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LAWS OF THE WEST INDIES

CHAPTER 292

REVISION OF LAWS

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THE REVISION OF LAWS ACT, 1958.

ARRANGEMENT OF SECTIONS

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**AN ACT** to provide for the revision of the laws of The West Indies, and for the matters connected therewith. Act 8/1958.

<i>Date of assent</i>	.. .. .	9th July,	1958
<i>Commencement</i>	.. .. .	9th July,	1958

1. (1) This Act may be cited as the Revision of Laws Act, 1958. Short title and application.

(2) This Act shall apply to the Cayman Islands and the Turks and Caicos Islands.

2. In this Act unless the context otherwise requires— Interpretation.

“Commissioner” means the Statute Law Commissioner appointed by the Governor-General under section 3 of this Act;

“Imperial laws” means Imperial Acts, Orders in Council, Royal Proclamations, Letters Patent, Royal Instructions and other instruments having legislative effect in the Federation and includes any law applied to the Federation by such Acts, Orders in Council, Royal Proclamations, Letters Patent, Royal Instructions or other instruments;

“laws” means Acts, proclamations, and subsidiary legislation and includes Imperial laws and territorial laws;

“territorial law” means any law concerning the Federation enacted by or under the authority of the legislature of any territory within the Commonwealth (other than the United Kingdom or the Federation, but including any of the Territories comprised in the Federation).

Appoint-  
ment of  
Commis-  
sioner.

3. The Governor-General shall by instrument in writing under his hand appoint a Commissioner for the purposes of this Act, to be known as the “Statute Law Commissioner”.

Duty of  
Commis-  
sioner to  
revise laws.

4. It shall be the duty of the Commissioner to cause to be prepared, maintained and published an edition of the laws of The West Indies in accordance with the provisions of this Act, which edition shall be known for all purposes as the “Laws of The West Indies.”

Laws of  
The West  
Indies to  
be pub-  
lished in  
loose-leaf  
form.

5. (1) The Laws of The West Indies shall be published in loose-leaf form or in such other form as the Commissioner may determine and shall comprise such pages as may be authorised to be included therein by order of the Governor-General made under section 6 of this Act.

(2) Every page comprised in the Laws of The West Indies shall bear a reference to the order by which its inclusion therein was authorised.

Inclusion in  
or removal  
of  
pages from  
the Laws to  
be autho-  
rised by  
Governor-  
General.

6. (1) It shall be lawful for the Governor-General by order to authorise the inclusion in the Laws of The West Indies of each page to be comprised therein.

(2) Any order made under this section may authorise the removal from the Laws of The West Indies of any page—

- (a) which has been replaced by a new page authorised by such an order to be included therein, or
- (b) in any case where the provisions contained in that page may be omitted from the Laws of The West Indies by the Commissioner by virtue of the powers conferred on him by this Act.

(3) The inclusion in or removal from the Laws of The West Indies of a page by authority of an order made under this section shall have effect from such date as the Governor-General shall declare in the order.

7. Subject to the provisions of section 10 and section 13 of this Act, the pages of the Laws of The West Indies shall from the date of the order or orders by which they were authorised, be in all courts and for all purposes whatsoever deemed to be and shall be the sole and proper Statute Book of the Federation in respect of the laws contained therein, other than Imperial laws and territorial laws.

8. The Laws of The West Indies shall subject to the provisions of this Act contain—

- (a) every Act enacted prior to the date declared pursuant to subsection (3) of section 6 of this Act in the last order made by the Governor-General under that section, other than the Acts omitted under the authority of this Act;
- (b) such proclamations and subsidiary legislation made, given or issued prior to such last mentioned date as the Commissioner thinks fit to include therein;
- (c) any Imperial laws or territorial laws which the Commissioner thinks fit to include therein;
- (d) a chronological list of Acts, a table of contents and an index:

Provided that where a page has been authorised to be included in the Laws of The West Indies by an order made by the Governor-General other than an order made authorising the inclusion of pages prepared pursuant to sub-

section (1) of section 11 of this Act, it shall not be necessary to authorise by such first mentioned order the inclusion in the Laws of The West Indies of any Act enacted subsequent to the date of the last order authorising the inclusion of pages so prepared.

Power to omit certain laws from Laws of the West Indies.

9. It shall not be necessary for the Commissioner to include in the Laws of The West Indies any appropriation Act or any loan Act or loan guarantee Act which is of a temporary nature or which is under revision or any law the carrying into effect of whose provisions is doubtful.

Validity of laws not affected by omission from the Laws.

10. No law omitted, under the authority of this Act or otherwise, from the Laws of The West Indies shall be deemed to be without force and validity by reason only of the fact that it is so omitted.

Laws of The West Indies to be prepared as at 31st December, 1958 and thereafter annually kept up to date.

11. (1) As soon as practicable after the 31st day of December of the year 1958 and thereafter of each succeeding year it shall be the duty of the Commissioner to prepare in accordance with the provisions of this Act the necessary pages for inclusion in the Laws of The West Indies so that it may contain all the laws which are required or authorised by the provisions of this Act to be included therein and are in force on that date.

(2) Nothing in this section shall be construed so as to—

- (i) prevent the Commissioner from preparing pages for inclusion in the Laws of The West Indies at more frequent intervals;
- (ii) prevent the Governor-General from authorising by order under and in accordance with section 6 of this Act the inclusion in the Laws of The West Indies of such pages and the removal therefrom of any pages.

Powers of Commissioner.

12. In the preparation of the Laws of The West Indies the Commissioner shall have the following powers, that is to say—

- (1) to omit—

- (a) all laws or parts of laws which have been repealed expressly or specifically or by necessary implication, or which have expired or have become spent or have had their effect;
- (b) all repealing enactments contained in laws and also all tables or lists of repealed enactments, whether contained in schedules or otherwise;
- (c) all preambles and long titles to laws, where such omission can, in the opinion of the Commissioner, be conveniently made;
- (d) all words of enactment in any law or section of a law;
- (e) all enactments prescribing the date when, or the manner in which, any law or part of any law is to come into force, where such omission can, in the opinion of the Commissioner, conveniently be made;
- (f) all amending laws or parts of laws where the amendments effected by such laws or parts of laws have been embodied by the Commissioner in the laws to which they relate:

Provided that the provisions of regulation 12 of the Interpretation Regulations, 1958 shall apply to such omissions in the same way as if the laws omitted had been repealed.

(2) to arrange the laws by chapters numbered consecutively in such order and manner as the Commissioner may determine;

(3) to consolidate into one law any two or more laws in *pari materia*, making the alterations thereby rendered necessary in the consolidated laws, and affixing such date thereto as may seem most convenient;

(4) to alter the order of sections in any law, and, in all cases where it is necessary to do so, to renumber the sections of any law;

(5) to alter the form or arrangement of any section of any law, either by combining it in whole or in part with another section or other sections, or by dividing it into two or more subsections or by transposing words;

(6) to divide any law, whether consolidated or not, into parts or other divisions and to give to such parts or divisions a suitable heading;

(7) to transfer any provision contained in any law from that law to any other law to which it more properly belongs;

(8) to arrange the laws, whether consolidated or not, in any group or sequence that may be convenient irrespective of the date of enactment;

(9) to add a short title to any law which may require it, and, if necessary, to alter the short title of any law;

(10) to shorten and simplify the phraseology of any law;

(11) to correct grammatical and typographical errors in the existing copies of laws and for that purpose to make verbal additions, omissions or alterations not affecting the meaning of any laws;

(12) to supply or alter marginal notes;

(13) to correct cross-references;

(14) to make such formal alterations as to names, localities, offices and otherwise as may be necessary to bring any law into conformity with the circumstances of the Federation;

(15) to make such adaptations of or amendments to any laws as may appear to be necessary or proper as a consequence of any change in the constitution of any of Her Majesty's dominions;

(16) to do all things relating to form and method which may be necessary for the perfecting of the Laws of The West Indies.

13. The powers conferred on the Commissioner under or by virtue of this Act shall not be taken to imply any power in him to make any alteration or amendment in the matter or substance of any law or part of any law. No power to make alterations of substance.

14. Where in any Act or statutory instrument reference is made to any law the provisions of which have been by virtue of this Act embodied in the Laws of The West Indies such reference shall where necessary and practicable be deemed to extend and apply to the corresponding provisions in the Laws of The West Indies, and all cross-references in any Act or statutory instrument shall, where such cross-references are affected by the operation of this Act, be read and construed with such modifications as circumstances may require. Construction of references to laws embodied in Laws of The West Indies.

15. The expenses of and incidental to the carrying out of the provisions of this Act shall be paid on the warrant of the Governor-General from such monies as may be appropriated from the public funds of the Federation for that purpose by a law of the Federal Legislature. Expenses.