STATUTORY INSTRUMENTS

1967 No. 232

CARIBBEAN AND NORTH ATLANTIC TERRITORIES

The Saint Vincent Constitution (Amendment) Order 1967

Made - - - -	*22nd February* 1967
Laid before Parliament	*24th February* 1967
Coming into Operation	*27th February* 1967

At the Court at Buckingham Palace, the 22nd day of February 1967

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of Her Powers under sections 5 and 7 of the West Indies Act 1962(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation, construction and commencement.

1.—(1) This Order may be cited as the Saint Vincent Constitution (Amendment) Order 1967.

(2) This Order shall be construed as one with the Saint Vincent (Constitution) Order in Council 1959(b), as amended by the West Indies (Dissolution and Interim Commissioner) Order in Council 1962(c), (hereinafter called "the principal Order") and that Order and this Order may be cited together as the Saint Vincent Constitution Orders 1959 and 1967.

(3) This Order shall come into operation on 27th February 1967:

Provided that the provisions of sections 3, 4(2), 5, 6, 8, 9 and 11 of this Order shall come into operation on the date prescribed under section 1(2) of the West Indies Associated States Supreme Court Order 1967(d).

Revocation of Order of 1959.

2. The Windward Islands and Leeward Islands (Police Service Commission) Order in Council 1959(e) is revoked in so far as it has effect as part of the law of Saint Vincent.

References to Judicial and Legal Services Commission.

3. Subject to the provisions of section 4(2)(*a*) of this Order, the principal Order is amended by the deletion of the words "Judicial and Legal Service Commission" wherever they occur and the substitution of the words "Judicial and Legal Services Commission".

Amendment of s. 2 of Order of 1959.

4.—(1) Section 2 of the principal Order is amended—

(*a*) by the deletion from subsection (1) of the definition of the Police Service Commission;

(*b*) by the deletion from that subsection of the words "or the Police Service Commission" in the definition of the public service; and

(*c*) by the deletion from subsection (7) of the words "or the Police Service Commission".

(a) 1962 c. 19. (b) S.I. 1959/2201 (1959 I, p. 479).
(c) S.I.1962/1084 (1962 II, p. 1220). (d) S.I.1967/223 (1967 I, p. 364).
(e) S.I. 1959 /2198 (1959 I, p. 558).

(2) Section 2 of the principal Order is further amended—

(*a*) by the deletion from subsection (1) of the definition of the Judicial and Legal Service Commission and the substitution of the following definitions:—

'"the Court of Appeal" means the Court of Appeal established by the West Indies Associated States Supreme Court Order 1967;

"the High Court" means the High Court established by that Order;

"the Judicial and Legal Services Commission" means the Judicial and Legal Services Commission established by that Order;'; and

(*b*) by the deletion from that subsection of the definition of the Supreme Court and the substitution of the following definition:—

'"the Supreme Court" means the Supreme Court established by the West Indies Associated States Supreme Court Order 1967.'.

Amendment of s. 48 of Order of 1959.

5. Section 48 of the principal Order is amended—

(*a*) by the deletion from subsection (1) of the words "Supreme Court" where they first occur and the substitution of the words "High Court"; and

(*b*) by the deletion from that subsection of the words "of the Supreme Court" after the words "Chief Justice".

Amendment of s. 49 of Order of 1959.

6. Section 49 of the principal Order is amended by the deletion from subsection (2) of the words "Supreme Court" and the substitution of the words "High Court".

Amendment of s. 51 of Order of 1959.

7. Section 51 of the principal Order is amended—

(*a*) by the deletion from subsection (3) of the words "or member of the Police Service Commission"; and

(*b*) by the deletion from subsection (4) of the words "or of the Police Service Commission".

Amendment of s. 52 of Order of 1959.

8. Section 52 of the principal Order is amended by the deletion of the words "or the Windward Islands and Leeward Islands (Courts) Order in Council, 1959".

Amendment of s. 55 of Order of 1959.

9. Section 55 of the principal Order is amended by the insertion after the words "principal law officer" in subsection (2) of the words ", the office of any magistrate, the office of any registrar or other officer of the High Court who is required to possess legal qualifications".

Amendment of ss. 57 and 58 of Order of 1959.

10. Sections 57 and 58 of the principal Order are amended by the deletion of the words "Police Service Commission" and the substitution of the words "Public Service Commission".

Appeals to Her Majesty in Council.

11.—(1) An appeal shall lie as of right from decisions of the Court of Appeal to Her Majesty in Council in the following cases—

(*a*) where the matter in dispute on the appeal to Her Majesty in Council is of the value of fifteen hundred dollars or upwards or where the appeal involves directly or indirectly a claim to or question respecting property or a right of the value of fifteen hundred dollars or upwards, final decisions in any civil proceedings;

(*b*) final decisions in proceedings for dissolution or nullity of marriage; and

(*c*) such other cases as may be prescribed by any law for the time being in force in Saint Vincent.

(2) An appeal shall lie from decisions of the Court of Appeal to Her Majesty in Council with the leave of the Court of Appeal in the following cases—

(*a*) where in the opinion of the Court of Appeal the question involved in the appeal is one that, by reason of its great general or public importance or otherwise, ought to be submitted to Her Majesty in Council, decisions in any civil proceedings; and

(*b*) such other cases as may be prescribed by any law for the time being in force in Saint Vincent.

(3) An appeal shall lie to Her Majesty in Council with the special leave of Her Majesty from any decision of the Court of Appeal in any civil or criminal matter.

(4) References in this section to decisions of the Court of Appeal shall be construed as references to decisions of the Court of Appeal in exercise of the jurisdiction conferred by any law for the time being in force in Saint Vincent.

W. G. Agnew.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order revokes the Windward Islands and Leeward Islands (Police Service Commission) Order in Council 1959 in its application to Saint Vincent and makes certain amendments to the constitution of Saint Vincent consequent upon the revocation of that Order and the British Caribbean (Appeal to Privy Council) Order in Council 1962 and the making of the West Indies Associated States Supreme Court Order 1967.