BRITISH GUIANA

[*See* also MERCHANT SHIPPING, below.]

The British Guiana (Constitution) Amendment Order in Council, 1949

1949 No. 2200

Made - - - - 25th November, 1949

At the Court at Buckingham Palace, the 25th day of November, 1949

Present,

The King's Most Excellent Majesty in Council

Whereas by the British Guiana (Constitution) Orders in Council, 1928 to 1945(**a**), made in pursuance of the powers in His Majesty vested by the British Guiana Act, 1928(**b**), provision is made for the constitution of a Legislative Council in and for the Colony of British Guiana (hereinafter called " the Colony "):

And Whereas it is expedient to amend the provisions of the said Orders in the manner following:

Now, therefore, His Majesty, by virtue and in exercise of His powers under the said Act, and all other powers enabling Him in that behalf, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

1.—(1) This Order may be cited as the British Guiana (Constitution) Amendment Order in Council, 1949, and shall be construed as one with the British Guiana (Constitution) Orders in Council, 1928 to 1945(**a**), and those Orders and this Order may be cited together as the British Guiana (Constitution) Orders in Council, 1928 to 1949.

(2) This Order shall be published in the Gazette; and the Governor shall give directions for the publication of this Order at such places and in such manner and for such time or times as he thinks proper for giving due publicity thereto within the Colony.

2. The British Guiana (Constitution) Orders in Council, 1928 to 1945(**a**), shall have effect, and shall be deemed always to have had effect, as if

(*a*) the definition of the expression " office of emolument " contained in Article 2 of the British Guiana (Constitution) Order in Council, 1928(**c**) (hereinafter called " the Principal Order "), as amended by the British Guiana (Constitution) Amendment Order in Council, 1943(**d**), were deleted therefrom;

(*b*) Article 2 of the Principal Order were renumbered 2 (1) and the following three subsections were added thereto:—

" (2) For the purposes of this Order a person shall not be deemed to hold an office of emolument under the Crown, by reason only

(i) that he is an Unofficial Member of the Executive Council; or

(**a**) S.R. & O. 1928 (No. 561) p. 221; 1935 (No. 801) I, p. 189; 1943 (No. 1792) I, p. 55; and 1945 (No. 990) I, p. 53.
(**b**) 18 & 19 Geo. 5. c. 5.
(**c**) S.R. & O. 1928 (No. 561) p. 221.
(**d**) S.R. & O. 1943 (No. 1792) I, p. 55.

(ii) that he is in receipt of a pension or other like allowance in respect of service under the Crown."

"(3) Nothing in this Order shall preclude the authorisation of remuneration for an Unofficial Member of the Council in respect of the performance of his duties as such Member."

"(4) If it shall be declared by any law for the time being in force in the Colony that an office shall not be an office of emolument under the Crown for all or any of the purposes of this Order, this Order shall have effect accordingly as if that law were enacted herein."

3. There shall be substituted, for the expression, "Colonial Treasurer", in Article 5 of the Principal Order (as substituted by Article 3 of the British Guiana (Constitution) Amendment Order in Council, 1943(a)) the expression, "Financial Secretary and Treasurer".

E. C. E. Leadbitter.

EXPLANATORY NOTE

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

The purpose of this Order is to implement a decision of the Colonial Government that Unofficial Members of the Executive and Legislative Councils shall receive remuneration for their services.

The opportunity has also been taken at the same time to substitute for the title "Colonial Treasurer" the title "Financial Secretary and Treasurer".

BRITISH NATIONALITY

[*See* also FOREIGN JURISDICTION, below.]

1. *British Protectorates, Protected States and Protected Persons.*
2. *Citizenship Laws*, p. 527.
3. *Registration of Naturalised Persons*, p. 529.

1. BRITISH PROTECTORATES, PROTECTED STATES AND PROTECTED PERSONS

The British Protectorates, Protected States and Protected Persons Order in Council, 1949

1949 No. 140

Made - - - - 28th January, 1949

At the Court at Sandringham, the 28th day of January, 1949

Present,

The King's Most Excellent Majesty in Council

Whereas by Section 30 of the British Nationality Act, 1948(b) (hereinafter referred to as "the Act"), it is provided as follows:—

"(1) His Majesty may, in relation to the states and territories under His protection through His government in the United Kingdom, by Order in Council declare which of those states and territories are protectorates and which of them are protected states for the purposes of this Act.

(a) S.R. & O. 1943 (No. 1792) I, p. 55. (b) 11 & 12 Geo. 6. c. 56.