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**WEST INDIES ACT 1962**

(10 & 11 Eliz. 2, c. 19)

ARRANGEMENT OF SECTIONS

(a)

**SECTION**

1. Power of Her Majesty to provide for secession of colonies from, and dissolution of, the West Indies.
2. Power of Her Majesty to provide for interim performance of functions heretofore performed by Federal authorities for benefit of federated colonies.
3. Compensation scheme for officers of Federal public service.
4. Power of Her Majesty to establish common Courts for West Indian colonies.
5. Power of Her Majesty to provide for government of certain West Indian colonies.
6. Power of Her Majesty to establish new forms of government in place of the West Indies.
7. Supplementary provisions as to Orders in Council.
8. Grants for benefit of certain West Indian colonies.
9. Expenses.
10. Short title, interpretation and repeals.

**SCHEDULE**—Enactments repealed.

**WEST INDIES ACT 1962**

(10 & 11 Eliz. 2, c. 19)

**An Act to enable provision to be made for the cesser of the inclusion of colonies in the federation established under the British Caribbean Federation Act 1956, and for the dissolution of that federation and for matters consequential on the happening of either of those events; to enable provision to be made for the establishment of common Courts and other authorities for, and fresh provision to be made for the government of, certain West Indian colonies; to enable provision to be made for the establishment of new forms of government for combinations of such colonies; and for purposes connected with the matters aforesaid.**

[18<sup>TH</sup> APRIL 1962]

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(a) Only the sections directly relevant to Trinidad and Tobago are published below.

**POWER OF HER MAJESTY TO PROVIDE FOR  
GOVERNMENT OF CERTAIN WEST INDIAN COLONIES**

(a)

5. (1) Her Majesty may by Order in Council make such provision as appears to Her expedient for the government of any of the colonies to which this section applies, and for that purpose may provide for the establishment for the colony of such authorities as She thinks expedient and may empower such of them as may be specified in the Order to make laws either generally for the peace, order and good government of the colony or for such limited purposes as may be so specified subject, however, to the reservation to Herself of power to make laws for the colony for such (if any) purposes as may be so specified.

(2) The power conferred by the foregoing subsection shall include power to provide for the establishment of an authority to be charged, or authorities to be severally charged, with the duty of performing for the benefit of the said colonies, or for a combination of any two or more of them, such functions as may be specified in the Order, and for the expenses of an authority so charged to be defrayed by the governments of the colonies for whose benefit it is to perform functions.

In this subsection “authority” does not include a legislature or Court.

(b)

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(a) The Trinidad and Tobago (Constitution) Order in Council 1962 was made under this section.  
(b) This subsection related only to the Cayman Islands and the Turks and Caicos Islands and was repealed by the Jamaica Independence Act 1962 (1962 c. 40) section 3(4).

(4) An Order in Council under this section with respect to a colony may vary or revoke any enactment or Letters Patent relating to the government of the colony and any Order in Council or other instrument so relating which has effect otherwise than by virtue of this section.

(5) Any Order in Council under the Jamaica Act 1866, the Saint Vincent and Grenada Constitution Act 1876, the Trinidad and Tobago Act 1887, the Dominica Act 1938, section three of the Leeward Islands Act 1956, or section two of the Cayman Islands and Turks and Caicos Islands Act 1958 (except the Orders in Council mentioned in subsection (5) of the last foregoing section, so far as subsisting by virtue of any of those enactments) shall, in so far as it is in force at the passing of this Act and could be made under this section, have effect as if so made, and so shall the Windward Islands and Leeward Islands (Police Service Commission) Order in Council 1959.

(6) The colonies to which this section applies are those included at the passing of this Act in the Federation, and the Virgin Islands.

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**SUPPLEMENTARY PROVISIONS AS TO ORDERS  
IN COUNCIL**

**7.** (1) An Order in Council under any provision of this Act may make or provide for the making of such incidental, consequential or transitional provisions as may appear to Her Majesty in Council to be necessary or expedient.

(2) Any power conferred by this Act to make an Order in Council shall be construed as including power to vary or revoke the Order in Council by a subsequent Order in Council.

(3) Subject to the following subsection, a statutory instrument containing an Order in Council under this Act which

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adapts or modifies any Act shall be subject to annulment in pursuance of a resolution of either House of Parliament, and a statutory instrument containing an Order in Council under this Act which does not adapt or modify any Act shall be laid before Parliament after being made.

(4) The last foregoing subsection shall not apply to an instrument containing an Order in Council under section six of this Act making provision for the federation of, or the establishment of any other new form of government for, any colonies, but no recommendation shall be made to Her Majesty in Council to make an Order under the said section six making such provision unless a draft of the Order has been laid before Parliament and approved by resolution of each House of Parliament.

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**SHORT TITLE, INTERPRETATION AND REPEALS**

**10.** (1) This Act may be cited as the West Indies Act 1962.

(2) Any reference in this Act to a colony shall be construed as including a reference to the dependencies (if any) thereof.

(3) The enactments mentioned in the first and second columns of the Schedule to this Act are hereby repealed to the extent respectively specified in relation thereto in the third column of that Schedule, but this repeal shall not be taken to dissolve the union of Tobago with Trinidad or to affect the status, as a separate colony, of any other colony.



Section 10.

**SCHEDULE**

**ENACTMENTS REPEALED**

| Session and Chapter      | Short Title   | Extent of Repeal                                     |
|--------------------------|---|--|
| 29 & 30 Vict.<br>c. 12.  | The Jamaica Act 1866.                                     | The whole Act.                                       |
| 39 & 40 Vict.<br>c. 47.  | The Saint Vincent and Grenada Constitution Act 1876.      | The whole Act.                                       |
| 50 & 51 Vict.<br>c. 44.  | The Trinidad and Tobago Act 1887.                         | The whole Act.                                       |
| 9 & 10 Geo. 5.<br>c. 47. | The West Indian Court of Appeal Act 1919.                 | The whole Act.                                       |
| 1 & 2 Geo. 6.<br>c. 10.  | The Dominica Act 1938.                                    | The whole Act.                                       |
| 4 & 5 Eliz. 2.<br>c. 23. | The Leeward Islands Act 1956.                             | Sections one, three, four and five and the Schedule. |
| 6 & 7 Eliz. 2.<br>c. 13. | The Cayman Islands and Turks and Caicos Islands Act 1958. | The whole Act.                                       |