



# West Indies Act 1962

## 1962 CHAPTER 19 10 and 11 Eliz 2

### **4 Power of Her Majesty to establish common courts for West Indian colonies.**

- (1) Her Majesty may by Order in Council provide—
  - (a) for the establishment, in place of the Federal Supreme Court of the Federation, of a court constituted in such manner as may be specified in the Order and having such jurisdiction to hear and determine appeals from, and to determine questions of law reserved by judges of, the courts of the relevant colonies as may be determined by or under the Order;
  - (b) confer, or provide for conferring, on the court established by the Order, jurisdiction to hear and determine appeals from, and to determine questions of law reserved by judges of, the courts of such other colonies as may be specified in the Order;
  - (c) confer upon the legislature of a colony from whose courts criminal appeals lie to the court established by the Order power to make, with extra-territorial operation, laws providing for the conveyance of prisoners to and from the place where that court is sitting.
- (2) Her Majesty may, by Order in Council, provide for the establishment for the relevant colonies or for any two or more of them of courts additional to that whose establishment is authorised by the foregoing subsection, being courts constituted in such manner and having such jurisdiction (whether civil or criminal, original or appellate) as may be determined by or under the Order.
- (3) An Order in Council under this section may provide for the expenses of maintaining a court established by the Order to be defrayed by the governments of the colonies for which it is established.
- (4) In this section—
  - (a) “relevant colonies” means, for the purposes of subsection (1), the colonies from whose courts appeals lie at the passing of this Act to the Federal Supreme Court of the Federation and, for the purposes of subsection (2), the colonies aforesaid with the exception of British Guiana;
  - (b) “appeals” include appeals by way of cases stated.
- (5) .....

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*Changes to legislation: There are currently no known outstanding effects for the West Indies Act 1962, Section 4. (See end of Document for details)*

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(6) ..... F1

**Textual Amendments**

F1 Ss. 1, 2, 4(5)(6) repealed by Statute Law (Repeals) Act 1989 (c. 43), s.1(1), Sch. 1 Pt. VI

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

C1 s. 4 restricted by Guyana Independence Act 1966 (c. 14), s. 5(3)

**Changes to legislation:**

There are currently no known outstanding effects for the West Indies Act 1962, Section 4.