

LAWS OF THE WEST INDIES

CHAPTER 5

FEDERAL SUPREME COURT (VIRGIN ISLANDS APPEALS)

CHAPTER 5.

THE FEDERAL SUPREME COURT (VIRGIN ISLANDS APPEALS) ACT, 1958.

ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Interpretation—general, references to superior court, references to Attorney General, Territory, etc.
3. Same rights of appeal from Virgin Islands as from Territories of Federation.
4. Reception, detention and return of prisoners from the Virgin Islands.
5. Part IV of Federal Supreme Court Regulations, 1958 applied to appeals from Virgin Islands.

AN ACT to confer on the Federal Supreme Court jurisdiction to hear and determine appeals from the superior courts of the Virgin Islands; to provide for appeals to Her Majesty in Council from determinations of the Federal Supreme Court made in the exercise of that jurisdiction; and to provide for matters connected with the foregoing. Act 3/1958.

<i>Date of assent</i>	7th July,	1958
<i>Commencement</i>	7th July,	1958 S.I. 11/1958.

1. This Act may be cited as the Federal Supreme Court (Virgin Islands Appeals) Act, 1958. Short title.

2. (1) In this Act, unless the context otherwise requires— Interpretation—general,

“the Colony” means the Colony of the Virgin Islands;

“the Regulations” means the Federal Supreme Court Regulations, 1958. No. 3 of 1958.

references to superior court,

9 & 10 Geo. 5 c.47.

(2) In this Act and in the Regulations references to a superior court shall, in relation to the Colony, be construed as references to any superior court of record (other than the court established by the West Indian Court of Appeal Act, 1919) established for the Colony; and the Supreme Court of the Windward Islands and Leeward Islands and the Court of Appeal for the Windward Islands and Leeward Islands shall each, in respect of its jurisdiction in the Colony, be deemed to be a superior court of the Colony.

references to Attorney General, Territory, etc.

(3) For the purposes of this Act, unless the context otherwise requires, in the Regulations—

(a) the references in Part III to the Attorney General, in relation to the Colony means the Attorney General of the Leeward Islands;

(b) references to a "Territory" shall be construed as including references to the Colony;

(c) the reference in paragraph (1) of regulation 56 to "the date on which these Regulations came into force" shall be construed as a reference to the date appointed by the Governor-General under section 1 of this Act.

Same rights of appeal from Virgin Islands as from Territories of Federation.

3. The Federal Supreme Court shall have such jurisdiction to hear and determine appeals (including reserved questions of law and cases stated) from any superior court of the Colony as is exercisable by the Court under the Regulations in respect of appeals from the superior courts of the Territories of the Federation and the provisions of the Regulations shall, insofar as they are applicable and subject to this Act, govern all such appeals.

Reception, detention and return of prisoners from the Virgin Islands.

No. 1746 S.I. 1957 (U.K.)

4. (1) A judge of the Federal Supreme Court may issue a warrant for the reception and detention at any territory comprised in the Federation of prisoners conveyed to that territory under any law of the Legislature of the Colony enacted under section 5 of the Virgin Islands (Appeals) Order in Council, 1957 and for the conveyance of such prisoners out of that territory in order that they may be returned to the Colony under any such law of the Legislature of the Colony.

LAWS OF THE WEST INDIES

FEDERAL SUPREME COURT (VIRGIN ISLANDS
APPEALS)

Cap. 5

3

(2) During any period during which such a prisoner is detained in custody under the authority of any such warrant at any territory in which his attendance is required, he shall be detained in such place and manner as prisoners of his category (whether convicted or awaiting trial as the case may be) are detained in accordance with the law in operation in such territory.

5. Part IV of the Regulations and the Schedule thereto (both of which relate to appeals to Her Majesty in Council) shall apply to any determination of the Federal Supreme Court made in the exercise of the jurisdiction to hear and determine appeals (including reserved questions of law and cases stated) from the superior courts of the Colony conferred on the Federal Supreme Court under this Act.

Part IV
of Federal
Supreme
Court
Regula-
tions, 1958
applied to
appeals
from
Virgin
Islands.