

*Changes to legislation: There are currently no known outstanding effects for the Jamaica Independence Act 1962. (See end of Document for details)*

## SCHEDULES

### FIRST SCHEDULE

Section 1.

#### LEGISLATIVE POWERS OF JAMAICA

- 1 The <sup>M1</sup>Colonial Laws Validity Act 1865 shall not apply to any law made on or after the appointed day by the legislature of Jamaica.

#### Marginal Citations

**M1** 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 Jamaica.

- 3 The legislature of Jamaica shall have full power to make laws having extra-territorial operation.

<sup>F14</sup> .....

#### Textual Amendments

**F1** Sch. 1 para. 4 repealed (1.1.1996) by 1995 c. 21, ss. 314(1), 316(2), Sch. 12 (with s. 312(1), Sch. 14 para. 1)

- 5 Without prejudice to the generality of the preceding provisions of this Schedule, section four of the <sup>M2</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 Jamaica.

#### Marginal Citations

**M2** 1890 c. 27.

- 6 (1) Nothing in this Act shall confer on the legislature of Jamaica 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 Jamaica in pursuance of section five of the <sup>M3</sup>West Indies Act 1962;
- (c) any law, or instrument made under a law, of the legislature of Jamaica 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**

**M3** 1962 c. 19.

SECOND SCHEDULE

Section 3.

AMENDMENTS NOT AFFECTING THE LAW OF JAMAICA

*Diplomatic immunities*

1 ..... F2

**Textual Amendments**

**F2** Sch. 2 para. 1 repealed by Finance Act 1969 (c. 32), Sch. 21 Pt. IX

2 In subsection (6) of section one of the Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) Act, 1952, after the word “Tanganyika” there shall be inserted the word “Jamaica”

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

**C1** The text of S. 3(2)(b), Sch. 2 paras. 2 & 6(a) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

3 ..... F3

**Textual Amendments**

**F3** Sch. 2 para. 3 repealed by International Organisations Act 1981 (c.9, SIF 68:1), Sch.

*Financial*

4 In subsection (4) of section two of the <sup>M4</sup>Import Duties Act, 1958, after the word “India” there shall be inserted the word “Jamaica”.

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

- C2** The text of Sch. 2 paras. 4, 7, 8, 15 is in the form in which was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which have been made prior to 1.2.1991.

**Marginal Citations**

- M4** 1958 c. 6

*Visiting forces*

- 5 In the <sup>M5</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 in Jamaica as it applies in relation to forces raised in Dominions within the meaning of the <sup>M6</sup>Statute of Westminster 1931.

**Marginal Citations**

- M5** 1933 c. 6.  
**M6** 1931 (22 & 23 Geo. 5 c. 4).

- 6 In the <sup>M7</sup>Visiting Forces Act 1952—
- (a) in paragraph (a) of subsection (1) of section one (which specifies the countries to which that Act applies) for the words “or Tanganyika” there shall be substituted the words “Tanganyika or Jamaica”;
  - (b) in paragraph (a) of subsection (1) of section ten the expression “colony” shall not include Jamaica;
- and, until express provision with respect to Jamaica 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 Jamaica.

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

- C3** The text of S. 3(2)(b), Sch. 2 paras. 2 & 6(a) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Marginal Citations**

- M7** 1952 c. 67.

*Ships and aircraft*

F47 .....

**Textual Amendments**

- F4** Sch. 2 para. 7 repealed (1.1.1996) by 1995 c. 21, ss. 314(1), 316(2), Sch. 12 (with s. 312(1), Sch. 14 para. 1)

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F58 .....

**Textual Amendments**  
F5 Sch. 2 para. 8 repealed (1.1.1996) by 1995 c. 21, ss. 314(1), 316(2), Sch. 12 (with s. 312(1), Sch. 14 para. 1)

9 ..... F6

**Textual Amendments**  
F6 Sch. 2 para. 9 repealed by Emergency Laws (Re-enactments and Repeals) Act 1964 (c. 60), Sch. 2

10 ..... F7

**Textual Amendments**  
F7 Sch. 2 para. 10 repealed by Statute Law (Repeals) Act 1977 (c. 18), Sch. 1 Pt. XV

11 In the <sup>M8</sup>Whaling Industry (Regulation) Act 1934 the expression “British ship to which this Act applies” shall not include a British ship registered in Jamaica.

**Marginal Citations**  
M8 1934 c. 49.

12 ..... F8

**Textual Amendments**  
F8 Sch. 2 para. 12 repealed by Civil Aviation Act 1971 (c. 75), Sch. 11

*Copyright*

13 ..... F9

**Textual Amendments**  
F9 Sch. 2 para. 13 repealed by Copyright, Designs and Patents Act 1988 (c.48, SIF 67A), s. 303(2), Sch. 8

14 ..... F10

**Textual Amendments**  
F10 Sch. 2 para. 14 repealed by Family Law Act 1986 (c. 55, SIF 49:3), s. 68(2), Sch. 2

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*Commonwealth Institute*

**F11** 15 .....

**Textual Amendments**

**F11** Sch. 2 para. 15 repealed (7.1.2003) by 2002 c. 39, ss. 3, 4(2), **Sch. 3**

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