STATUTORY INSTRUMENTS

1975 No. 2160

ASSOCIATED STATES

The Antigua Constitution (Amendment) Order 1975

Made - - - - 19*th December* 1975
Coming into Operation 9*th January* 1976

At the Court at Buckingham Palace, the 19th day of December 1975

Present,

The Queen's Most Excellent Majesty in Council

Whereas a resolution in the terms set out in the Schedule to this Order was unanimously passed in the House of Representatives and the Senate of the Associated State of Antigua on 29th October 1975 and 30th October 1975 respectively:

Now, therefore, Her Majesty in exercise of the powers conferred upon Her by section 5(4) of the West Indies Act 1967(**a**) 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 Antigua Constitution (Amendment) Order 1975.

(2) This Order shall be construed as one with the Antigua Constitution Orders 1967 and 1972(**b**) and this Order and those Orders may be cited together as the Antigua Constitution Orders 1967 to 1975.

(3) This Order shall come into operation on 9th January 1976.

2. The Constitution of Antigua is amended by the addition, immediately following section 58(2) of the following proviso:—

" Provided however that in respect of the second Constituencies Commission to be appointed under section 56 of this Constitution that such Commission shall not be appointed before the 1st day of June 1976, and that the report of such Commission shall be submitted to the Speaker not less than six years and three months or more than seven years after the date when the last such report was so submitted ".

N. E. Leigh

SCHEDULE

RESOLUTION

Resolution of the Parliament of Antigua to request Her Majesty to alter, in respect of the Second Constituencies Commission to be appointed under section 56 of the Constitution, the period within which the Second Constituencies Commission shall be appointed and within which the report of such Commission shall be made.

Whereas by the Constitution of Antigua it is provided at section 56 thereof that " The Governor, acting in accordance with the advice of the Premier, shall

(a) 1967 c. 4. (b) S.I. 1967/225, 1972/301 (1967 I, p. 383; 1972 I, p. 953).

from time to time appoint a Constituencies Commission to review the number, and the boundaries, of the constituencies and report thereon to the Speaker ":

And whereas by section 58(2) of the Constitution of Antigua it is provided that " A report by a Constituencies Commission shall be submitted to the Speaker under this section not less than two nor more than five years after the date when this Constitution comes into operation and thereafter not less than two or more than five years after the date when the last such report was so submitted ":

And whereas by section 38(4) of the Constitution of Antigua sections 56 and 58 thereof have been made entrenched sections of the Constitution aforesaid:

And whereas by section 5(4) of the West Indies Act 1967, it is provided that " Where the constitution of an associated state provided by a Constitution Order has come into effect, Her Majesty may at any time, by Order in Council made at the request and with the consent of that State, alter that constitution or any part of that constitution, or alter any law which alters that constitution or any part of it ":

And whereas the first Constituencies Commission appointed under the provisions of section 56 of the Constitution submitted its report in accordance with section 58(2) of the Constitution to the Speaker on the 9th day of February 1970:

And whereas no second Constituencies Commission has yet been appointed and if appointed would not be able to present its report within the time specified under the said section 58(2) of the Constitution:

And whereas the Parliament of the State of Antigua considers it desirable that section 58(2) of the Constitution be amended to enable the next election of members to the House of Representatives to be held before the appointment of a Constituencies Commission under the provisions of section 58 of the Constitution and to make consequential arrangements for the appointment of such a Commission for subsequent elections:

Be it resolved that this State by its House of Representatives and by its Senate consent that Her Majesty be requested to exercise the powers reserved unto Herself by the West Indies Act 1967, section 5(4) and alter the Constitution of Antigua by the addition, immediately following the said section 58(2), of the following proviso—

" Provided however that in respect of the second Constituencies Commission to be appointed under section 56 of this Constitution that such Commission shall not be appointed before the 1st day of June 1976, and that the report of such Commission shall be submitted to the Speaker not less than six years and three months or more than seven years after the date when the last such report was so submitted ".

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, which is made at the request and with the consent of the Associated State of Antigua, alters, in respect of the second Constituencies Commission to be appointed under section 56 of the Constitution, the period within which that Commission shall be appointed and the period within which its report shall be made.

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