STATUTORY INSTRUMENTS

1969 No. 371

ASSOCIATED STATES

The Anguilla (Temporary Provision) Order 1969

Made - - - 18*th March* 1969

Coming into Operation *On a date to be appointed under section* 1(2).

At the Court at Buckingham Palace, the 18th day of March 1969

Present,

The Queen's Most Excellent Majesty in Council

Whereas Her Majesty's Government in the United Kingdom and the Government of the Associated State of St. Christopher Nevis and Anguilla (hereinafter called " the Associated State ") have consulted together concerning the situation that now exists in Anguilla and have agreed that appropriate measures should be taken to restore law and order in Anguilla and to preserve the territorial integrity of the Associated State in order to ensure that the discharge of the responsibilities of Her Majesty's Government in the United Kingdom under the West Indies Act 1967(a) relating to defence and external affairs is not prejudiced:

And Whereas it appears to Her Majesty that, in the interests of the responsibilities of Her Majesty's Government in the United Kingdom relating to defence and external affairs, a change should be made in the law of the Associated State whereby provision is made for the exercise in Anguilla of certain functions by Her Majesty's Commissioner in Anguilla:

And Whereas the Government of the Associated State who, subject to the provisions of the West Indies Act 1967, are responsible for the peace, order and good government of Anguilla have signified their agreement that such provision should be made by Order of Her Majesty in Council:

Now, therefore, Her Majesty in exercise of the powers conferred upon Her by section 7(2) of the West Indies Act 1967 is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1.—(1) This Order may be cited as the Anguilla (Temporary Provision) Order 1969.

(2) This Order shall come into operation on such date as a Secretary of State may by order appoint.

(3) This Order shall cease to have effect on such date as a Secretary of State may by order appoint.

2.—(1) In this Order—

" the Commissioner " means such person as Her Majesty may appoint by instrument under Her Sign Manual and Signet to be Her Majesty's Commissioner in Anguilla for the purposes of this Order and includes any person appointed by Her Majesty to act in that office;

" the Constitution " means the Constitution of the Associated State(b); and

" the Courts Order " means the West Indies Associated States Supreme Court Order 1967(c).

(a) 1967 c. 4. (b) Schedule 2 to S.I. 1967/228 (1967 I, p. 594).
(c) S.I. 1967/223 (1967 I, p. 364).

(2) The Interpretation Act 1889(a) shall apply, with the necessary adaptations, for the purpose of interpreting this Order and otherwise in relation thereto as it applies for the purpose of interpreting and in relation to Acts of the United Kingdom Parliament.

3.—(1) The Commissioner shall have such powers and other functions as may be conferred upon him by this Order or any other law for the time being in force in Anguilla.

(2) In the exercise of the functions conferred upon him by this Order or any other law as aforesaid the Commissioner shall act in accordance with such instructions as may from time to time be given to him by Her Majesty through a Secretary of State.

(3) The question whether the Commissioner has complied with any such instructions as aforesaid shall not be enquired into in any court of law.

4.—(1) The Commissioner may by regulations make provision for securing and maintaining public safety and public order in Anguilla and generally for securing and maintaining within Anguilla, as part of the Associated State, such conditions as are required in the interests of the responsibilities of Her Majesty's Government in the United Kingdom relating to defence and external affairs.

(2) Regulations under the foregoing subsection may amend, suspend or revoke any law for the time being in force in Anguilla other than the Constitution or the Courts Order.

5. So long as this Order is in operation and subject to any regulations made under section 4 of this Order, all laws for the time being in force in Anguilla (except the Constitution and the Courts Order) shall have effect as if any function conferred thereby upon the Governor, the Cabinet or any Minister of the Associated State were exercisable by the Commissioner to such extent as he may consider necessary for the purposes mentioned in section 4(1) of this Order.

W. G. Agnew.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order provides that a Commissioner appointed by Her Majesty may exercise certain functions in Anguilla in the interests of the responsibilities of Her Majesty's Government in the United Kingdom relating to defence and external affairs.

(a) 1889 c. 63.