



# Trinidad and Tobago Independence Act 1962

1962 CHAPTER 54 10 and 11 Eliz 2

An Act to make provision for, and in connection with, the attainment by Trinidad and Tobago of fully responsible status within the Commonwealth. [1st August 1962]

## 1 Provision for fully responsible status of Trinidad and Tobago.

- (1) As from the thirty-first day of August, nineteen hundred and sixty-two (in this Act referred to as “the appointed day”), Her Majesty’s Government in the United Kingdom shall have no responsibility for the government of Trinidad and Tobago.
- (2) No Act of the Parliament of the United Kingdom passed on or after the appointed day shall extend, or be deemed to extend, to Trinidad and Tobago as part of the law thereof; and as from that day the provisions of the First Schedule to this Act shall have effect with respect to the legislative powers of Trinidad and Tobago.

## 2 .....<sup>F1</sup>

### Textual Amendments

**F1** S. 2 repealed by [British Nationality Act 1981 \(c. 61, SIF 87\)](#), [Sch. 9](#)

## 3 Consequential modification of other enactments.

- (1) . . .<sup>F2</sup>
- (2) As from the appointed day—
  - (a) the expression “colony” in the <sup>M1</sup>Army Act 1955, the <sup>M2</sup>Air Force Act 1955 and the <sup>M3</sup>Naval Discipline Act 1957 shall not include Trinidad and Tobago, and

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- (b) in the definitions of “Commonwealth Force” in subsection (1) of section two hundred and twenty-five and subsection (1) of section two hundred and twenty-three respectively of the said Acts of 1955, and in the definition of “Commonwealth country” in subsection (1) of section one hundred and thirty five of the said Act of 1957, at the end there shall be added the words “or Trinidad and Tobago”;

and no Order in Council made on or after the appointed day under section one of the <sup>M4</sup>Army and Air Force Act 1961 shall operate to continue either of the said Acts of 1955 in force as part of the law of Trinidad and Tobago.

- (3) For the purposes of the making, on or after the appointed day, of Orders in Council under the <sup>M5</sup>West Indies Act 1962 and for the purposes of the making on or after that day of grants under section eight of that Act, Trinidad and Tobago shall be treated as not being a colony within the meaning of that Act.
- (4) As from the appointed day, the provisions specified in the Second Schedule to this Act shall have effect subject to the amendments respectively specified in that Schedule, . . .  
F3
- (5) Subsection (4) of this section shall not extend to Trinidad and Tobago as part of the law thereof.

#### Textual Amendments

- F2** S. 3(1) repealed by [Interpretation Act 1978 \(c. 30, SIF 115:1\)](#), **Sch. 3**
- F3** Words repealed by [Statute Law \(Repeals\) Act 1969 \(c. 52\)](#), **Sch. Pt. VI**

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

- C1** The text of s. 3 (2)(b) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and it does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### Marginal Citations

- M1** 1955 c. 18.
- M2** 1955 c. 19
- M3** 1957 c. 53.
- M4** 1961 c. 52.
- M5** 1962 c. 19.

## 4 Interpretation.

- (1) In this Act, and in any amendment made by this Act in any other enactment, “Trinidad and Tobago” means the Island of Trinidad, the Island of Tobago and any territories which at the passing of this Act are dependencies of the Colony of Trinidad and Tobago.
- (2) References in this Act to any enactment are references to that enactment as amended or extended by or under any other enactment.

## 5 Short title.

This Act may be cited as the Trinidad and Tobago Independence Act 1962.

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## SCHEDULES

### FIRST SCHEDULE

#### LEGISLATIVE POWERS OF TRINIDAD AND TOBAGO

- 1 The <sup>M6</sup>Colonial Laws Validity Act 1865 shall not apply to any law made on or after the appointed day by the legislature of Trinidad and Tobago.

#### Marginal Citations

**M6** 1865 c. 63.

- 2 No law and no provision of any law made on or after the appointed day by that legislature shall be void or inoperative on the ground that it is repugnant to the law of England, or to the provisions of any Act of the Parliament of the United Kingdom, including this Act, or to any order, rule or regulation made under any such Act, and, subject to paragraph 6 of this Schedule, the powers of that legislature shall include the power to repeal or amend any such Act, order, rule or regulation in so far as it is part of the law of Trinidad and Tobago
- 3 The legislature of Trinidad and Tobago shall have full power to make laws having extra-territorial operation.

<sup>F4</sup> .....

#### Textual Amendments

**F4** Sch. 1 para. 4 repealed (1.1.1996) by 1995 c. 21, ss. 314(1), 316(2), Sch. 12 (with ss. 312(1), Sch. 14 para. 1)

- 5 Without prejudice to the generality of the preceding provisions of this Schedule, section four of the <sup>M7</sup>Colonial Courts of Admiralty Act 1890 (which requires certain laws to be reserved for the signification of Her Majesty's pleasure or to contain a suspending clause) and so much of section seven of that Act as requires the approval of Her Majesty in Council to any rules of court for regulating the practice and procedure of a Colonial Court of Admiralty, shall cease to have effect in Trinidad and Tobago.

#### Marginal Citations

**M7** 1890 c. 27.

- 6 (1) Nothing in this Act shall confer on the legislature of Trinidad and Tobago any power to repeal, amend or modify the constitutional provisions otherwise than in such manner as may be provided for in those provisions.
- (2) In this paragraph “the constitutional provisions” means the following, that is to say—

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- (a) this Act;
- (b) any Order in Council made before the appointed day (whether before or after the passing of this Act) which made or makes provision in respect of Trinidad and Tobago in pursuance of section five of the <sup>M8</sup>West Indies Act 1962;
- (c) any law, or instrument made under a law, of the legislature of Trinidad and Tobago made on or after the appointed day which amends, modifies, re-enacts with or without amendment or modification, or makes different provision in lieu of, any provisions of this Act, of any such Order in Council, or of any such law or instrument previously made.

**Marginal Citations**

**M8** 1962 c.19.

SECOND SCHEDULE

AMENDMENTS NOT AFFECTING THE LAW OF TRINIDAD AND TOBAGO

*Diplomatic immunities*

1 ..... F5

**Textual Amendments**

**F5** Sch. 2 para.1 repealed by Finance Act 1969 (c. 32), Sch. 21 Pt. IX

- 2 In subsection (6) of section one of the <sup>M9</sup>Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) Act, 1952, before the word “and” in the last place where it occurs there shall be inserted the words “Trinidad and Tobago”.

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

**C2** The text of Sch. 2 para.2 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and it does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Marginal Citations**

**M9** 1952 c. 18

3 ..... F6

**Textual Amendments**

**F6** Sch. 2 para. 3 repealed by International Organisations Act 1981 (c.9, SIF 68:1), Sch.

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### *Financial*

- 4 In subsection (4) of section two of the <sup>M10</sup>Import Duties Act, 1958, after the word “Tanganyika” there shall be inserted the words “Trinidad and Tobago”.

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

- C3** The text of Sch. 2 para. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and it does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### **Marginal Citations**

- M10** 1958 c. 6

### *Visiting forces*

- 5 In the <sup>M11</sup>Visiting Forces (British Commonwealth) Act 1933, section four (which deals with attachment and mutual powers of command) shall apply in relation to forces raised on Trinidad and Tobago as it applies in relation to forces raised in Dominions within the meaning of the <sup>M12</sup>Statute of Westminster 1931.

#### **Marginal Citations**

- M11** 1933 c. 6.  
**M12** 1931 c. 4 (22 & 23 Geo. 5).

- 6 In the <sup>M13</sup>Visiting Forces Act 1952—
- (a) in paragraph (a) of subsection (1) of section one (which specifies the countries to which that Act applies) at the end there shall be added the words “Trinidad and Tobago, or”;
  - (b) in paragraph (a) of subsection (1) of section ten the expression “colony” shall not include Trinidad and Tobago;
- and, until express provision with respect to Trinidad and Tobago is made by an Order in Council under section eight of that Act (which relates to the application to visiting forces of law relating to home forces), any such Order for the time being in force shall be deemed to apply to visiting forces of Trinidad and Tobago.

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

- C4** The text of Sch. 2 para. 6(a) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and it does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### **Marginal Citations**

- M13** 1952 c. 67.

### *Ships and aircraft*

- [<sup>F77</sup> In subsection (2) of section four hundred and twenty-seven of the <sup>M14</sup>Merchant Shipping Act, 1894, as substituted by section two of the <sup>M15</sup>Merchant Shipping

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(Safety Convention) Act, 1949, before the words “or in any” there shall be inserted the words or “Trinidad and Tobago”.]

**Textual Amendments**

**F7** By 1995 c. 21, ss. 314(1), 316(2), **Sch. 12**, it is provided (1.1.1996) that Sch. 3 paras. 7 and 8 are repealed.

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

**C5** The text of Sch. 2 para. 7 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and it does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Marginal Citations**

**M14** 1894 c. 60

**M15** 1949 c. 43

[<sup>F8</sup> In the proviso to subsection (2) of section six of the <sup>M16</sup>Merchant Shipping Act, 1948, at the end there shall be added the words “Trinidad and Tobago”.]

**Textual Amendments**

**F8** By 1995 c. 21, ss. 314(1), 316(2), **Sch. 12**, it is provided (1.1.1996) that Sch. 3 para. 7 and 8 are repealed

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

**C6** The text of Sch. 2 para. 8 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and it does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Marginal Citations**

**M16** 1948 c. 44

9 ..... <sup>F9</sup>

**Textual Amendments**

**F9** Sch. 2 para. 9 repealed by Emergency Laws (Re-enactments and Repeals) Act 1964 (c. 60), **Sch. 2**

10 ..... <sup>F10</sup>

**Textual Amendments**

**F10** Sch. 2 para. 10 repealed by Statute Law (Repeals) Act 1977 (c. 18), **Sch. 1 Pt. XV**

11 In the <sup>M17</sup>Whaling Industry (Regulation) Act 1934 the expression “British ship to which this Act applies” shall not include a British ship registered in Trinidad and Tobago.

**Marginal Citations**

**M17** 1934 c. 49.

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12 ..... F11

**Textual Amendments**

**F11** Sch. 2 para. 12 repealed by Civil Aviation Act 1971 (c. 75), Sch. 11

*Copyright*

13 ..... F12

**Textual Amendments**

**F12** Sch. 2 para. 13 repealed by Copyright, Designs and Patents Act 1988 (c. 48, SIF 67A), s. 303(2), Sch. 8

14 ..... F13

**Textual Amendments**

**F13** Sch. 2 para. 14 repealed by Family Law Act 1986 (c. 55, SIF 49:3), s. 68(2), Sch. 2

*Commonwealth Institute*

15 In subsection (2) of section eight of the <sup>M18</sup>Imperial Institute Act, 1925, as amended by the <sup>M19</sup>Commonwealth Institute Act, 1958 (which relates to the power to vary the provisions of the said Act of 1925 if an agreement for the purpose is made with the governments of certain territories which for the time being are contributing towards the expenses of the Commonwealth Institute) at the end there shall be added the words “and Trinidad and Tobago”.

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

**C7** The text of Sch. 2 para. 15 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and it does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Marginal Citations**

**M18** 1925 c. xvii

**M19** 1958 c. 16

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