



CHAPTER 13

An Act to separate the Turks and Caicos Islands from the colony of Jamaica and to make fresh provision for the government of those Islands and of the Cayman Islands. [20th February, 1958]

**B**E it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. On such day as Her Majesty may by Order in Council appoint (in this Act referred to as the "appointed day") the Turks and Caicos Islands shall cease to be part of the colony of Jamaica. Separation of  
Turks and  
Caicos Islands  
from colony  
of Jamaica.
- 2.—(1) On the appointed day the Cayman Islands Act, 1863, and the Order in Council made under the Turks and Caicos Islands Act, 1873, shall cease to have effect. Provisions as  
to government  
of Cayman  
Islands and  
Turks and  
Caicos Islands.  
(2) Her Majesty may by Order in Council make such provision as appears to Her Majesty to be expedient for the government on and after the appointed day of the Cayman Islands and the Turks and Caicos Islands as part of the West Indies (that is to say, the Federation established under the British Caribbean Federation Act, 1956), and any such Order may, in so far as may be consistent with the provisions of any Order in Council in force under section one of that Act,— 26 & 27 Vict.  
c. 31.  
36 & 37 Vict.  
c. 6.  
4 & 5 Eliz. 2.  
c. 63.
  - (a) confer power to make laws for any of the said Islands on authorities established under the Order, on the legislature of Jamaica, and on any other authority;

- (b) confer or provide for conferring on any court of Jamaica original or other jurisdiction over matters arising in any of the said Islands;
- (c) confer powers and impose duties on any authorities established under the Order or any other authorities of any of the said Islands or any authorities of Jamaica;
- (d) make or provide for the making of such incidental, consequential or transitional provisions as may appear to Her Majesty to be necessary or expedient.

(3) The cesser of the provisions mentioned in subsection (1) of this section shall not affect the continued operation of any other law in force in any of the said Islands immediately before the appointed day; but an Order in Council under this section may make or provide for the making of such modifications or adaptations in, and such repeals of, any such laws as may appear to Her Majesty to be necessary or expedient in consequence of the passing of this Act.

(4) An Order in Council under this section made before the appointed day may be so framed as to enable any authority upon whom power is thereby conferred to make any provision or to adapt, modify or repeal any law to exercise that power before that day with effect from that or a later day.

(5) An Order in Council under this section may be revoked or varied by a subsequent Order in Council.

Power to  
authorise  
making of  
emergency  
laws.

3.—(1) Notwithstanding anything in section two of this Act or any Order in Council made under that section, Her Majesty may by Order in Council confer power on any authority to make, in relation to periods of emergency, such laws for any of the said Islands, to have effect notwithstanding the provisions of any other law, as may appear to that authority to be necessary or expedient for securing the public safety, the defence of that Island or the maintenance of public order or for maintaining supplies and services essential to the life of the community; but any power so conferred shall be exercisable only to the same extent and subject to the same restrictions as the power of the legislature of the Island to make laws in similar circumstances.

(2) In this section “period of emergency” means, in relation to any of the said Islands, a period beginning with a declaration made by such authority and in such manner as may be prescribed by an Order in Council under this section that a public emergency exists in that Island and ending with a declaration so made that a public emergency no longer exists therein.

(3) An Order in Council under this section may be revoked or varied by a subsequent Order in Council.

4. This Act may be cited as the Cayman Islands and Turks Short title, and Caicos Islands Act, 1958.

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*Cayman Islands and Turks and  
Caicos Islands Act, 1958*

6 & 7 ELIZ. 2

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