STATUTORY INSTRUMENTS

1962 No. 1871

WEST AFRICA

The Gambia (Constitution) (Amendment) Order in Council 1962

Made - - - -	*24th August* 1962
Laid before Parliament	*30th August* 1962
Coming into Operation	*31st August* 1962

At the Court at Balmoral, the 24th day of August 1962

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers vested in Her by the British Settlements Acts 1887 and 1945(a) and by the Foreign Jurisdiction Act 1890(b) and of all other powers enabling Her in that behalf, 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 Gambia (Constitution) (Amendment) Order in Council 1962, and shall be construed as one with the Gambia (Constitution) Order in Council 1962(c) (hereinafter called "the principal Order"); and the principal Order and this Order may be cited together as the Gambia (Constitution) Orders in Council 1962.

(2) This Order shall be published in the Gazette and shall come into operation on 31st August 1962.

Amendment of s. 12 of principal Order.

2.—(1) Section 12 of the principal Order is amended—

(*a*) by deleting the proviso to subsection (1); and

(*b*) by substituting the words "Functions of Executive Council" for the marginal note.

Replacement of s. 20 of principal Order.

3. The following section is substituted for section 20 of the principal Order:—

"Assignment of responsibilities to Ministers.

20.—(1) Subject to the provisions of this Order and of any other law for the time being in force in the Gambia, the Governor, on the recommendation of the Premier, may, by directions in writing—

(*a*) assign to any Minister responsibility for any business of the Government of the Gambia, and charge that Minister with responsibility for any department of government; and

(*b*) vary or revoke any directions given under this section.

(2) Except for the purpose of conducting in the House any business of the Government of the Gambia relating to

(a) 50 & 51 Vict. c. 54 and 9 & 10 Geo. 6. c. 7. (b) 53 & 54 Vict. c. 37.
(c) S.I. 1962/826 (1962 I, p. 876).

such matters, the Governor shall not assign to any Minister responsibility for the matters specified in the next following section.".

Insertion of s. 23A in principal Order.

4. The following section is inserted immediately after section 23 of the principal Order:—

"Parliamentary Secretaries.

23A.—(1) The Governor, on the recommendation of the Premier, may, by instrument under the public seal, appoint Parliamentary Secretaries from among the elected members of the House to assist Ministers in performing their functions.

(2) Sections 14 (3), 15 (3) and (4) and 17 shall apply in relation to Parliamentary Secretaries as they apply in relation to Ministers.".

Amendment of s. 24 of principal Order.

5. Section 24 of the principal Order is amended by inserting after the word "Minister" the words "and to a Parliamentary Secretary".

Amendment of s. 26 and s. 27 of principal Order.

6. Sections 26 and 27 of the principal Order are amended by inserting after the word "Minister" in subsections (1) and (3) of each section the words "or Parliamentary Secretary".

Amendment of s. 36 of principal Order.

7. Section 36 of the principal Order is amended by substituting for the words "Minister or member of the House" in subsection (1) the words "Minister, Parliamentary Secretary or member of the House".

Amendment of s. 58 of principal Order.

8. Section 58 of the principal Order is amended by substituting the following subsection for subsection (2):—

"(2) No person shall be qualified to be appointed as a member of the Public Service Commission if he is a member of, or a candidate for election to, the House, or if he holds, or is acting in, any public office other than the office of head chief or such other office as the Governor, with the consent of a Secretary of State, may specify by notice published in the Gazette.".

E. N. Landale.

EXPLANATORY NOTE

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

This Order amends the Gambia (Constitution) Order in Council 1962 so as to enable the Governor to assign to Ministers responsibility for conducting in the House of Representatives government business relating to matters for which the Governor is responsible, to appoint Parliamentary Secretaries, and to appoint a head chief as a member of the Public Service Commission.