STATUTORY INSTRUMENTS

1964 No. 1394

ARABIA

The Aden (Constitution) (Amendment) Order 1964

Made - - - - *2nd September* 1964
Laid before Parliament *8th September* 1964
Coming into Operation *9th September* 1964

At the Court at Buckingham Palace, the 2nd day of September 1964

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers in that behalf by the British Settlements Acts 1887 and 1945(a) or otherwise in Her Majesty vested, 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 Aden (Constitution) (Amendment) Order 1964 and shall be construed as one with the Aden (Constitution) Order in Council 1962(b).

(2) The Aden (Constitution) Order in Council 1962 and this Order may be cited together as the Aden (Constitution) Orders 1962 and 1964.

(3) This Order shall be published in the Gazette, and shall come into operation on 9th September 1964.

Replacement of section 34 of the Constitution of Aden.

2. For section 34 of the Constitution of Aden set out in schedule 2 to the Aden (Constitution) Order in Council 1962 there is substituted the following section:—

"Qualifications for election.

34.—(1) Subject to the provisions of section 35 of this Constitution, a person shall be qualified to be elected a member of the Legislative Council if, and shall not be qualified to be so elected unless, he—

(*a*) was born in Aden or his father was born in Aden; or

(*b*) has obtained the status of a British subject by reason of the grant by the High Commissioner (or by the Governor or other competent authority in Aden) of a certificate of naturalisation under the British Nationality and Status of Aliens Act 1914(c), or the British Nationality Act 1948(d); and

(*c*) is a male person of not less than twenty-one years of age; and

(*d*) is resident in Aden; and

(a) 50 & 51 Vict. c. 54 and 9 & 10 Geo. 6. c. 7.
(b) S.I. 1962/2177 (1962 III, p. 2904).
(c) 4 & 5 Geo. 5. c. 17.
(d) 11 & 12 Geo. 6. c. 56.

(*e*) is able, with a degree of proficiency sufficient to enable him to take an active part in the proceedings of the Legislative Council, to speak and, unless incapacitated by blindness or other physical cause, to read and write the Arabic language.

(2) Any question whether any person possesses the qualifications mentioned in paragraph (*e*) of subsection (1) of this section shall be determined in such manner as may be prescribed by or under any law made under section 40 of this Constitution for the time being in force in Aden or, in so far as not so prescribed, as may be provided by order made by the High Commissioner and published in the Gazette.".

W. G. Agnew.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order makes fresh provision for qualifications for Elected Members of the Aden Legislative Council.