

1983 No. 1108

CARIBBEAN AND NORTH ATLANTIC TERRITORIES

The Anguilla, Montserrat and Virgin Islands (Supreme Court) Order 1983

Made - - - - 27th July 1983

Coming into Operation 1st September 1983

At the Court at Buckingham Palace, the 27th day of July 1983

Present,
The Queens Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of Her powers under section 6(2) and 17(4) of the West Indies Act 1967(a), section 1(2) of the Anguilla Act 1980(b) and section 1 of the Judicial Committee Act 1844(c), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

Citation and
commence-
ment.

1. This Order may be cited as the Anguilla, Montserrat and Virgin Islands (Supreme Court) Order 1983 and shall come into operation on 1st September 1983.

Amendment
of Supreme
Court Order.

2.—(1) The following provisions shall have effect in relation to the West Indies Associated States Supreme Court Order 1967(d) (referred to below as the Order) so far as the Order has effect as part of the law of Anguilla, the law of Montserrat or, as the case may be, the law of the Virgin Islands.

(2) The Order may be cited as the Supreme Court Order and shall have effect as if section 1(1) thereof were deleted.

(3) The Court established by this Order shall be styled the Eastern Caribbean Supreme Court and accordingly section 4(1) of the Order shall have effect as if the words "Eastern Caribbean" were substituted for the words "West Indies Associated States".

(a) 1967 c. 4. (b) 1980 c. 67. (c) 1844 c. 69. (d) S.I. 1967/223.

(4) References in the Order to the Premier of any State shall be construed as references to the Prime Minister of that State.

(5) The Order shall have effect as if—

(a) in sections 2(1) and 18(2) references to Antigua were references to Antigua and Barbuda, references to Grenada were deleted, references to Saint Christopher, Nevis and Anguilla were references to Saint Christopher and Nevis and references to Saint Vincent were references to Saint Vincent and the Grenadines; and

(b) in sections 10 and 15 the word “Anguilla,” were inserted before the word “Montserrat” wherever it occurs.

(6) For the purposes of the Order, Anguilla shall not be regarded as a State.

(7) References to the Order in any law in force in Anguilla, in Montserrat or, as the case may be, in the Virgin Islands shall, unless the context otherwise requires, be construed as including any law amending the Order.

3. The Montserrat (Appeals to Privy Council) Order 1967(a) and the Virgin Islands (Appeals to Privy Council) Order 1967(b) shall have effect as if—

Amendment
of Appeals to
Privy Council
Orders.

(a) the definition of “Courts Order” in section 2(1) were deleted; and

(b) the words “the Supreme Court Order” were substituted for the words “the Courts Order” wherever they appear in section 2(1).

4. Subsections (1) and (2) of section 3 of the Anguilla Constitution Order 1982(c) are revoked.

Revocation.

N. E. Leigh,
Clerk of the Privy Council.

EXPLANATORY NOTE

(This Note is not part of the Order.)

For purposes of consistency, this Order makes alterations to the West Indies Associated States Supreme Court Order 1967 so far as it has effect as part of the law of Anguilla, of Montserrat and of the Virgin Islands. These are similar to those already made to the Order as it has effect as part of the law of the five States that have retained the Supreme Court that Order established, originally as a common court for the West Indies Associated States. On the independence of each State, the Court under its law is styled the Eastern Caribbean Supreme Court and the Order is cited as the Supreme Court Order.

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