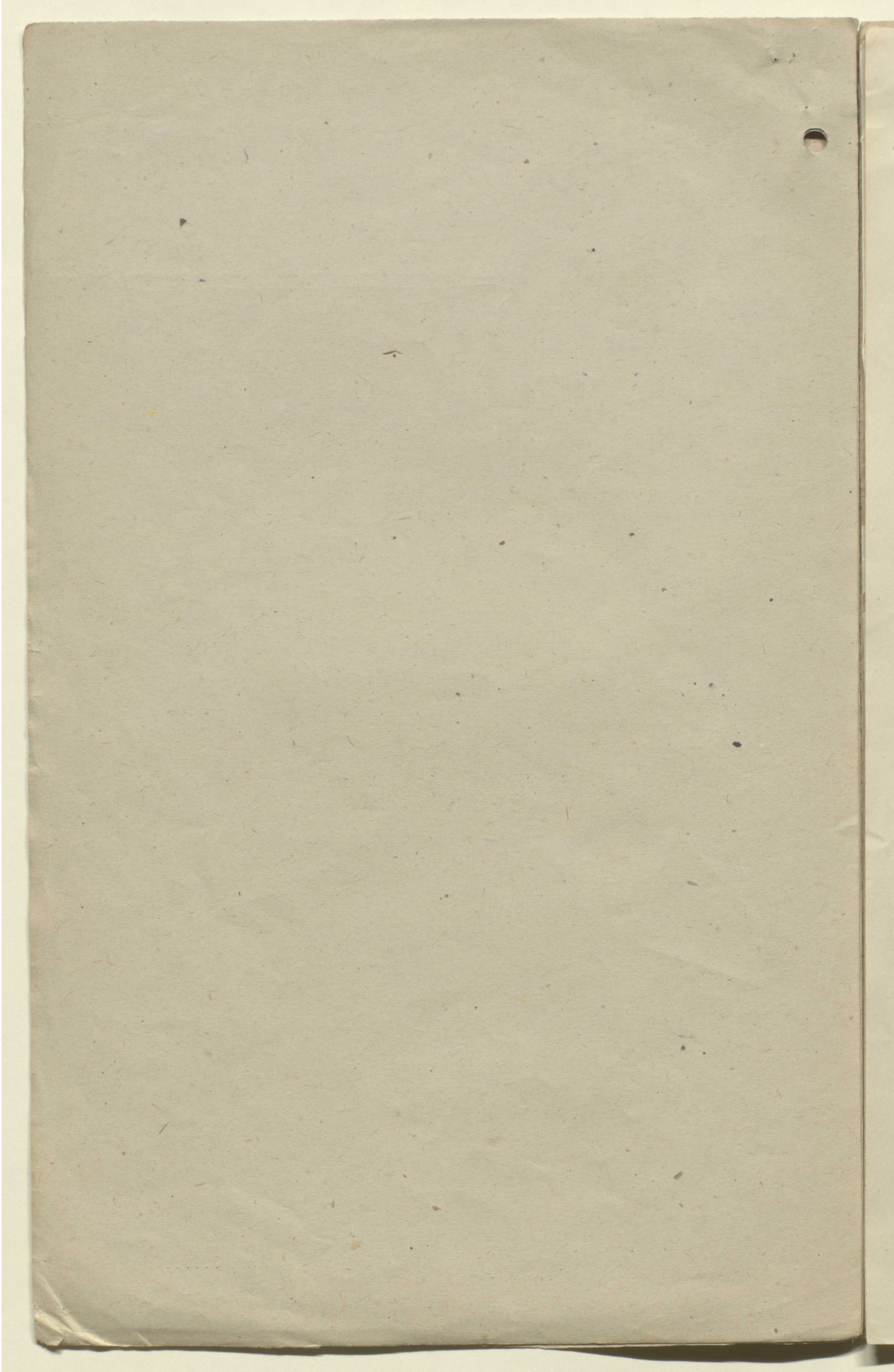
(ii) Any person who obstructs or impedes any authorised person in the exercise of his powers or duties under these Regulations shall be deemed to have contravened these Regulations.

(iii) Any person who contravenes or fails to comply with these Regulations shall be guilty of an offence, and, without prejudice to any other or higher penalty which may be imposed in respect of the same act or omission under any other law or regulation, shall be liable, on conviction to imprisonment for a period not exceeding six months or to a fine not exceeding 1,500 rupees or to both such imprisonment and fine.

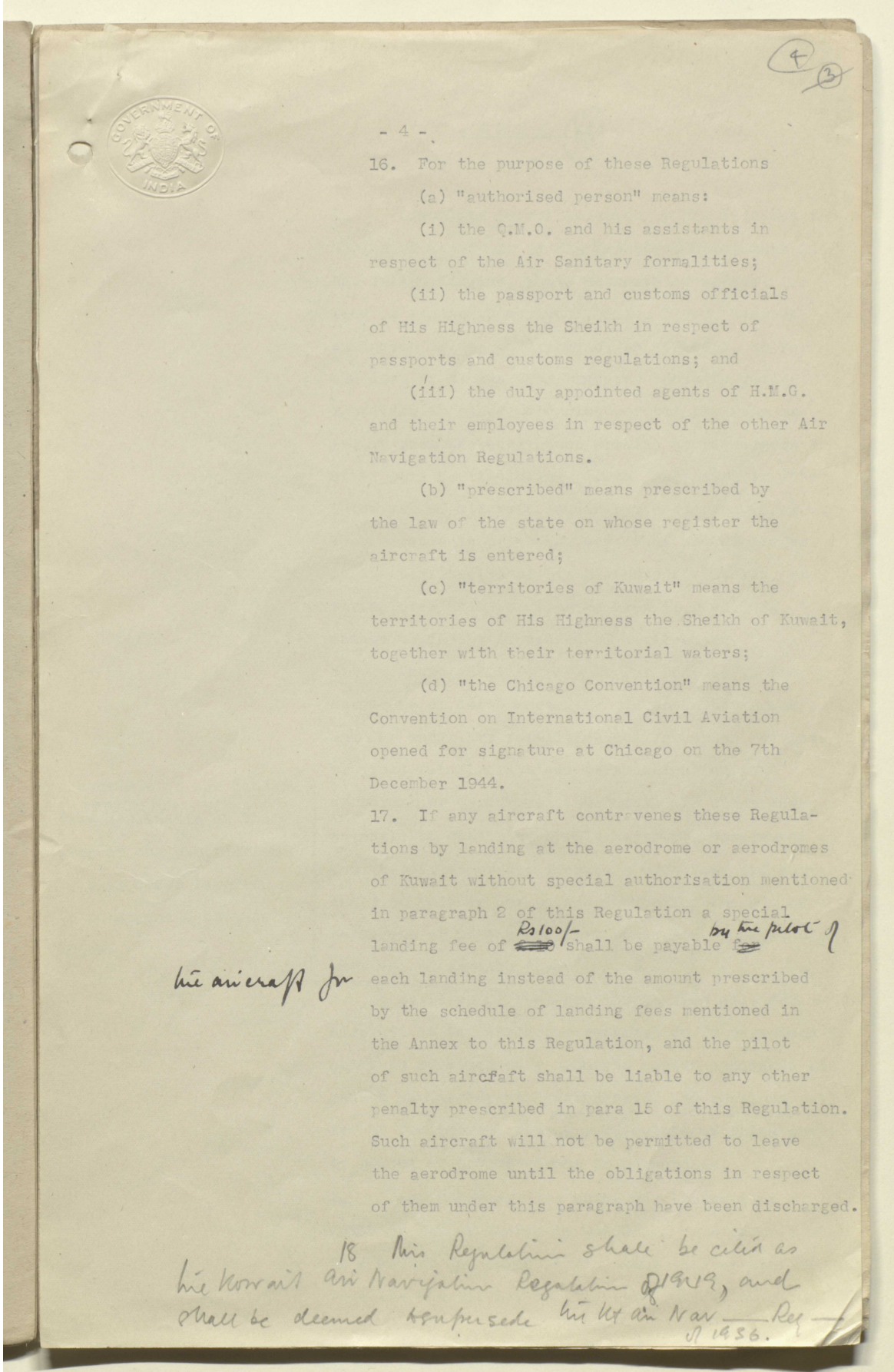
16

Handwritten signature and notes in the left margin.

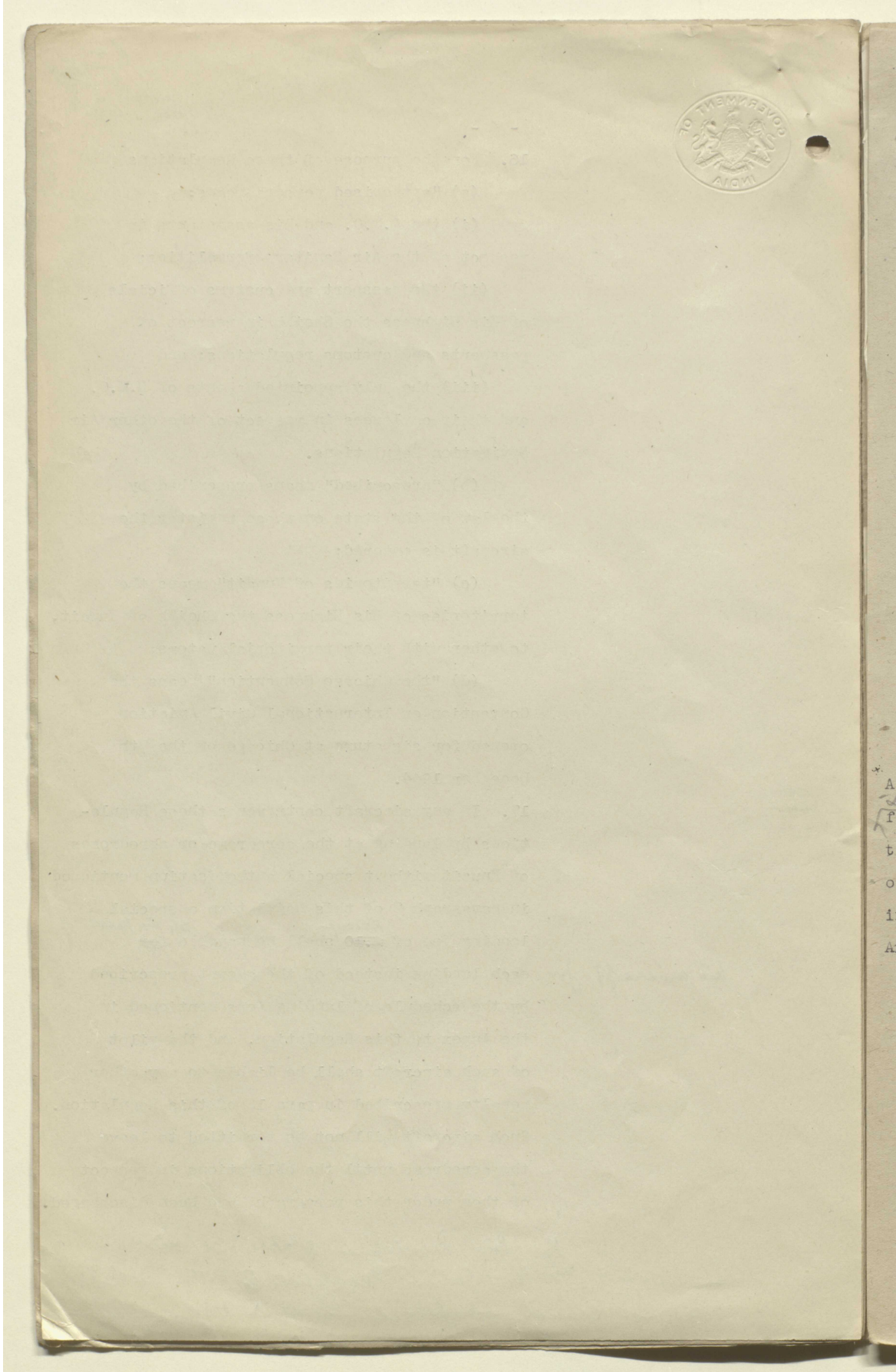
"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [٣ظ] (٤٢/٦)



"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [و٤] (٤٢/٧)



"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [ظ٤] (٤٢/٨)



"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [٥] (٤٢/٩)

A N N E X VI

1. Liability is not accepted by His Highness the Sheikh of Kuwait or by His Majesty's Government in the United Kingdom, their servants or agents, for loss or damage by accident, fire, flood, tempest, explosion or any other cause, to aircraft, or for the loss or damage from whatever cause to goods, materials or other articles, or for the loss or injury from whatever cause arising to passengers or other persons (including pilots, engineers or other personnel of aircraft landing at, departing from or accommodated in or at any aerodrome or aerodromes in the territories of His Highness the Sheikh, or flying over such territories even if such loss, damage or injury is caused by negligence.

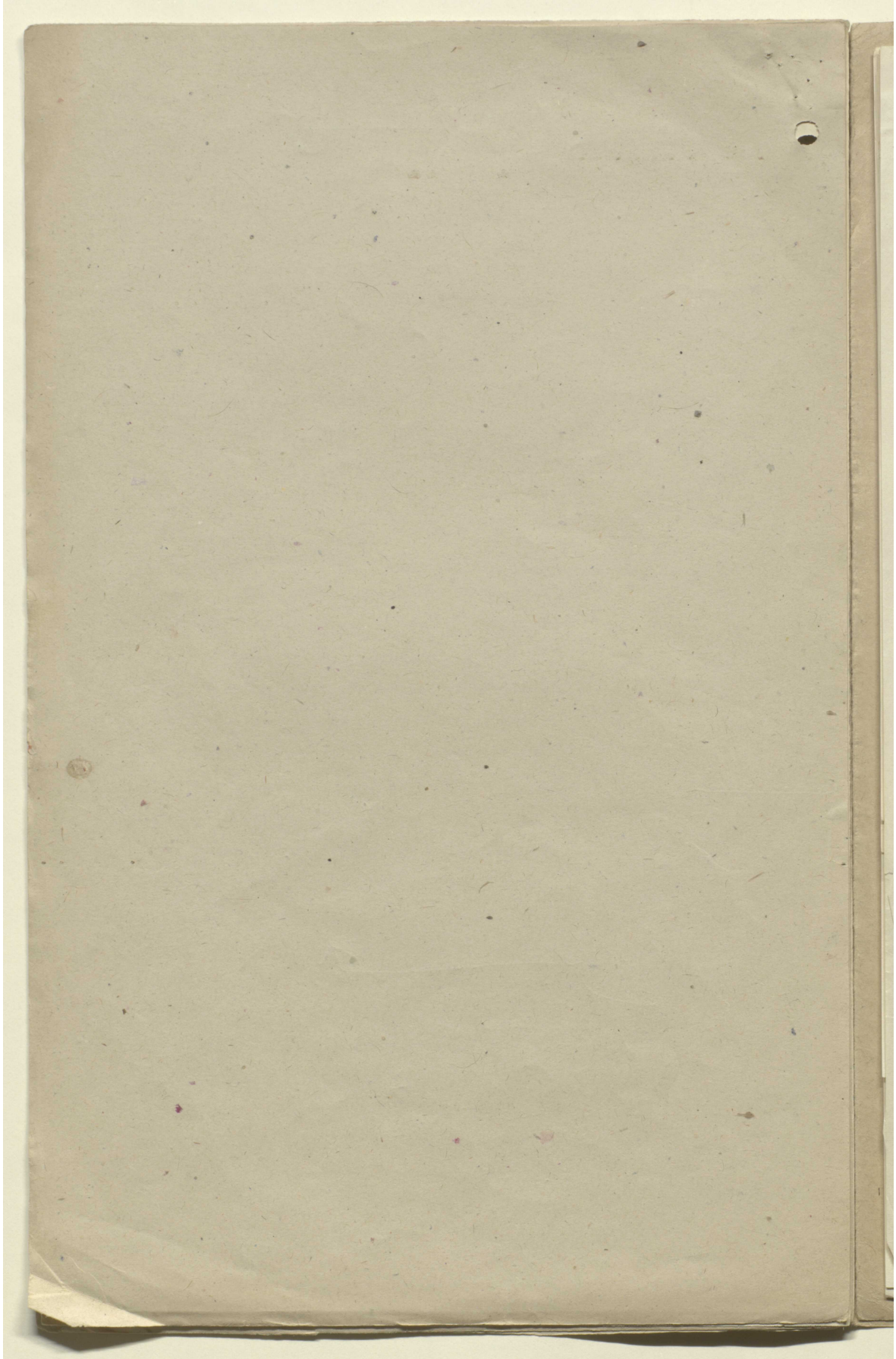
2. There shall be payable for the use of the aerodrome or aerodromes referred to in paragraph 1 and for ancillary facilities and for other services provided for aircraft and personnel using the aerodrome or aerodromes, such fees and other charges as shall be published by His Majesty's Government at the aerodrome or aerodromes. Such fees and charges shall be paid by the person requesting the use of the aerodrome or of the facility concerned or requesting service, on demand. *

3. Supplies of fuel and lubricating oils for aircraft at the aerodrome referred to in paragraph 1 shall be obtained only from the agents appointed to manage the aerodrome or aerodromes, and shall be paid for at the current rates, particulars of which shall be posted at the aerodrome or aerodromes.

4. Any other service which may be required for which no fee or charge is published as aforesaid will be a matter for direct arrangement between whoever requires the service and the aerodrome authorities.

* A schedule of the landing ~~fees~~ ^{honour fees} applicable at the time of the publication of this order is given in paragraph 5 to this Annex.

"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [٥ظ] (٤٢/١٠)



"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [٦ و] (٤٢/١١)

- 2 -

5. SCHEDULE 1 - Landing Fees.

For aircraft not exceeding 20,000 lbs. maximum permissible weight as authorised by the certificate of airworthiness£0-5-0d per landing

For twin-engined aircraft of weight in excess of 20,000 lbs. maximum permissible weight as authorised by the certificate of airworthiness.....£0-10-0d " "

For four-engined aircraft£1-0-0d " "

~~---Housing-fees-will-be-assessed-on-the-basis of-space-occupied,-i.e.-the-product-of-the-span~~

SCHEDULE II - Housing fees

Housing fees will be assessed on the basis of space occupied, i.e. the product of the span of the aircraft, as housed, and its maximum length. Details of the charges are set out below:-

Area (as defined above) not exceeding	Up to 24 hours (Commercial and Private)
Sq.ft.	£ s.d.
300	0 2 6
500	0 4 0
700	0 5 6
1000	0 8 0
1500	0 12 0
2000	0 16 0
3000	1 5 0
4000	1 10 0
5000	1 15 0
6000	2 0 0
7000	2 5 0
8000	2 10 0
9000	2 15 0
10000	3 0 0
11000	3 5 0
12000	3 10 0
Over 12,000 sq.ft., add for each addi- tional 1,000 sq.ft. or part thereof.	0 5 0

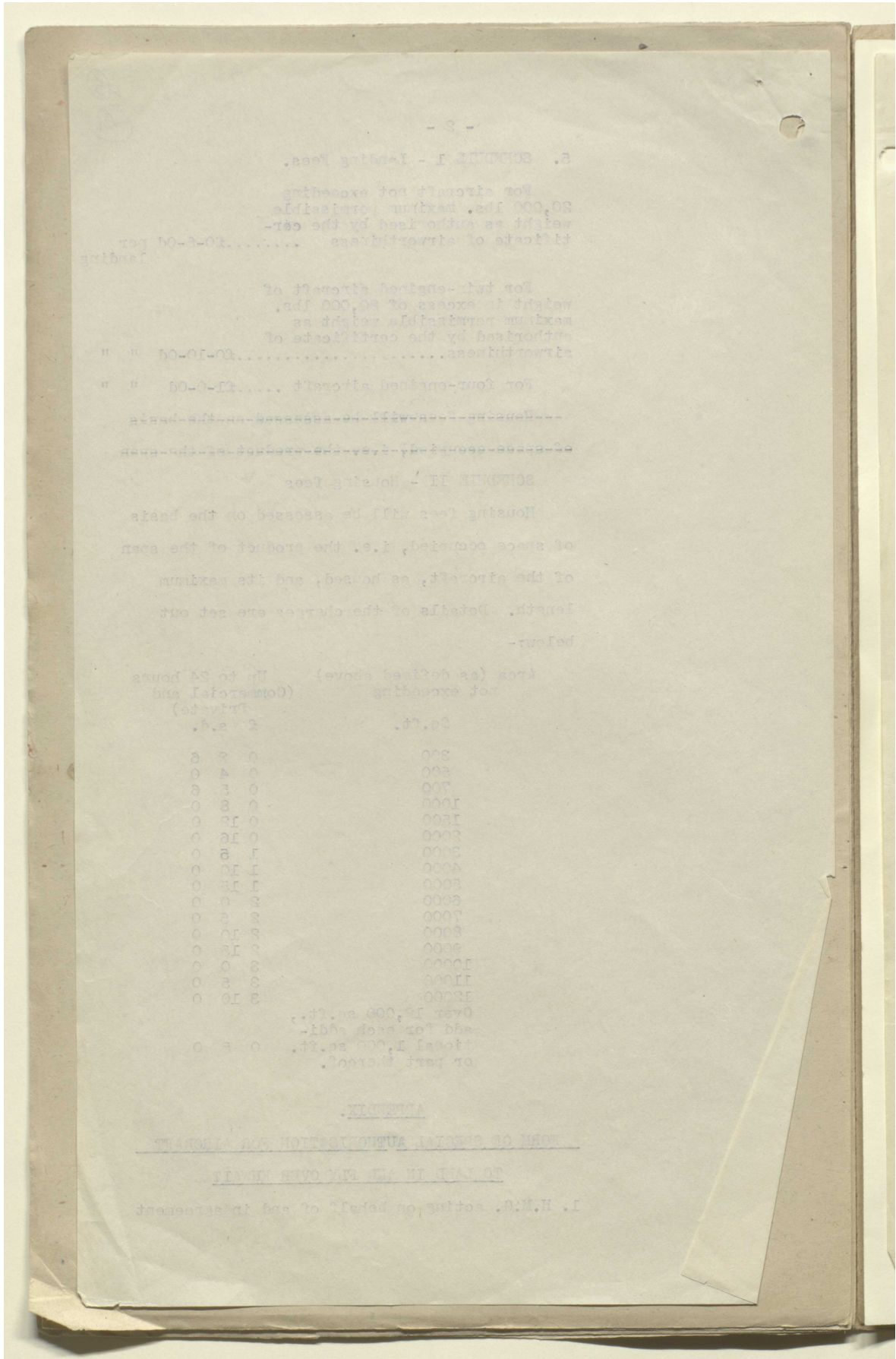
APPENDIX.

FORM OF SPECIAL AUTHORISATION FOR AIRCRAFT

TO LAND IN AND FLY OVER KUWAIT

1. H.M.G. acting on behalf of and in agreement

"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [٦ ظ] (٤٢/١٢)



"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [٧و] (٤٢/١٣)

- 3 -

with His Highness the Sheikh of Kuwait hereby
authorize the flight within the limits of Kuwait
of the following aircraft of.....
nationality:=-

Registered owner

Type of aircraft

Registration mark

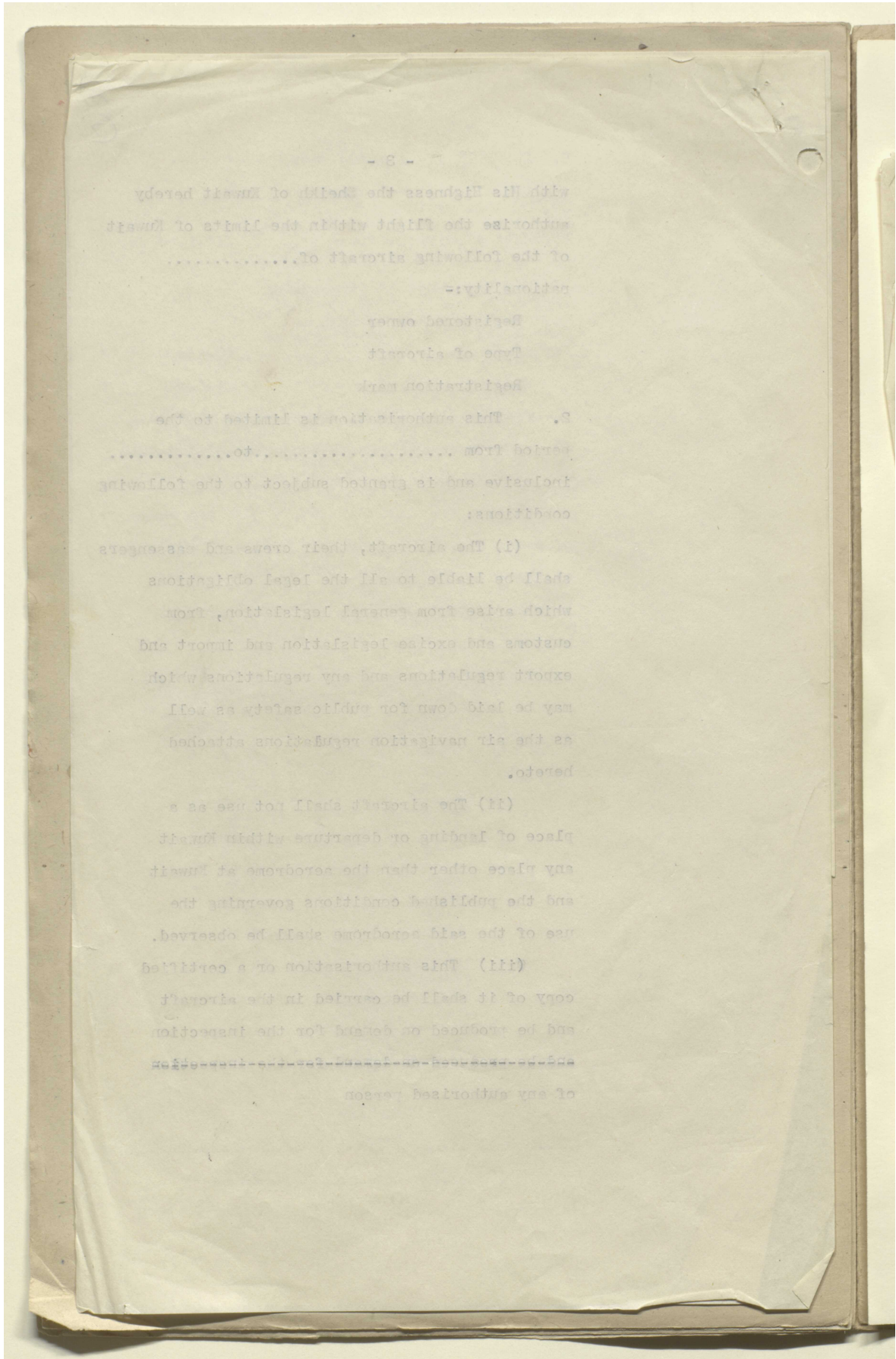
2. This authorisation is limited to the
period fromto.....
inclusive and is granted subject to the following
conditions:

(i) The aircraft, their crews and passengers
shall be liable to all the legal obligations
which arise from general legislation, from
customs and excise legislation and import and
export regulations and any regulations which
may be laid down for public safety as well
as the air navigation regulations attached
hereto.

(ii) The aircraft shall not use as a
place of landing or departure within Kuwait
any place other than the aerodrome at Kuwait
and the published conditions governing the
use of the said aerodrome shall be observed.

(iii) This authorisation or a certified
copy of it shall be carried in the aircraft
and be produced on demand for the inspection
~~and-be-produced-on-demand-for-the-inspection~~
of any authorised person

"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [٧ظ] (٤٢/١٤)



"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [٨و] (٤٢/١٥)

KUWAIT

Notice

The following Regulation, made by the Political Resident in the Persian Gulf and allowed by His Majesty's Principal Secretary of State for Foreign Affairs, is published for general information.

T.C. FOWLE, Lt.Colonel.
Political Resident in the Persian Gulf.

Bushire, May 22, 1936

KING'S REGULATION UNDER ARTICLE 83 OF "KUWAIT ORDER IN COUNCIL", 1935.

No. 1 of 1936.

1. Within the limits of the "Kuwait Order in Council, 1935" the Air Navigation Regulations for civil aircraft made by His Excellency the Shaikh of Kuwait, a copy of which is annexed hereto, shall be binding on the persons specified in articles 8(I), (i), (ii), and (iii) of the said Order.

2. Any person found guilty of an offence against the said Regulations shall, in accordance with article 84(2) and (3) of the said Order, on conviction be liable to a fine not exceeding 1,500 rupees and, in default, to simple imprisonment not exceeding three months; and any goods, receptacles or things (including aircraft) in relation to which the offence has been committed, shall in accordance with article 84(1) of the said Order, be liable to forfeiture.

3. This Regulation may be cited as "The Kuwait Air Navigation Regulation, 1936".

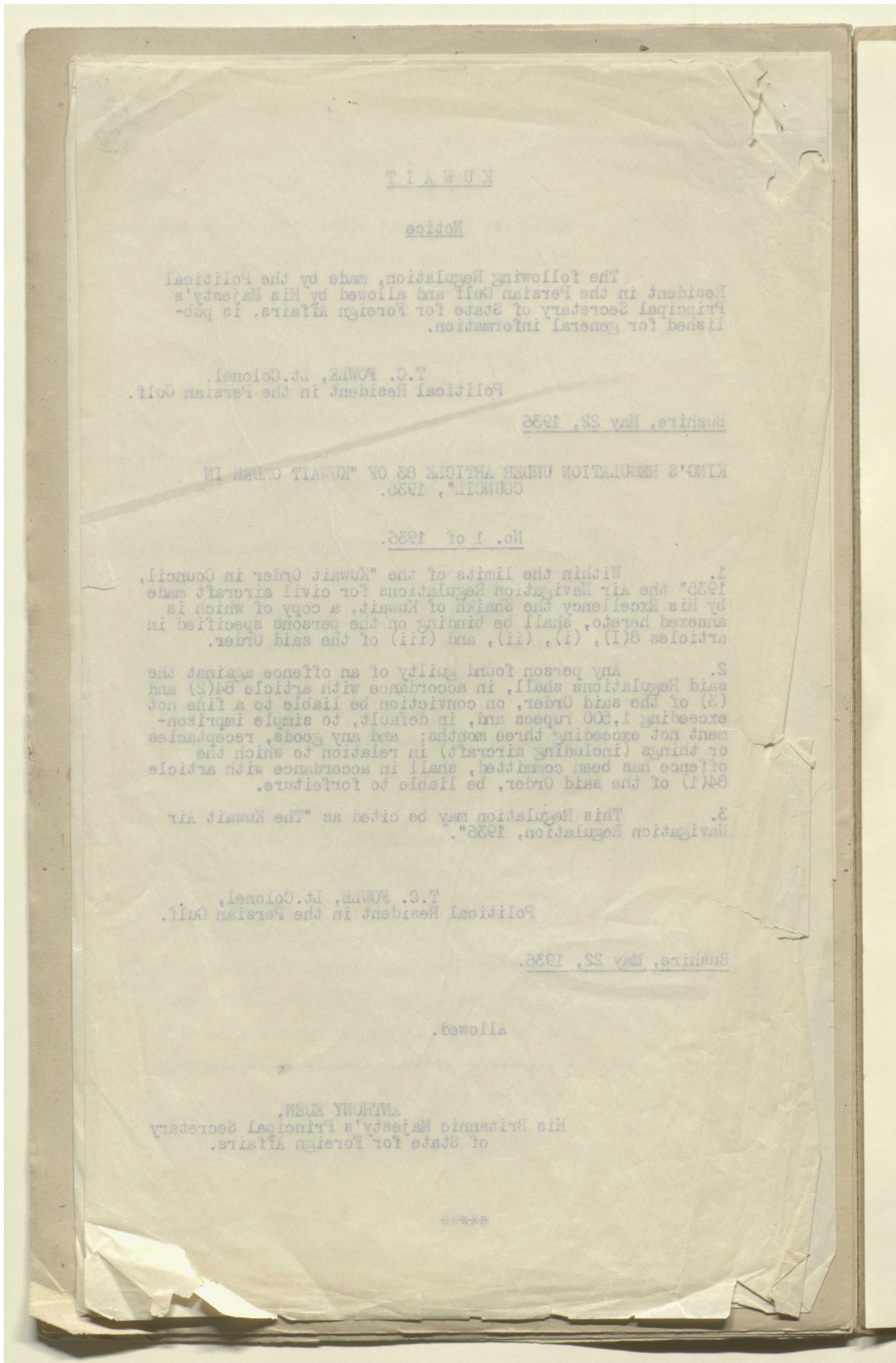
T.C. FOWLE, Lt.Colonel,
Political Resident in the Persian Gulf.

Bushire, May 22, 1936.

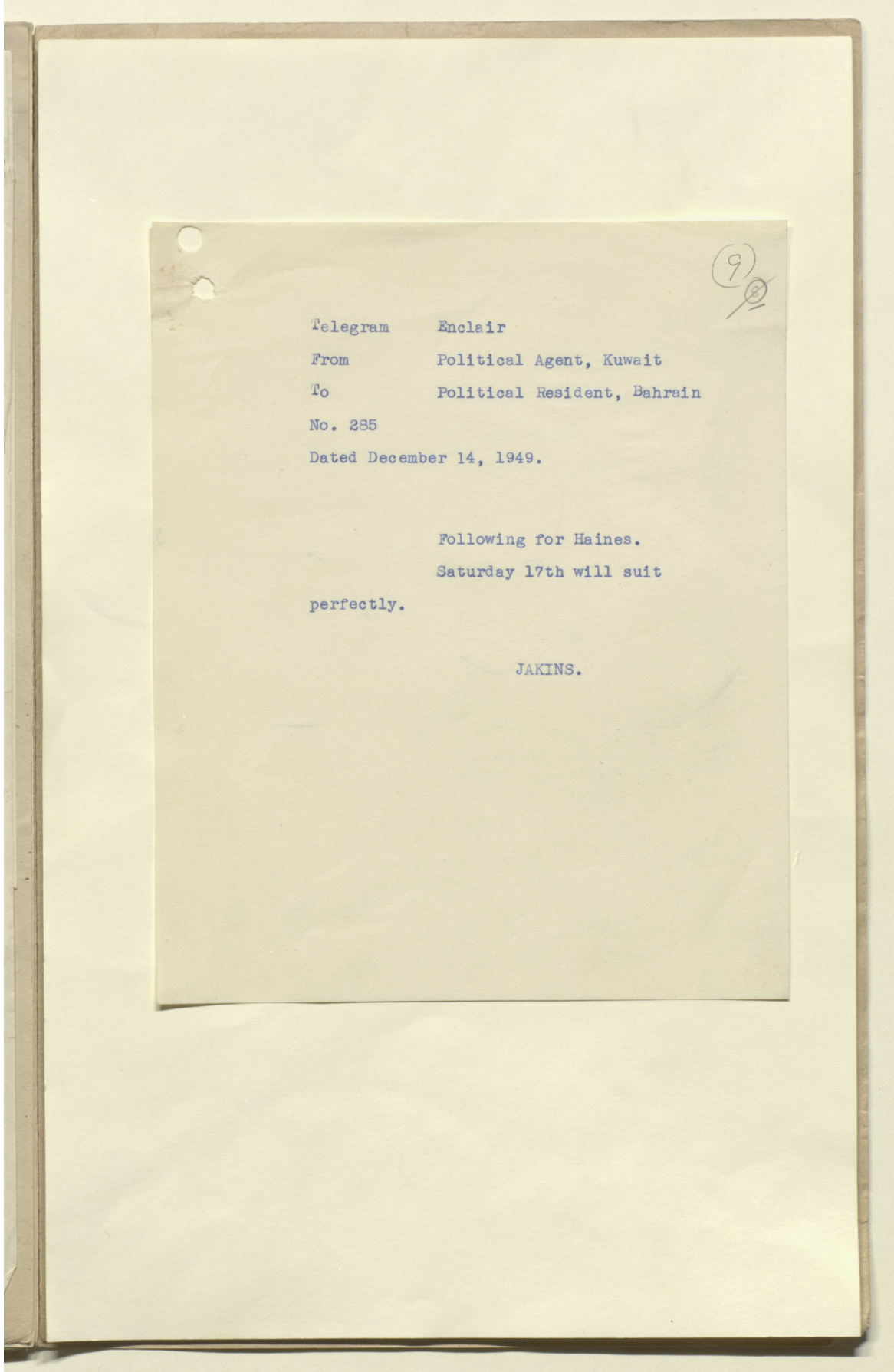
Allowed.

ANTHONY EDEN,
His Britannic Majesty's Principal Secretary
of State for Foreign Affairs.

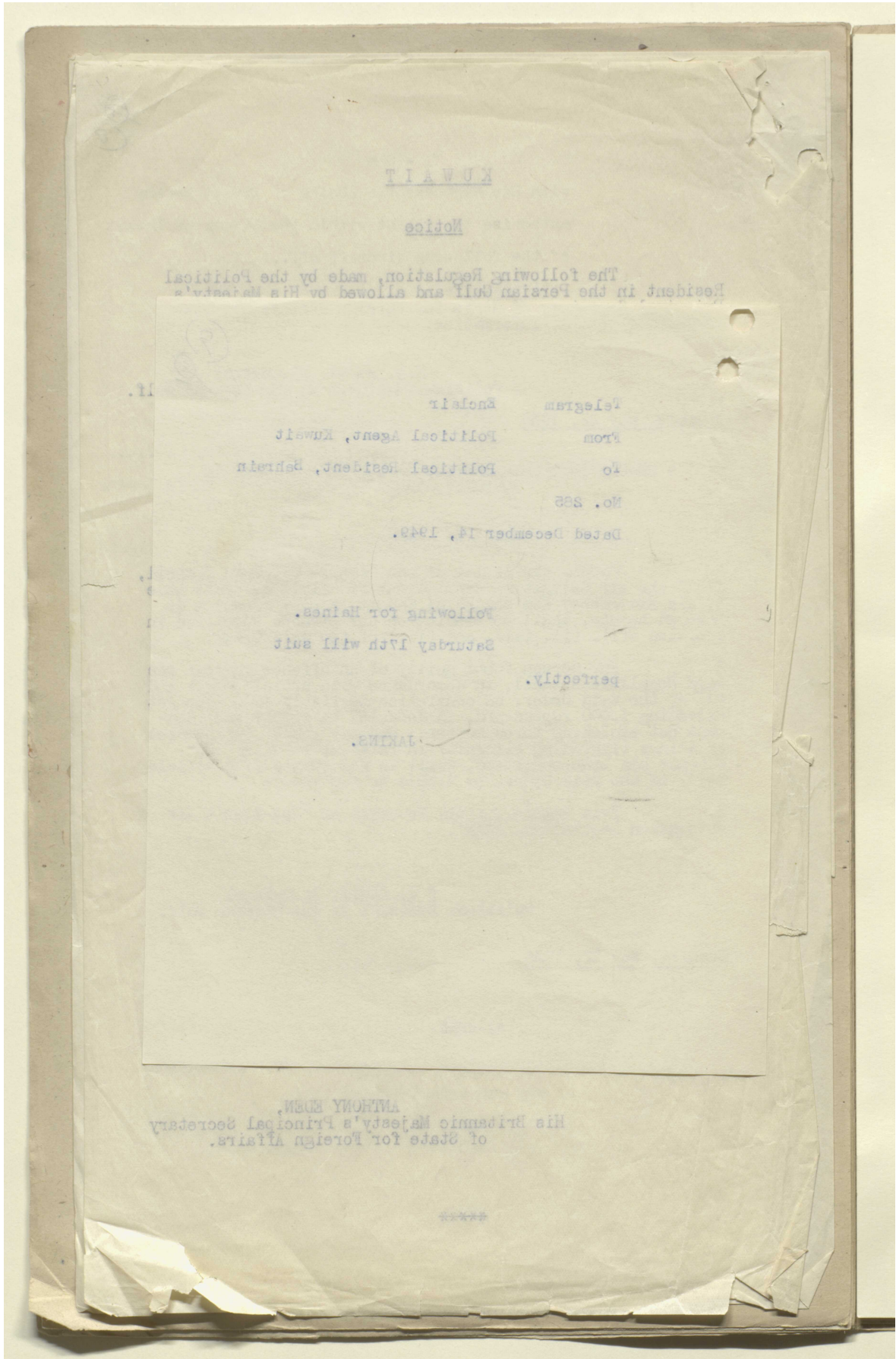
"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [٨ ظ] (٦/٢٠٤٦)



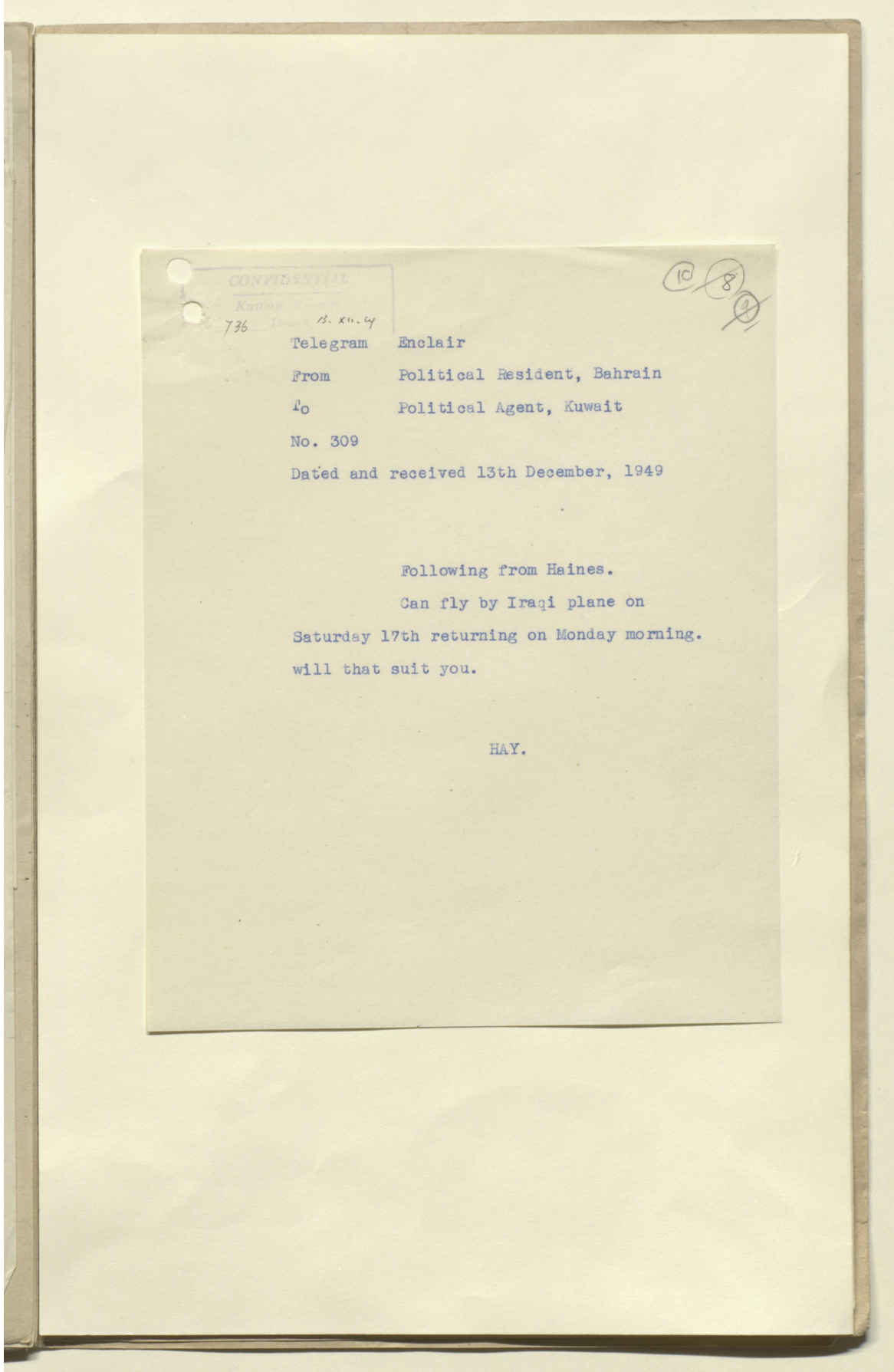
"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [٩] (٤٢/١٧)



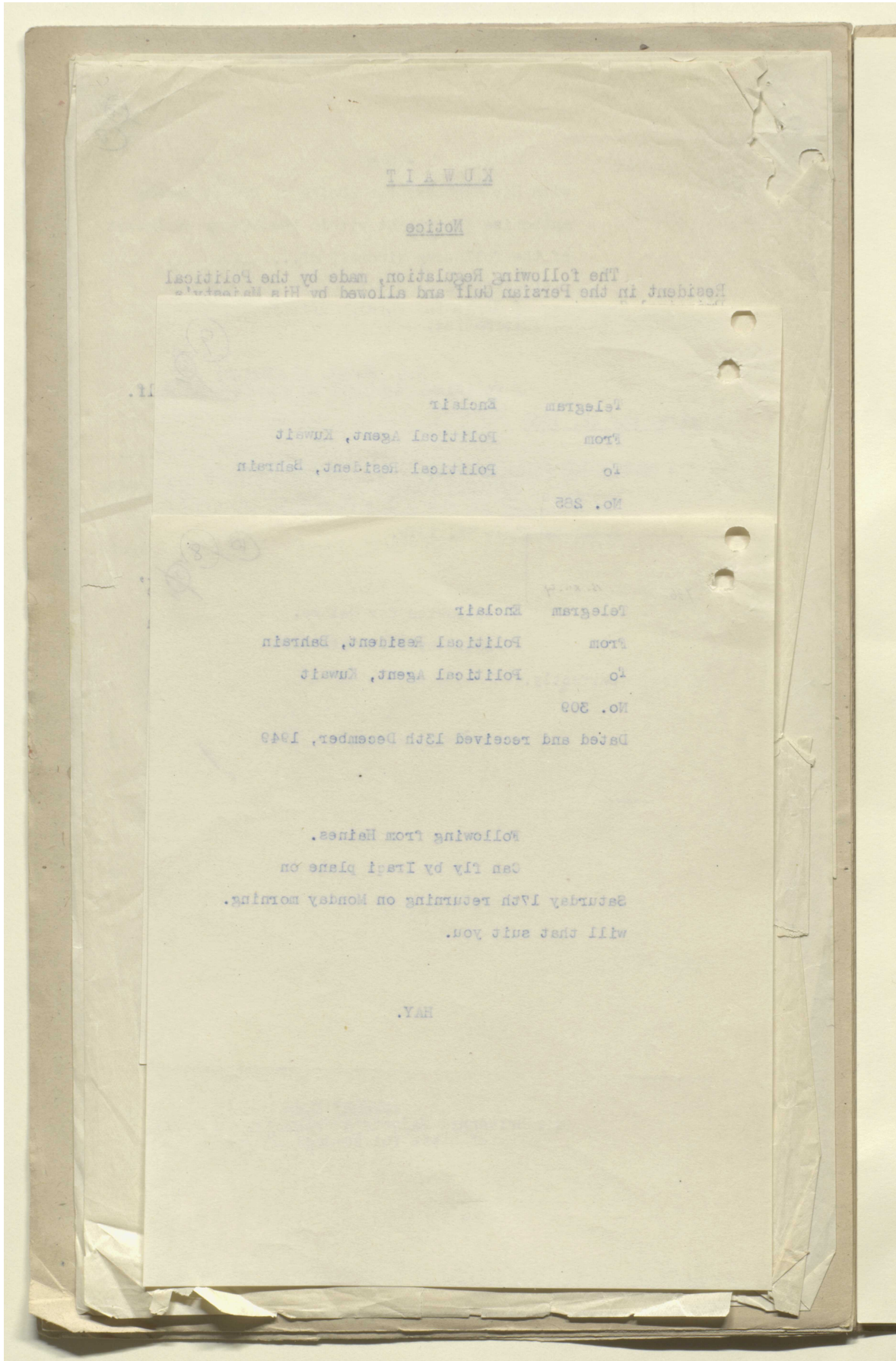
"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [٩٦] (٤٢/١٨)



"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [١٠] [٤٢/١٩]



"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [١٠ ظ] (٤٢/٢٠)



"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [١١و] (٤٢/٢١)

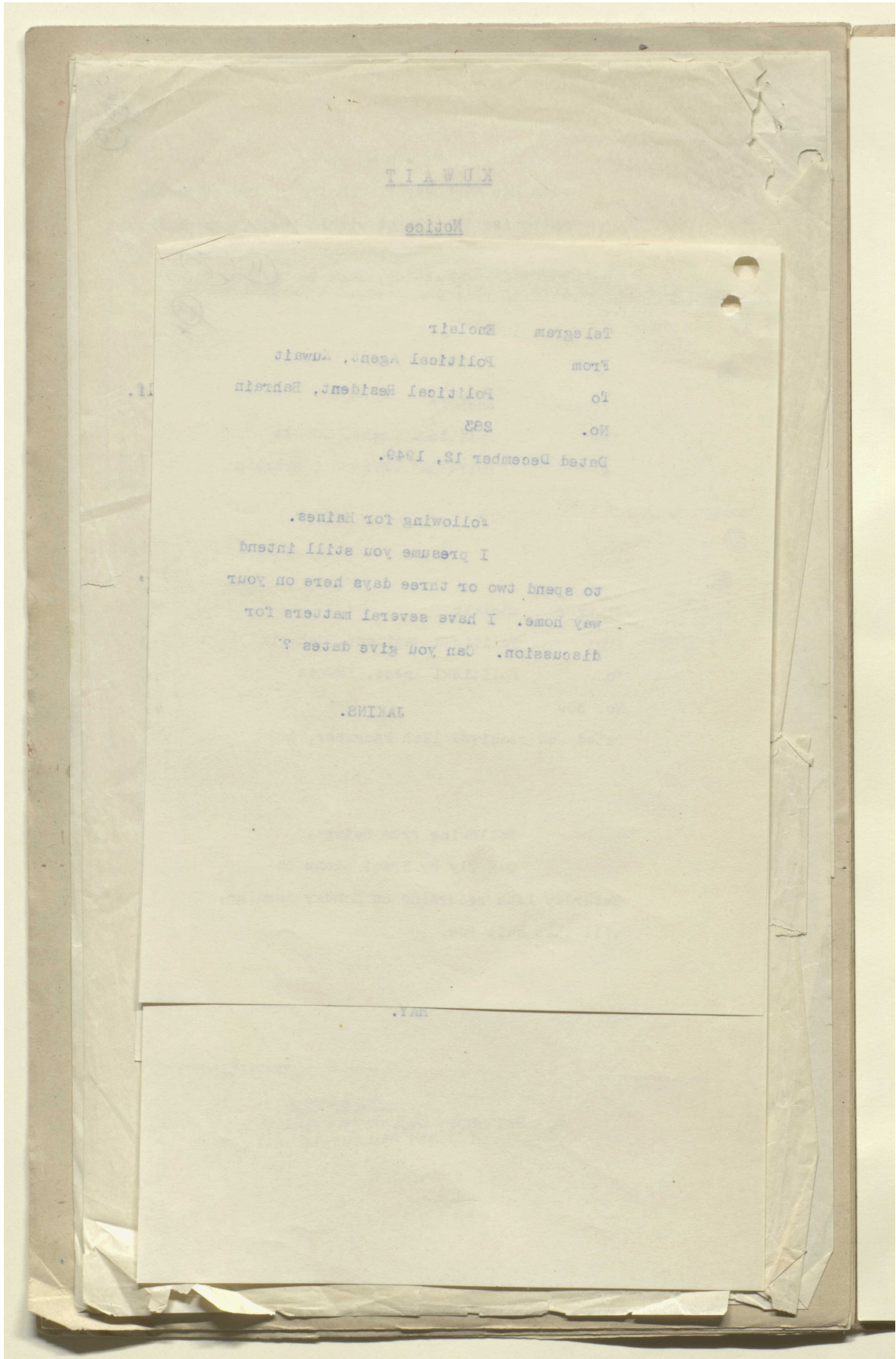
Telegram Enclair
From Political Agent, Kuwait
To Political Resident, Bahrain
No. 283
Dated December 12, 1949.

Following for Haines.

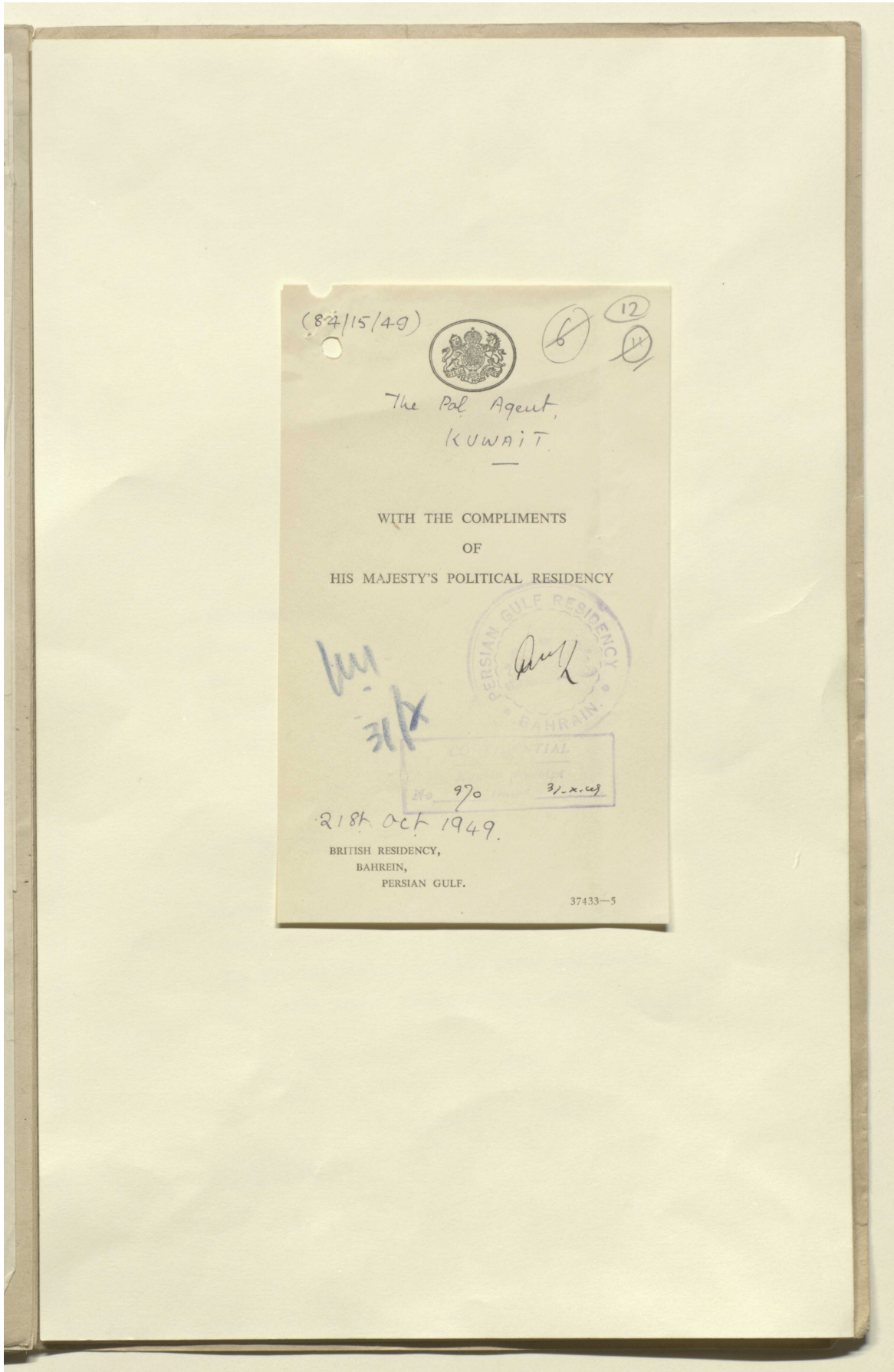
I presume you still intend
to spend two or three days here on your
way home. I have several matters for
discussion. Can you give dates ?

JAKINS.

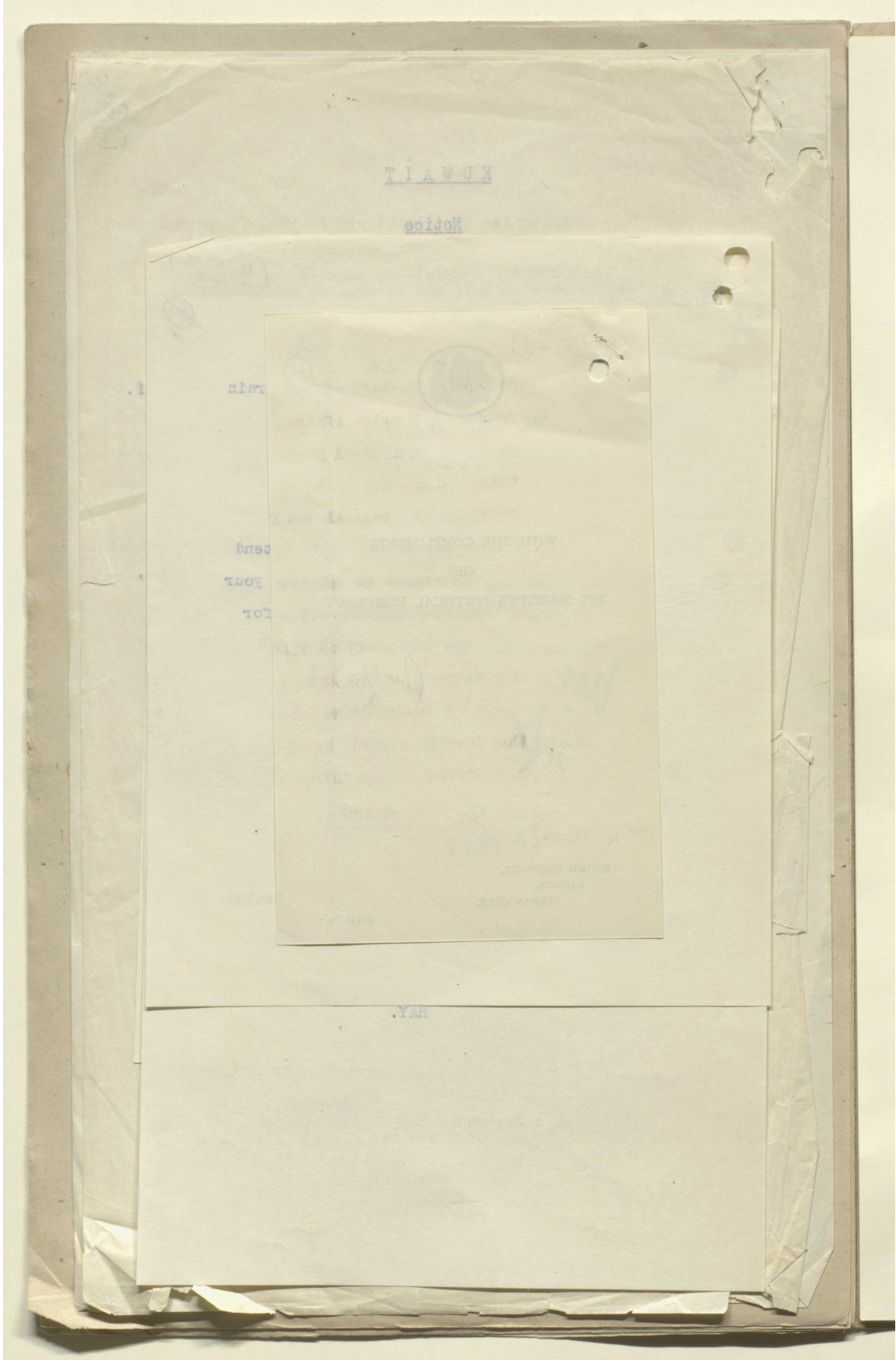
"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [١١ ظ] (٤٢/٢٢)



"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [١٢ و] (٤٢/٢٣)



"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [١٢ ظ] (٤٢/٢٤)



"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [١٣و] (٤٢/٢٥)

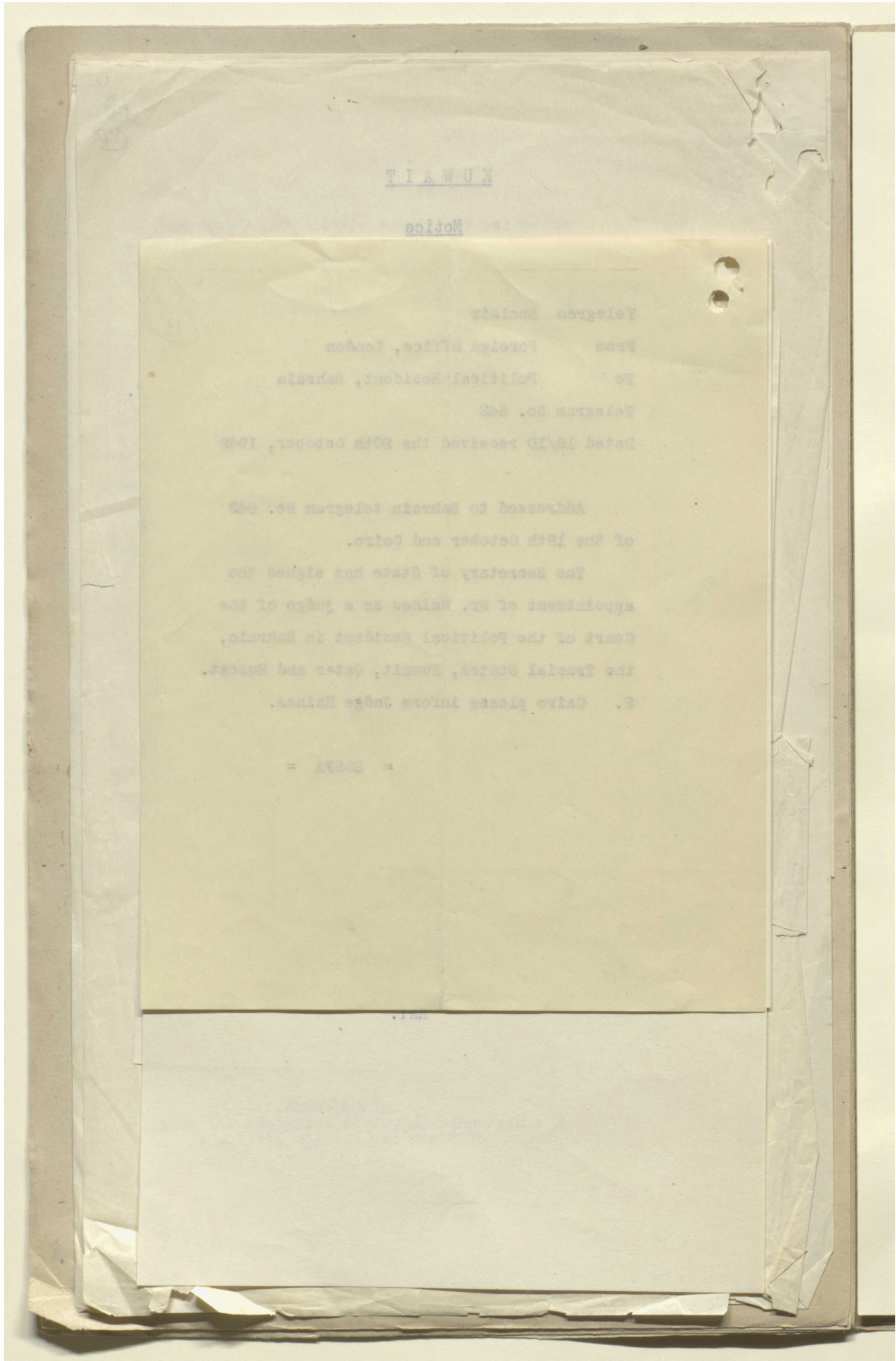
Telegram Enclair
From Foreign Office, London
To Political Resident, Bahrain
Telegram No. 643
Dated 19/10 received the 20th October, 1949

Addressed to Bahrain telegram No. 643
of the 19th October and Cairo.

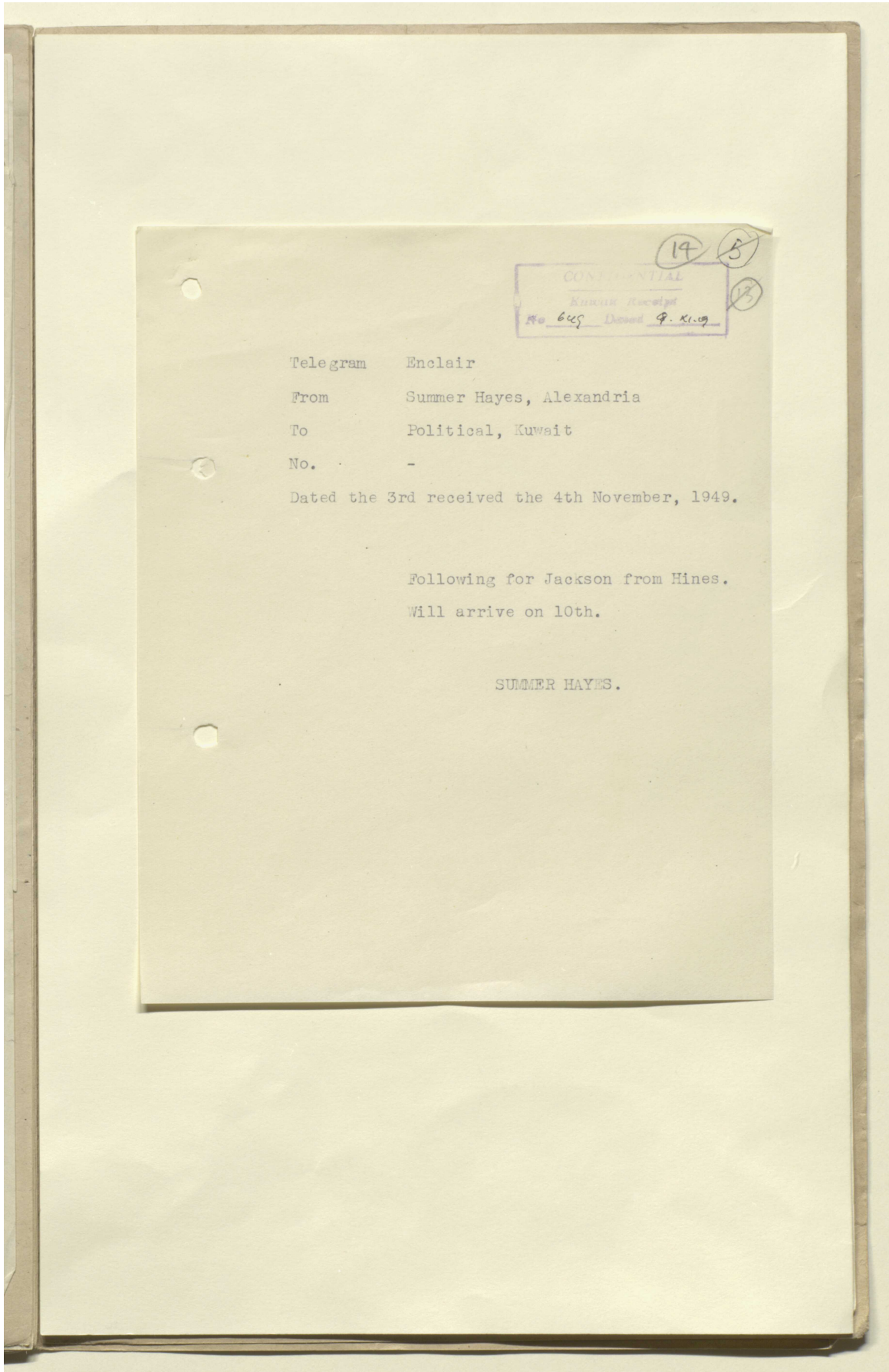
The Secretary of State has signed the
appointment of Mr. Haines as a judge of the
Court of the Political Resident in Bahrain,
the Trucial States, Kuwait, Qatar and Muscat.
2. Cairo please inform Judge Haines.

= SOSFA =

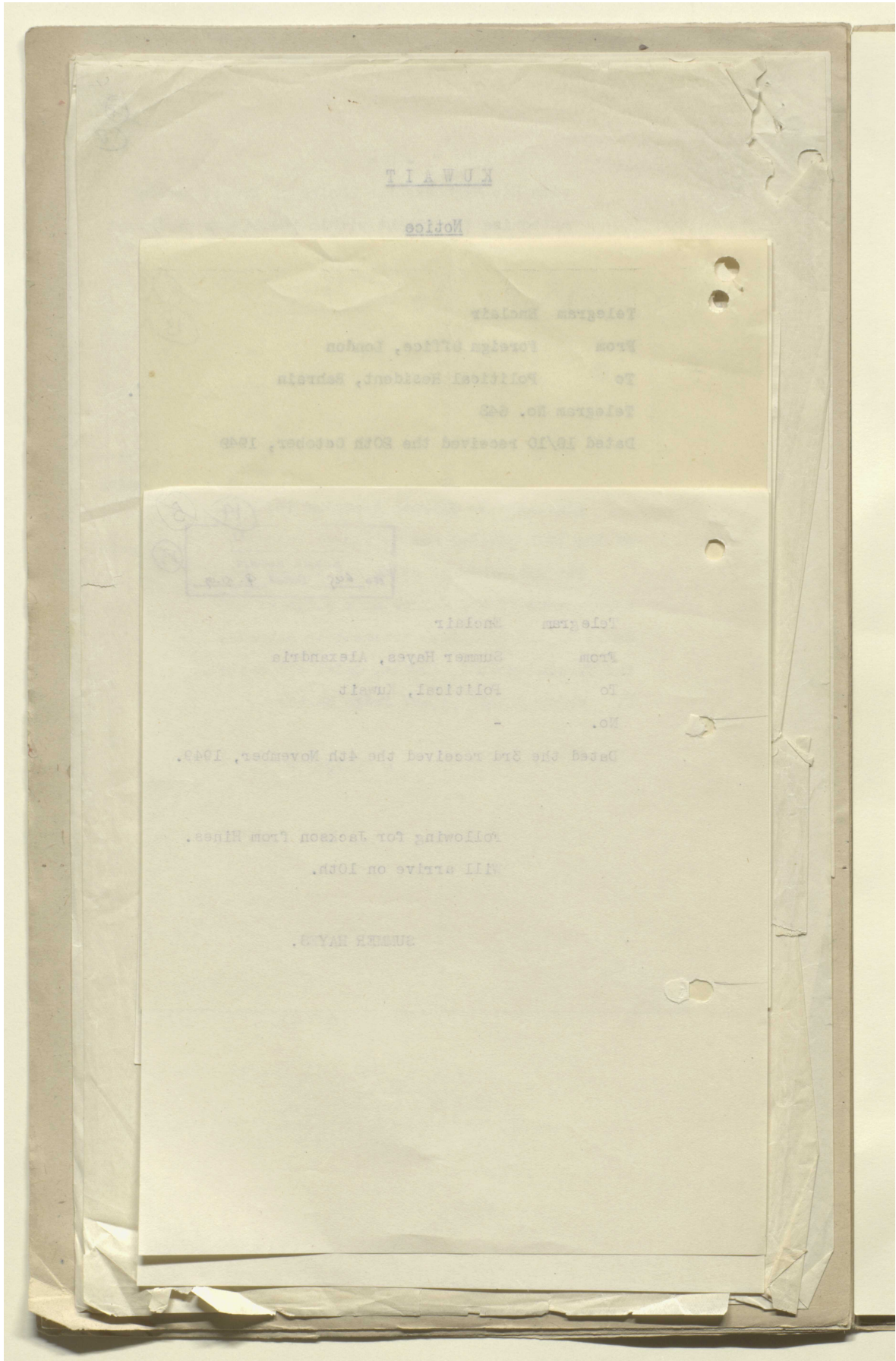
"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [١٣ ظ] (٤٢/٢٦)



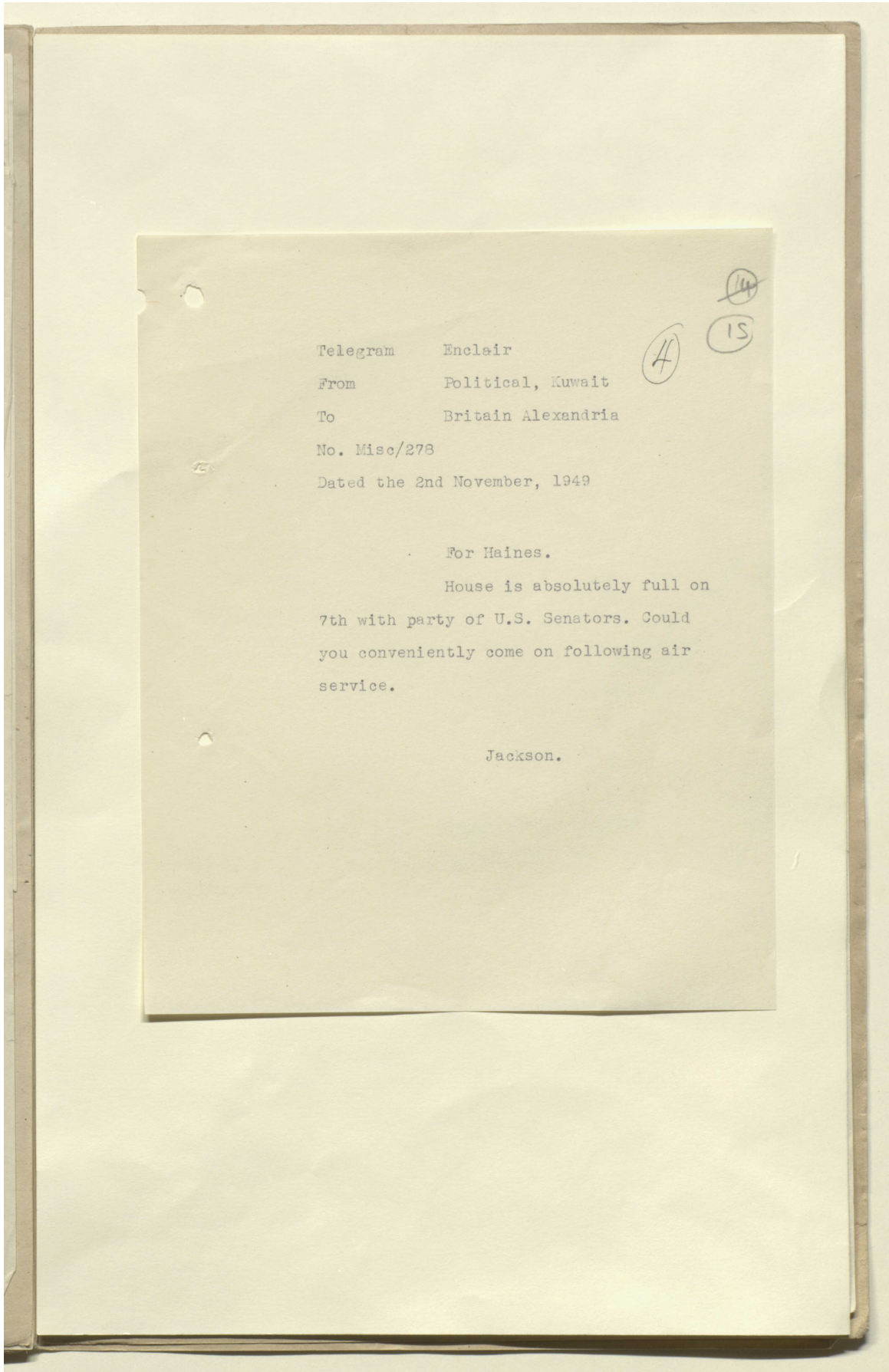
"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [٤/١٥] (٤٢/٢٧)



"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [٤١ ظ] (٤٢/٢٨)



"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [١٥] (٤٢/٢٩)



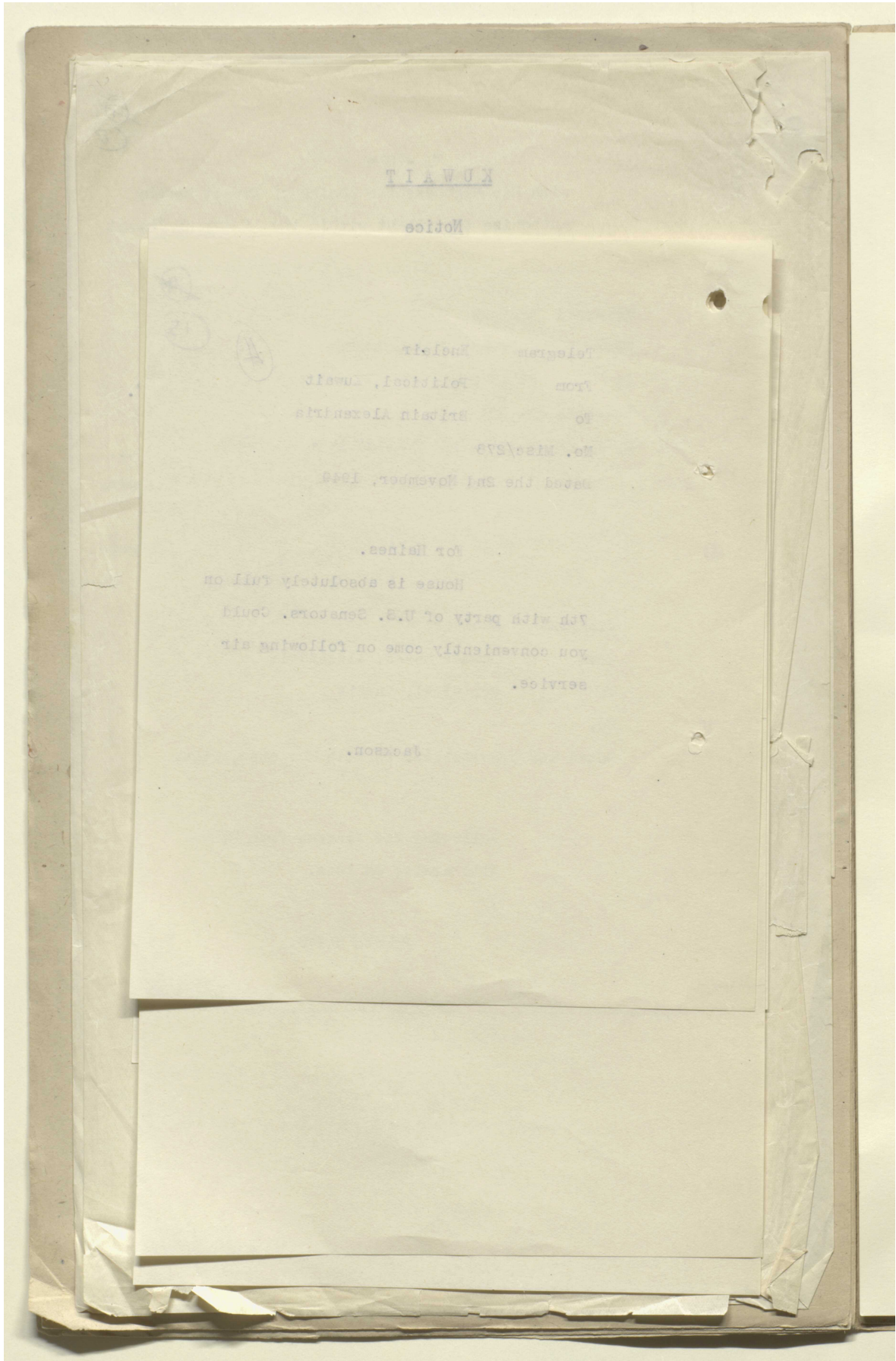
Telegram Enclair
From Political, Kuwait
To Britain Alexandria
No. Misc/278
Dated the 2nd November, 1949

For Haines.

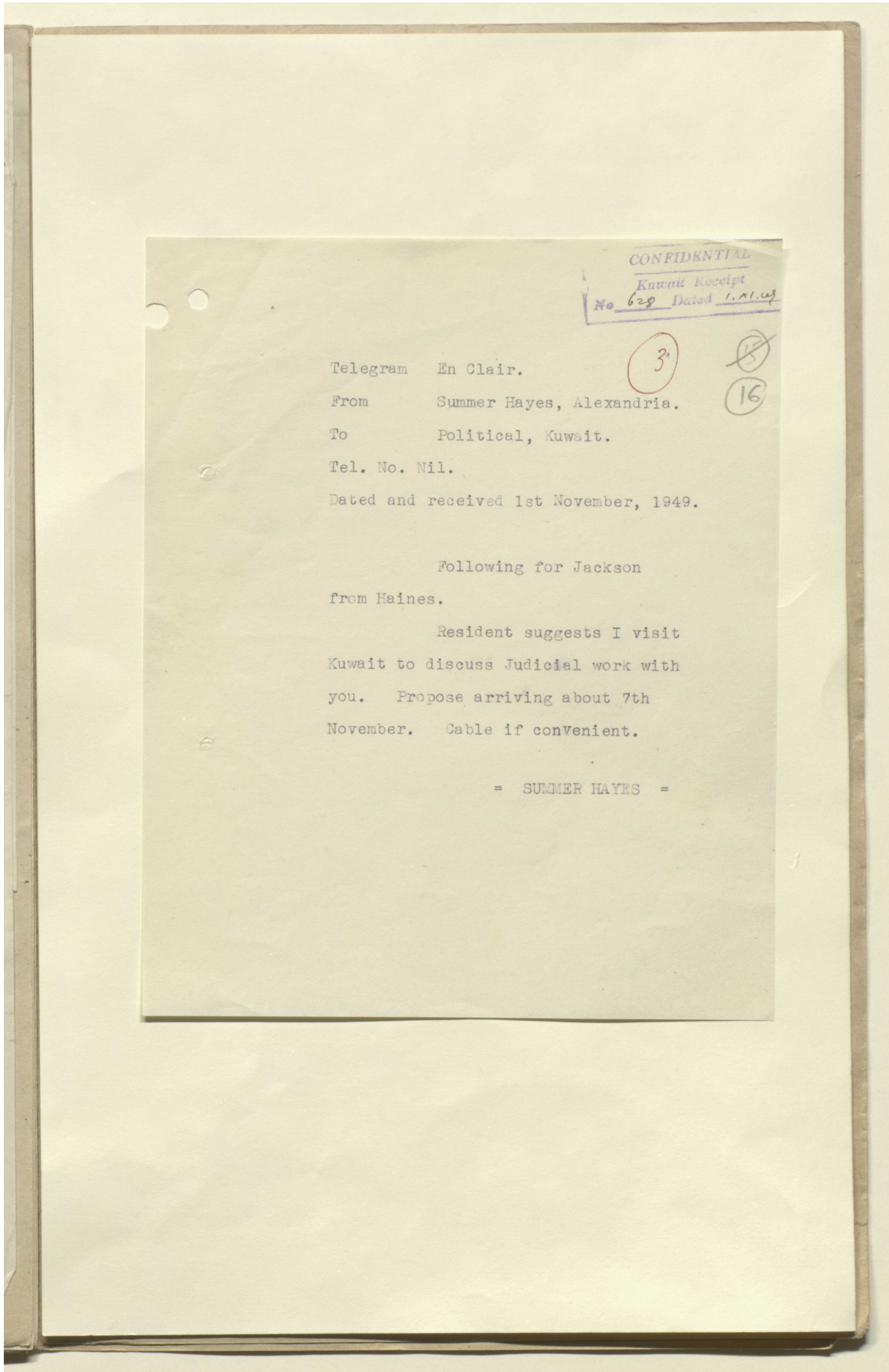
House is absolutely full on
7th with party of U.S. Senators. Could
you conveniently come on following air
service.

Jackson.

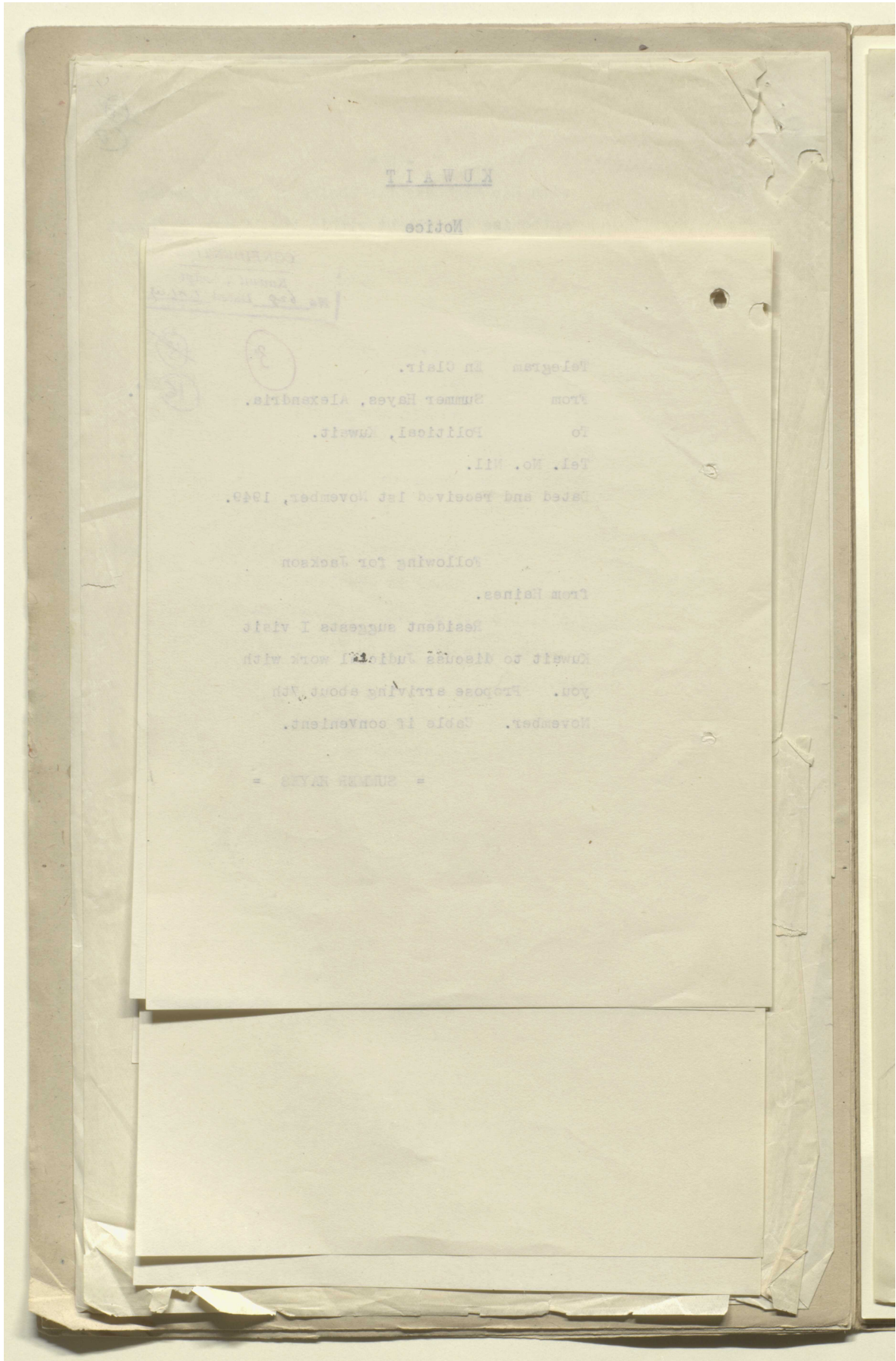
"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [١٥ ظ] (٤٢/٣٠)



"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [١٦و] (٤٢/٣١)



"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [١٦ ظ] (٤٢/٣٢)



"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [١٧] (٤٢/٣٣)

D.O.No. ٥/١٢ (٧/٥)

THE POLITICAL AGENCY,
KUWAIT.

30th January, 1949.

Will you please refer to your letter 84/2/49 dated 11th January 1949? The need for judicial assistance in this Agency is really urgent and the sooner the proposed appointment is made the better. At the present time this Agency has no method of dealing with Court work other than by the Political Agent's own exertions. He has no Assistant and not even a Court Clerk.

2. As regards the number of cases, the volume of work cannot really be judged by numbers, but rather by the number of witnesses, the length of their statements, and the complications of the charge. In the last two months, I have had three major cases but have only finished one, and that involved over 50 pages of manuscript, evidence in three languages, and, of course, many hours of preparation and study in addition apart from presiding in Court. I have had five other cases in the last three months, and the probability is that the cases will increase since we have not yet introduced traffic regulations which are under consideration.

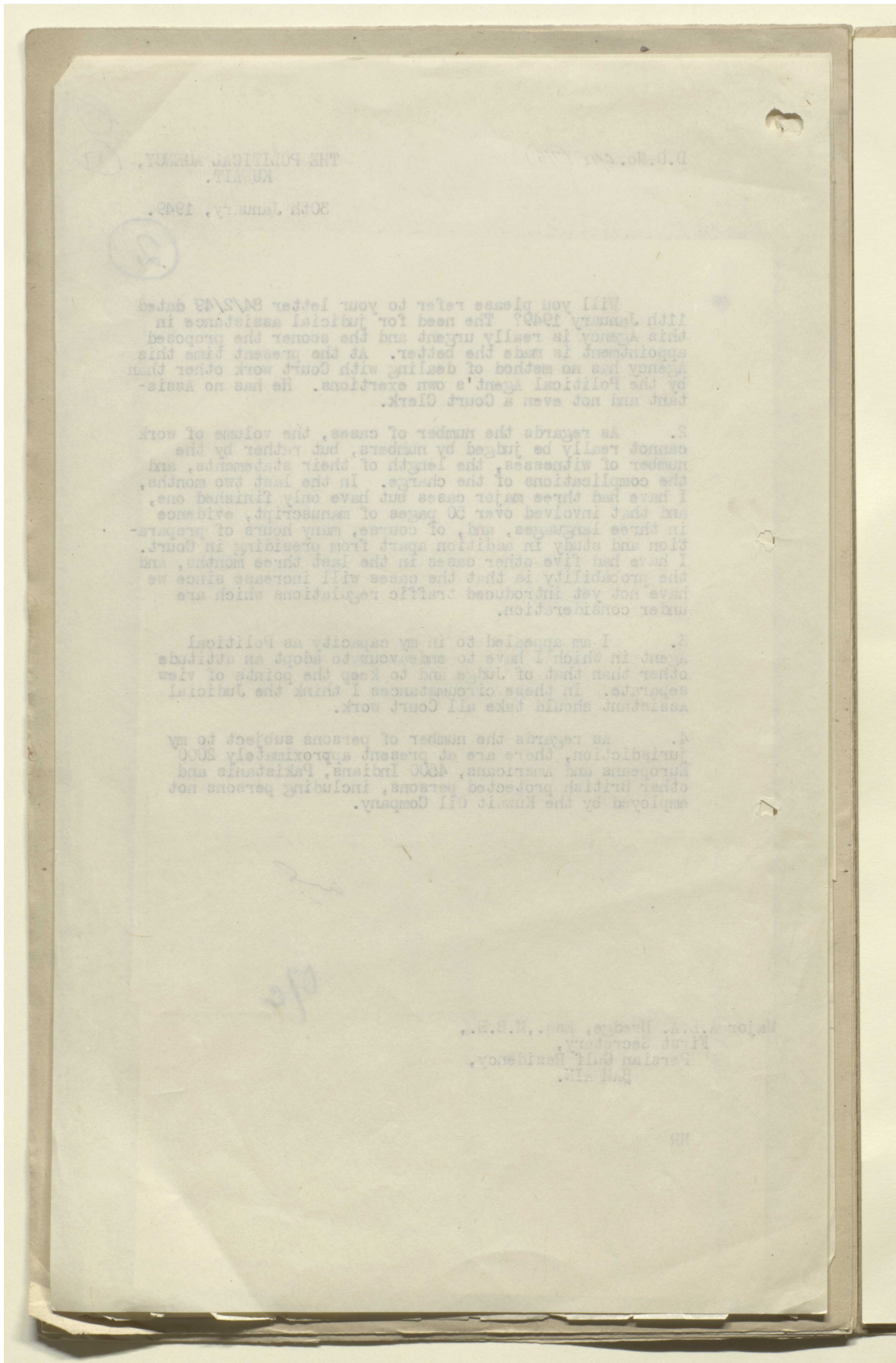
3. I am appealed to in my capacity as Political Agent in which I have to endeavour to adopt an attitude other than that of Judge and to keep the points of view separate. In these circumstances I think the Judicial Assistant should take all Court work.

4. As regards the number of persons subject to my jurisdiction, there are at present approximately 2000 Europeans and Americans, 4500 Indians, Pakistanis and other British protected persons, including persons not employed by the Kuwait Oil Company.

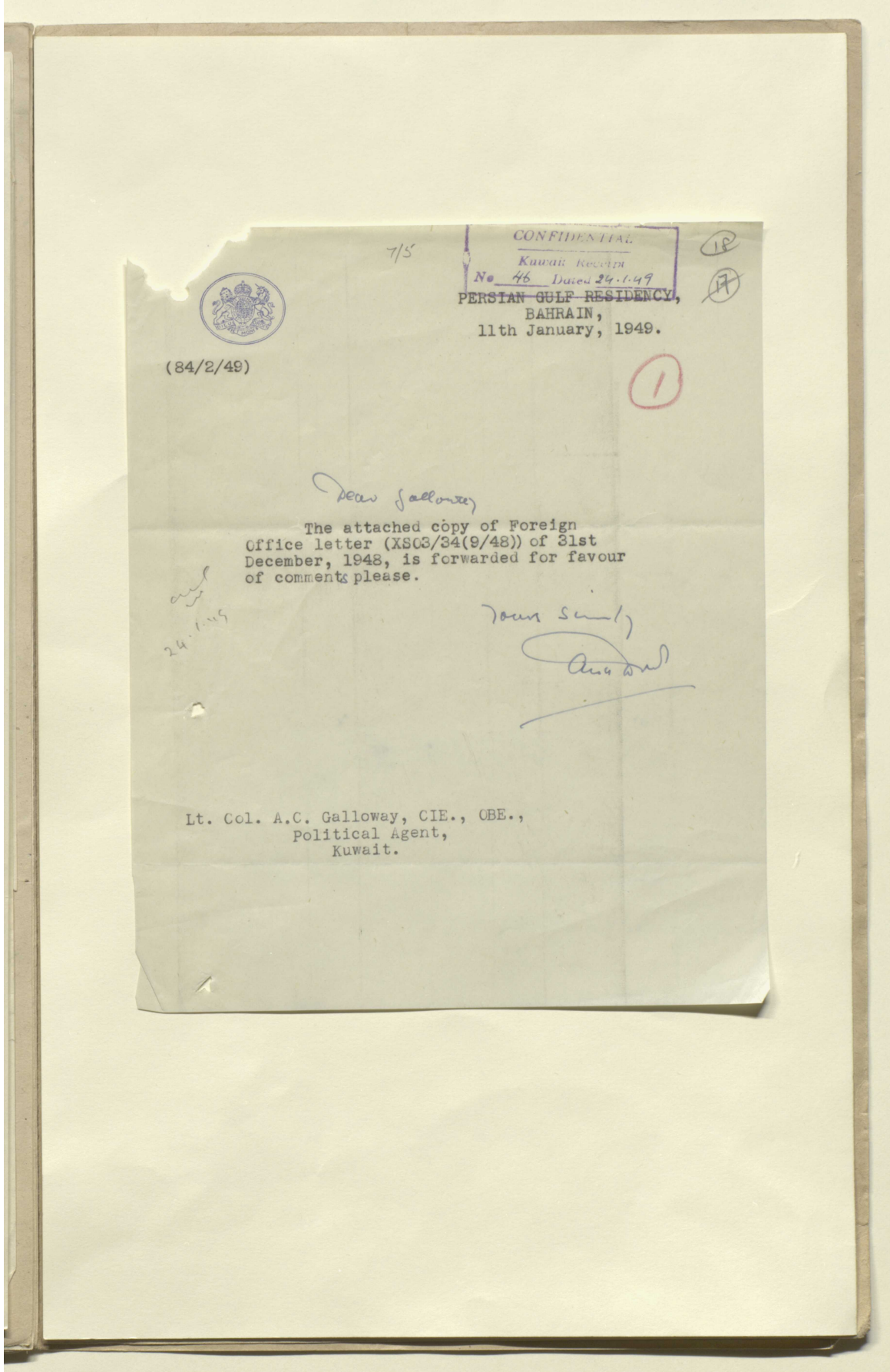
Major A.L.A. Dredge, Esq., M.B.E.,
First Secretary,
Persian Gulf Residency,
BAHRAIN.

NR

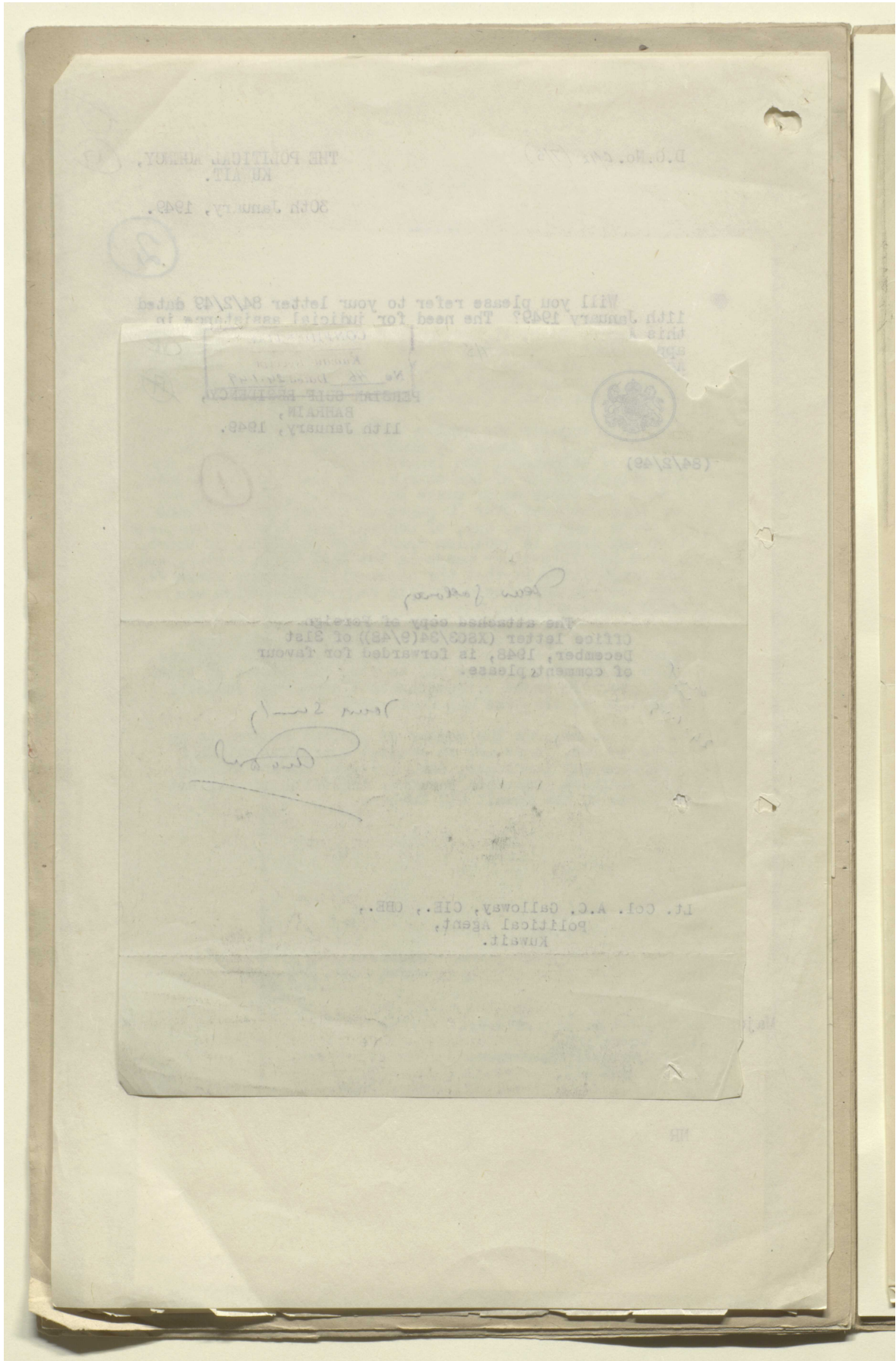
"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [١٧ ظ] (٤٢/٣٤)



"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [١٨/٥] (٤٢/٣٥)



"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [١٨ ظ] (٤٢/٣٦)



"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [١٩] [٤٢/٣٧]

(XSC3/34(9/48))

Foreign Office, S.W. 1,
31st December, 1948.

Dear Hay,

We have been giving further thought to the proposal for the appointment of a Judicial Adviser to the Political Resident, which I believe you discussed with Beckett when you were last in England.

I understand that powers already exist for such an Assistant to hold court in all or any of the Political Agencies in the Persian Gulf, and from our point of view it would greatly facilitate the problem of the future staffing of the Agencies if the appointment were made. Moreover, it would leave the Political Agents, with more time to devote to commercial and financial problems, of which the importance is now increasing. Arrangements could presumably be made whereby instead of the Political Agents hearing all the cases at present, they should deal only with cases of a petty nature and remand all serious cases to be heard by the Judicial Assistant to the Political Resident, who could tour the Agencies at appropriate intervals, sitting in each place for perhaps a week or a fortnight according to the number of cases which have accumulated.

We have the impression that the volume of judicial work in the Gulf is increasing as a result of the increased size of the foreign population there, all of whom are justifiable in British Courts; and as many United States citizens are now involved, our judicial system will soon be under fire if it is not prompt and effective.

It would help us to decide whether we could now make a case for the appointment of a full-time or part-time Judicial Assistant if we knew rather more about the proportions which Court work in the Persian Gulf has now assumed. I wonder, therefore, whether you could possibly let us have any statistics of the number of cases, if possible classified as cases of a petty or of a serious nature, heard recently in each of the Agencies? It would also be useful to have your estimate of the present population in the Persian Gulf States.

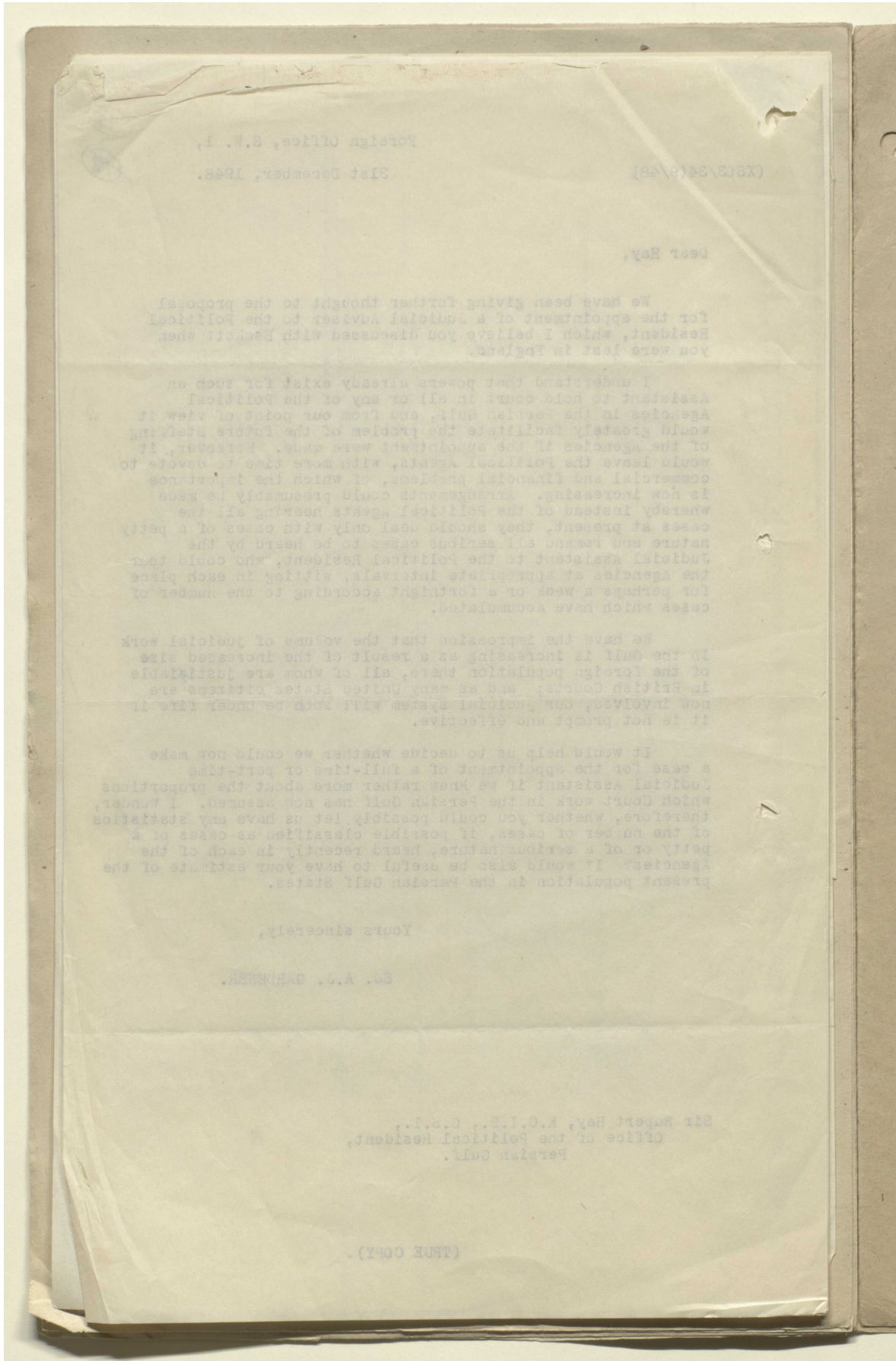
Yours sincerely,

Sd. A.J. GARDENER.

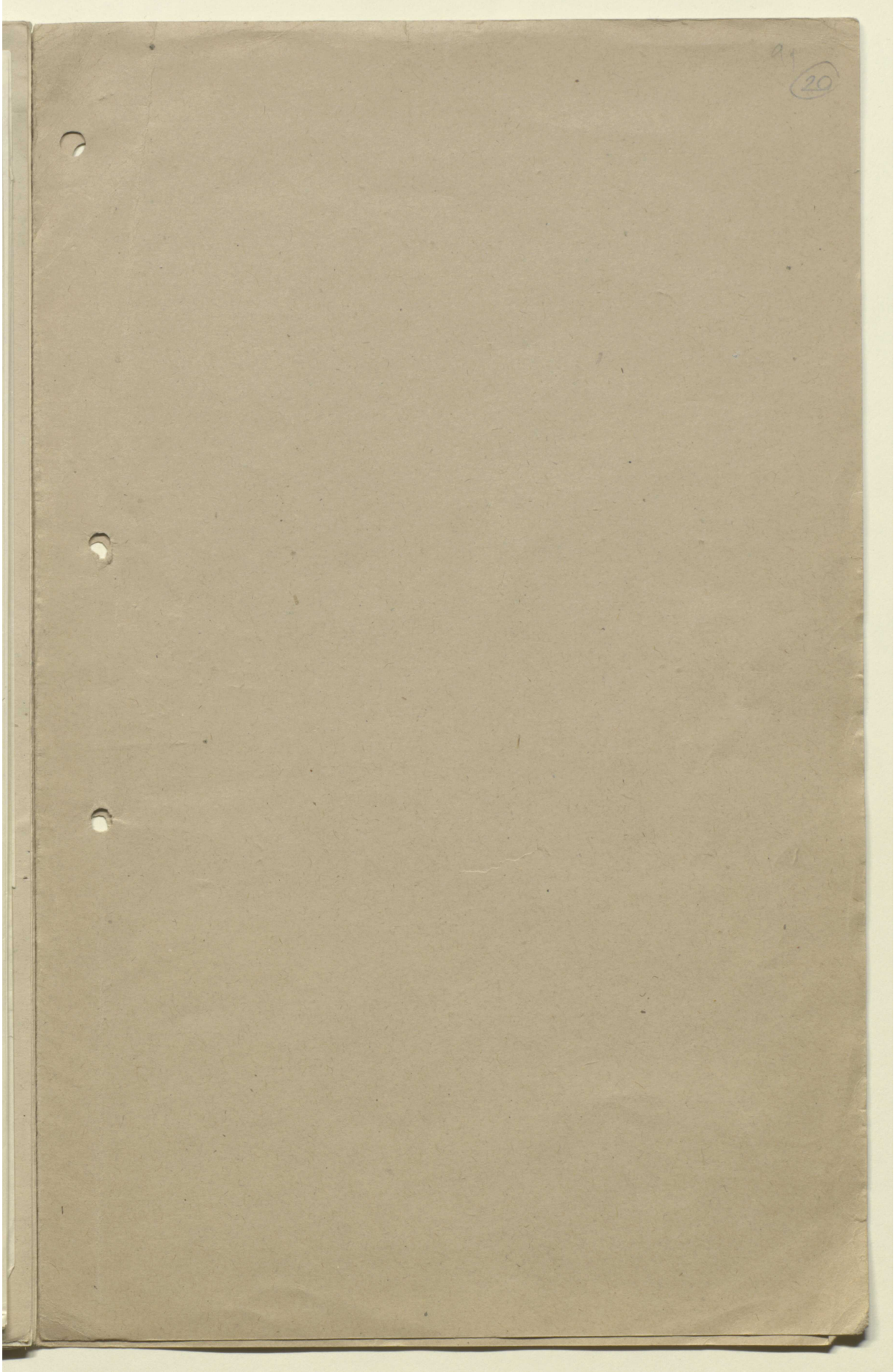
Sir Rupert Hay, K.C.I.E., C.S.I.,
Office of the Political Resident,
Persian Gulf.

(TRUE COPY).

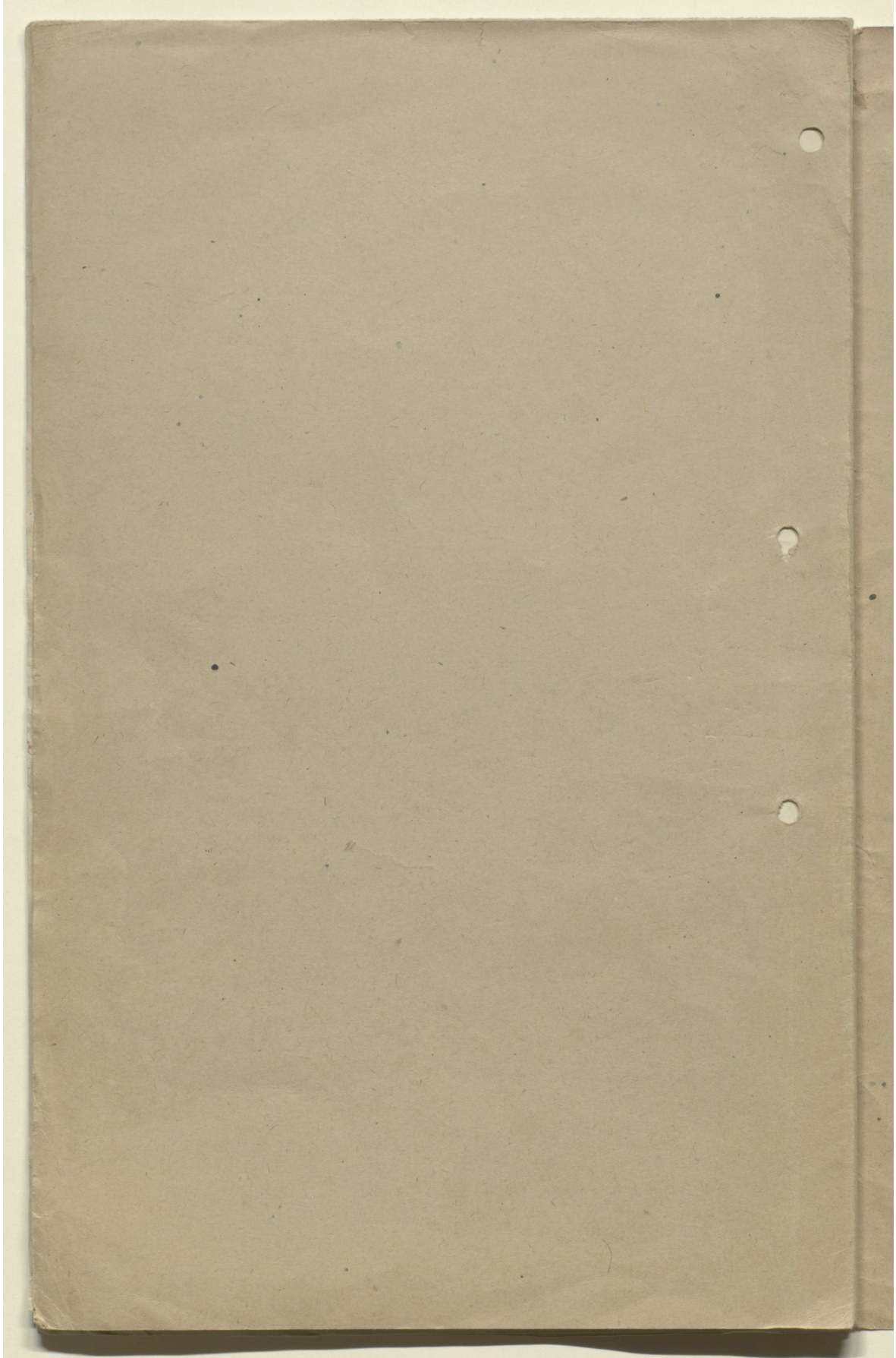
"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [١٩ ظ] (٤٢/٣٨)



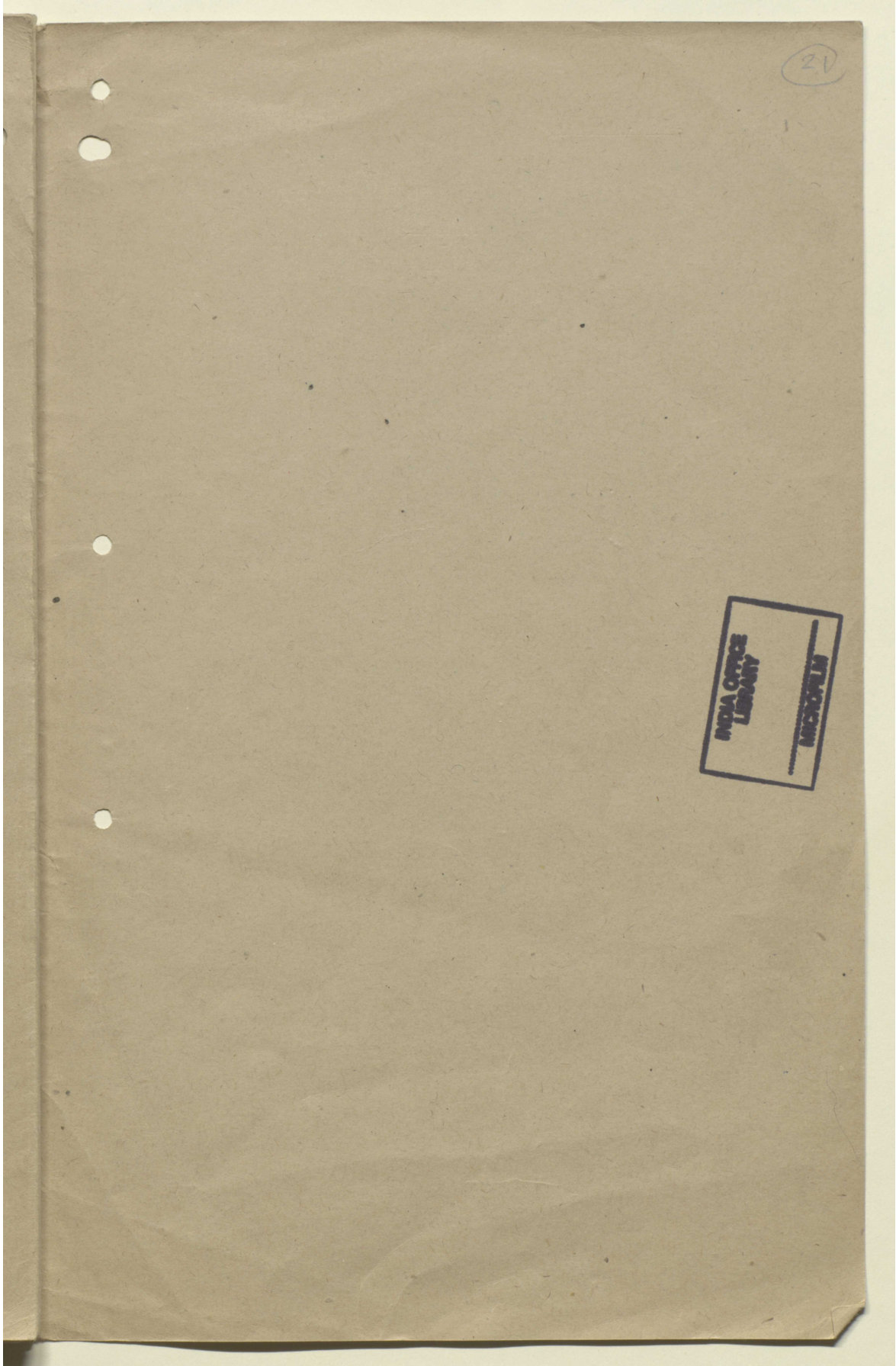
"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [٢٠] (٤٢/٣٩)



"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [٢٠ ظ] (٤٢/٤٠)



"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [خلفي-داخلي] (٤٢/٤١)



"ملف ٥/٧ تعيين مستشار قضائي للمقيم السياسي" [خلفي] (٤٢/٤٢)

