

STATUTORY INSTRUMENTS

1973 No. 2155

GRENADA

The Grenada Constitution Order 1973

Made: 19th December 1973
Coming into Operation: 7th February 1974
At the Court at Buckingham Palace, the 19th day of December 1973

Whereas the people of Grenada-

- (c) firmly believe in the dignity of human values and that all men are endowed by the Creator with equal and inalienable rights, reason, and conscience ; that rights and duties are correlatives in every social and political activity of man ; and that while rights exalt individual freedom, duties express the dignity of that freedom ;
- (d) express their respect for the rule of law ; and since moral conduct constitutes the noblest flowering of their culture and their plural heritage, regard it as the duty of every man always to hold it in high respect ;
- (e) reiterate that the ideal of free men enjoying freedom from fear and want can be best achieved if conditions are created whereby everyone may enjoy his economic, social and political, civil and cultural rights ;
- (f) desire that their constitution should reflect the above mentioned principles and beliefs which represent those high ideals upon which their nation is founded, and make provision for ensuring the protection in Grenada of fundamental rights and freedoms :

Now, therefore, the following provisions shall have effect as the Constitution of Grenada :-

CHAPTER I
PROTECTION OF FUNDAMENTAL RIGHTS AND FREEDOMS

1. Whereas every person in Grenada is entitled to the fundamental rights and freedoms, that is to say, the right, whatever his race, place of origin, political opinions, colour, creed or sex, but subject to respect for the rights and freedoms of others and for the public interest, to each and all of the following, namely-

- a. life, liberty, security of the person and the protection of the law ;
- b. freedom of conscience, of expression and of assembly and association ;
- c. protection for the privacy of his home and other property and from deprivation of property without compensation ; and
- d. the right to work,

9.- (1) Except with his own consent, no person shall be hindered in the enjoyment of his freedom of conscience, including freedom of thought and of religion, freedom to change his religion or belief and freedom, either alone or in community with others, and both in public and in private, to manifest and propagate his religion or belief in worship, teaching, practise and observance.

(2) Except with his own consent (or, if he is a person under the age of eighteen years, the consent of his guardian) no person attending any place of education shall be required to receive religious instruction or to take part in or attend any religious ceremony or observance if that instruction, ceremony or observance relates to a religion other than his own.

(3) Every religious community shall be entitled, at its own expense, to establish and maintain places of education and to manage any place of education which it wholly maintains ; and no such community shall be prevented from providing religious instruction for persons of that community in the course of any education provided at any places of education which it wholly maintains or in the course of any education which it otherwise provides.

(4) No person shall be compelled to take any oath which is contrary to this religion or belief or to take any oath in a manner which is contrary to his religion or belief.

(5) Nothing contained in or done under the authority of any law shall be held to be inconsistent with or in contravention of this section to the extent that the law in question makes provision which is reasonably required-

- a. in the interests of defence, public safety, public order, public morality or public health ; or
- b. for the purpose of protecting the rights and freedoms of other persons, including the right to observe and practise any religion without the unsolicited intervention of members of any other religion,

and except so far as that provision or, as the case may be, the thing done under the authority thereof is shown not to be reasonably justifiable in a democratic society.

(6) References in this section to a religion shall be construed as including references to a religious denomination, and cognate expressions shall be construed accordingly.

10.- (1) Except with his own consent, no person shall be hindered in the enjoyment of his freedom of expression, including freedom to hold opinions without interference, freedom to receive ideas and information without interference, freedom to communicate ideas and information without interference (whether the communication be to the public generally or to any person or class of persons) and freedom from interference with his correspondence.

(2) Nothing contained in or done under the authority of any law shall be held to be inconsistent with or in contravention of this section to the extent, that the law in question makes provision-

- a. that is reasonably required in the interests of defence, public safety, public order, public morality or public health ;
- b. that is reasonably required for the purpose of protecting the reputations, rights and freedoms of other persons or the private lives of persons concerned in legal proceedings, preventing the disclosure of information received in confidence, maintaining the authority and independence of the courts or regulating the technical administration or the technical operation of telephony, telegraphy, posts, wireless broadcasting or television ; or
- c. that imposes restrictions upon public officers, and except so far as that provision or, as the case may be, the thing done under the authority thereof is shown not to be reasonably justifiable in a democratic society.