



# West Indies Act 1967

## 1967 CHAPTER 4

An Act to confer on certain West Indian territories a new status of association with the United Kingdom, and to enable that status to be terminated at any time; to make provision for other matters in connection with, or consequential upon, the creation or termination of that status or other constitutional changes which may occur in relation to any of those territories; to make further provision as to grants under the Overseas Aid Act 1966; and for purposes connected with the matters aforesaid. [16th February 1967]

### Modifications etc. (not altering text)

- C1 Whole Act (except ss. 6, 8, 17(1)(4), 19 and 21) repealed by [Statute Law Repeals Act 1986 \(c. 12\)](#), [Sch. 1 Pt. IX](#)

1—5. ....<sup>F1</sup>

### Textual Amendments

- F1 Ss. 1—5, 7, 9, 10—16, 17(2)(3)(5)(6), 18, 20 repealed by [Statute Law \(Repeals\) Act 1986 \(c. 12\)](#), [Sch. 1 Pt. IX](#)

## 6 Establishment of common courts for associated states.

- (1) Her Majesty may by Order in Council made before the appointed day provide for the establishment of one or more courts which, on and after that day or such later day as may be specified in, or determined in accordance with, the Order, shall be courts constituted in common for the territories to which section 1 of this Act applies, and may by that Order provide that any such court shall, in relation to any of those territories, have such jurisdiction and powers as may be so specified or determined.
- (2) An Order in Council under this section may include provision whereby, in relation to [<sup>F2</sup>Anguilla,] Montserrat or the Virgin Islands, any court established under the Order

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shall have such jurisdiction and powers, and there shall be imposed or conferred on judges and officers of any such court such duties and powers, as may be specified in, or determined in accordance with, the Order.

- (3) An Order in Council under this section may include provision—
  - (a) for the establishment in common for the territories to which section 1 of this Act applies of a commission having such duties and powers in relation to any court established under the Order, and to judges and officers of any such court, and in relation to other persons and related matters, as may be specified in, or determined in accordance with, the Order;
  - (b) as to the remuneration, allowances and pension rights of members, officers and servants of the commission and of judges, officers and other persons in relation to whom the commission has any duties or powers; and
  - (c) as to the manner in which the expenses of the commission and of any such court (including the matters referred to in the last preceding paragraph) are to be defrayed.

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**Textual Amendments**  
**F2** Word inserted by [S.I. 1983/1107, art. 2\(1\)](#)

7 ..... F3

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**Textual Amendments**  
**F3** [Ss. 1–5, 7, 9, 10–16, 17\(2\)\(3\)\(5\)\(6\), 18, 20](#) repealed by [Statute Law \(Repeals\) Act 1986 \(c. 12\), Sch. 1 Pt. IX](#)

**8 Retirement benefits and compensation for persons in public service.**

- (1) In respect of any territory to which section 1 of this Act applies, Her Majesty may by Order in Council made before the appointed day make provision for securing to or in respect of persons who—
  - (a) hold or have held office or employment in the public service of that territory, and
  - (b) are participants in any pension provision applicable to that office or employment,
 such benefits by way of modification of or addition to that pension provision, or otherwise by way of compensation out of the public funds of that territory, as appear to Her Majesty to be appropriate having regard to any arrangements made in that behalf between Her Majesty’s Government in the United Kingdom and the Government of that territory.
- (2) For the purposes of this section a person who is or has been a judge of the Supreme Court of the Windward Islands and Leeward Islands shall, in his capacity as such a judge, be taken to hold or have held office in the public service of a territory if, for the purposes of any pension provision having effect in that territory, he is in that capacity taken to be or have been in the service of that territory

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- (3) There shall be paid out of moneys provided by Parliament any increase attributable to this section in the sums payable out of moneys so provided under the <sup>M1</sup>Overseas Development and Service Act 1965.
- (4) In this section “pension provision” means any law, scheme or instrument whereby provision is made for the payment of pensions, and “participant”, in relation to a pension provision, means a person to whom, or in respect of whom, a pension may become payable thereunder.

**Marginal Citations**

**M1** 1965 c. 38.

9—16. .... F4

**Textual Amendments**

**F4** Ss. 1–5, 7, 9, 10–16, 17(2)(3)(5)(6), 18, 20 repealed by Statute Law (Repeals) Act 1986 (c. 12), **Sch. 1 Pt. IX**

**17 Supplementary provisions as to Orders in Council.**

- (1) Any Order in Council under this Act may contain such transitional or other incidental and supplementary provisions as may appear to Her Majesty to be necessary or expedient.
- (2) ..... F5
- (4) Any power to make an Order in Council under section 6 or section 8 of this Act shall include power to revoke or vary the Order by a subsequent Order in Council, whether made before, on or after the appointed day:  
Provided that on and after the appointed day the power to revoke or vary—
  - (a) an Order in Council under section 6 of this Act in so far as it has effect as part of the law of an associated state, or
  - (b) an Order in Council under section 8 of this Act which for the time being has effect as part of the law of an associated state,
 shall not be exercisable except at the request and with the consent of that state.
- (5) ..... F5

**Textual Amendments**

**F5** Ss. 1–5, 7, 9, 10–16, 17(2)(3)(5)(6), 18, 20 repealed by Statute Law (Repeals) Act 1986 (c. 12), **Sch. 1 Pt. IX**

18 ..... F6

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**Textual Amendments**

**F6** Ss. 1–5, 7, 9, 10–16, 17(2)(3)(5)(6), 18, 20 repealed by Statute Law (Repeals) Act 1986 (c. 12), **Sch. 1 Pt. IX**

**19 Interpretation**

- (1) In this Act, except in section 6, “the appointed day”, in relation to any territory to which section 1 of this Act applies, means such day as Her Majesty may by Order in Council appoint; and different days may be so appointed in relation to different territories.
- (2) In section 6 of this Act “the appointed day” means the day appointed under the preceding subsection, or, if different days are so appointed in relation to different territories, means the earliest of those days.
- (3) In this Act “territory” includes any country; any reference to a territory shall be construed as including a reference to its dependencies (if any); and any reference to a Government shall be construed as including a reference to any department or agency of that Government.
- (4) In this Act “pension”, in relation to a person, means any contributory or non-contributory pension, of any kind whatsoever, payable to or in respect of him, or a lump sum or gratuity so payable, whether by way of compensation or otherwise, or a return of contributions, with or without interest thereon or any other addition thereto, and any reference to pension rights shall be construed accordingly.
- (5) Any reference in this Act to the request and consent of an associated state is a reference to request and consent signified by a resolution of the legislature of that state, or, if that legislature has two Houses (by whatever name called), by a resolution of each House of that legislature.
- (6) Except in so far as the context otherwise requires, any reference in this Act to an enactment shall be construed as a reference to that enactment as amended or extended by or under any other enactment.

**Modifications etc. (not altering text)**

**C2** Power of appointment conferred by s. 19(1) now fully exercised: [S.I. 1967/222](#), **art. 2**

**20** ..... **F7**

**Textual Amendments**

**F7** Ss. 1–5, 7, 9, 10–16, 17(2)(3)(5)(6), 18, 20 repealed by Statute Law (Repeals) Act 1986 (c. 12), **Sch. 1 Pt. IX**

**21 Short title.**

This Act may be cited as the West Indies Act 1967.

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## SCHEDULES

### <sup>F8</sup>SCHEDULES 1–3

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#### **Textual Amendments**

**F8** Schs. 1–3 repealed by Statute Law (Repeals) Act 1986 (c. 12), **Sch. 1 Pt. IX**

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**F8**

**Changes to legislation:**

There are currently no known outstanding effects for the West Indies Act 1967.