



West Indies Act 1962

1962 CHAPTER 19 10 and 11 Eliz 2

5 Power of Her Majesty to provide for government of certain West Indian colonies.

- (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.

- (3)^{F1}
- (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 ^{M1}Jamaica Act 1866, the ^{M2}Saint Vincent and Grenada Constitution Act 1876, the ^{M3}Trinidad and Tobago Act 1887, the ^{M4}Dominica Act 1938, section three of the ^{M5}Leeward Islands Act 1956 or section two of the ^{M6}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

Changes to legislation: There are currently no known outstanding effects for the West Indies Act 1962, Section 5. (See end of Document for details)

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.

Subordinate Legislation Made

- P1** [S. 5](#): s. 5 (with s. 7) power exercised by [S.I. 1991/988](#)
for previous exercises of power see Index to Government Orders.
- P2** [S. 5](#) : s. 5 power exercised (19. 12. 1991) by [S.I.1991/2871](#).
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Textual Amendments

- F1** [S. 5\(3\)](#) repealed with saving as regards Orders in Council made before 6.8.1962 by [Jamaica Independence Act 1962 \(c. 40\), s. 3\(4\)](#)
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Marginal Citations

- M1** 1866 c. 12.
M2 1876 c. 47.
M3 1887 c. 44.
M4 1938 c. 10.
M5 1956 c. 23.
M6 1958 c. 13.

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