GOLD COAST COLONY AND ASHANTI

The Gold Coast (Constitution) Order in Council, 1950

1950 No. 2094

Made - - - - 21*st December*, 1950
Laid before Parliament 21*st December*, 1950
Coming into Operation:—

Sections 73 *and* 74 - 22*nd December*, 1950
Remainder except Part II—
On the commencement of the Gold Coast Letters Patent, 1950.*
Part II—
On a day to be appointed by the Governor under Section 31.

At the Court at Buckingham Palace, the 21st day of December, 1950

Present,

The King's Most Excellent Majesty in Council

Whereas by the Letters Patent mentioned in Part I of the First Schedule to this Order there is established for the Gold Coast Colony and Ashanti an Executive Council which shall consist of such persons, appointed in such manner, as may be directed by Instructions under the Royal Sign Manual and Signet:

And Whereas by the Orders in Council mentioned in Part II of the First Schedule to this Order provision is made for the constitution of a Legislative Council for the Gold Coast Colony and Ashanti:

And Whereas by the Orders in Council mentioned in Part III of the First Schedule to this Order it is provided that the Executive Council of the Gold Coast Colony and Ashanti shall be the Executive Council of the Northern Territories of the Gold Coast, and that the Governor and Commander-in-Chief of the Gold Coast Colony and Ashanti may from time to time provide by Ordinance for the administration of justice, the raising of revenue, and generally for the peace, order and good government of the Northern Territories of the Gold Coast:

And Whereas by the Togoland under United Kingdom Trusteeship Order in Council, 1949(a), it is provided that the Northern Section of Togoland under United Kingdom Trusteeship shall be administered as if it formed part of the Northern Territories of the Gold Coast, that the Southern Section of Togoland under United Kingdom Trusteeship shall be administered as if it formed part of the Gold Coast Colony, and that the Governor and Commander-in-Chief of the Gold Coast Colony and Ashanti shall (subject as therein provided) have full power by Ordinance to make all such provision as may from time to time be necessary for the administration of justice, the raising of revenue and generally for the peace, order and good government of Togoland under United Kingdom Trusteeship:

(a) S.I. 1949 (No. 1997) I, p. 1892.
* The date thus appointed was 1st January, 1951.

And Whereas by the Gold Coast Ordinances Order in Council, 1946(a), it is provided that it shall be lawful for provision to be made from time to time for the peace, order and good government of the Gold Coast Colony, Ashanti and the Northern Territories of the Gold Coast as if they were a single territory:

And Whereas upon the commencement of the Gold Coast Colony and Ashanti Letters Patent, 1950, the Letters Patent mentioned in Part I of the First Schedule to this Order will be revoked:

And Whereas upon the commencement of the Northern Territories of the Gold Coast Order in Council, 1950(b), the Orders in Council mentioned in Part III of the First Schedule to this Order will be revoked:

And Whereas upon the commencement of the Togoland under United Kingdom Trusteeship (Amendment) Order in Council, 1950(c), the provisions of the Togoland under United Kingdom Trusteeship Order in Council, 1949(d), hereinbefore recited will be amended as therein appearing:

And Whereas it is expedient to revoke the Orders in Council mentioned in Part II of the First Schedule to this Order and the Gold Coast Ordinances Order in Council, 1946(a), and by this Order to establish, and make provision for the constitution of, an Executive Council and a Legislative Assembly for the Gold Coast Colony, Ashanti, the Northern Territories of the Gold Coast and Togoland under United Kingdom Trusteeship in place of the Executive Council and Legislative Council as aforesaid, and to make such other provisions as are hereinafter contained:

Now, therefore, His Majesty, by virtue and in exercise of the powers vested in Him by the British Settlements Acts, 1887 and 1945(e), the Foreign Jurisdiction Act, 1890(f), and of 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:—

PART I

Preliminary

Interpretation.

1.—(1) In this Order, unless the context otherwise requires:—

"the appointed day" means the day appointed under Article 2 of the Gold Coast Letters Patent, 1950;

"Ashanti" means the territories from time to time defined as such by Order of His Majesty in Council;

"the Assembly" means the Legislative Assembly constituted under this Order;

"the Colony" means the Gold Coast Colony as from time to time defined by Order of His Majesty in Council;

"election" means the election of Elected Members to the Assembly and "elector" means an elector for any such election;

"the Executive Council" means the Executive Council constituted under this Order;

"the existing Instructions" means the Instructions specified in Part IV of the First Schedule to this Order;

(a) S.R. & O. 1946 I, p. 2338. (b) S.I. 1950 (No. 2095) II, p. 96.
(c) S.I. 1950 (No. 2096) II, p. 1036. (d) S.I. 1949 (No. 1997) I, p. 1892.
(e) 50 & 51 Vict. c. 54 and 9 & 10 Geo. 6. c. 7. (f) 53 & 54 Vict. c. 37.

" the existing Letters Patent " means the Letters Patent specified in Part I of the First Schedule to this Order ;

" the existing Orders " means the Orders in Council specified in Part II of the First Schedule to this Order ;

" the Gazette " means the Official Gazette of the Gold Coast ;

" the Gold Coast " means the Gold Coast Colony, Ashanti and the Northern Territories of the Gold Coast, as from time to time respectively defined by Order of His Majesty in Council ; and for the purposes of this Order references to the Gold Coast shall be construed as including Togoland under United Kingdom Trusteeship ;

" the Governor " means the Governor and Commander-in-Chief of the Gold Coast and includes the Officer for the time being administering the Government and, to the extent to which a Deputy for the Governor is authorised to act, that Deputy ;

" meeting " means any sitting or sittings of the Assembly commencing when the Assembly first meets after being summoned at any time and terminating when the Assembly is adjourned *sine die* or at the conclusion of a session ;

" the Northern Territories " means the Northern Territories of the Gold Coast as from time to time defined by Order of His Majesty in Council ;

" public office " means any office of emolument in the public service ;

" public officer " means the holder of any public office and includes any person appointed to act in any such office ;

" Public Seal " means the Public Seal of the Gold Coast ;

" the public service " means the service of the Crown in respect of the Government of the Gold Coast ;

" session " means the sittings of the Assembly commencing when the Assembly first meets after being constituted under this Order, or after its prorogation or dissolution at any time, and terminating when the Assembly is prorogued or is dissolved without having been prorogued ;

" sitting " means a period during which the Assembly is sitting continuously without adjournment, and includes any period during which the Assembly is in Committee ;

" the Speaker " and " the Deputy Speaker " mean respectively the Speaker and the Deputy Speaker of the Assembly.

(2) Where in this Order reference is made to any officer by the term designating his office, such reference shall be construed as a reference to the officer for the time being lawfully discharging the functions of that office.

(3) All references in this Order to His Majesty's dominions shall have effect as if they included references to all British protectorates and protected states and to all territories administered by the Government of any part of His Majesty's dominions under the Trusteeship System of the United Nations.

(4) (*a*) For the purposes of this Order, a person shall not be considered to hold a public office by reason only that he is in receipt of a pension or other like allowance in respect of service in any such office ; and if it shall be declared by any law in force in the Gold Coast that an office

shall not be a public office for all or any of the purposes of this Order, this Order shall have effect accordingly as if such law were enacted herein.

(*b*) For the purposes of this Order a person shall not be considered to be a public officer or otherwise to hold office of emolument under the Crown by reason of the fact that he is in receipt of a salary or other emoluments or any allowance in respect of his tenure of the office of Speaker, Deputy Speaker, Minister, Ministerial Secretary or Member of the Assembly.

(5) This Order shall be construed—

(*a*) as if subsection (1) of section 1 of the India (Consequential Provision) Act, 1949(**a**), applied to it in the same way as that subsection applies to laws in force on the date mentioned in that subsection; and

(*b*) as if subsection (2) of section 3 of the British Nationality Act, 1948(**b**), (as interpreted by subsection (1) of section 3 of the Ireland Act, 1949(**c**) and subsection (2) of section 3 of the Ireland Act, 1949, applied to it as those subsections apply to laws in force at the dates of the commencement of those Acts respectively.

(6) Save as is in this Order otherwise provided, or required by the context, the Interpretation Act, 1889(**d**), shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Short title and commencement.

2. This Order may be cited as the Gold Coast (Constitution) Order in Council, 1950. It shall be published in the Gazette and, save as otherwise expressly provided in this Order, shall come into operation on the appointed day.

Revocation.

3. The existing Orders and the Gold Coast Ordinances Order in Council, 1946(**e**), are hereby revoked but without prejudice to anything lawfully done thereunder.

PART II

Executive Council

Executive Council.

4. There shall be an Executive Council in and for the Gold Coast, which shall consist of the Governor as President, three *ex-officio* Members and such other Members (hereinafter called "Representative Members"), being Members of the Assembly, and not being less than eight at any one time, as may from time to time be appointed in accordance with the provisions of this Part of this Order.

Functions of Executive Council.

5. The Executive Council shall be the principal instrument of policy and shall perform such functions and duties, and exercise such powers, as may from time to time be prescribed by or under this Order, any other Orders of His Majesty in Council, any Instructions under His Majesty's Sign Manual and Signet or, subject to the provisions of this Order and of such other Orders and Instructions as aforesaid, by or under any other law in force in the Gold Coast.

(**a**) 12, 13 & 14 Geo. 6. c. 92. (**b**) 11 & 12 Geo. 6. c. 56.
(**c**) 12, 13 & 14 Geo. 6. c. 41. (**d**) 52 & 53 Vict. c. 63.
(**e**) S.R. & O. 1946 I, p. 2338.

Exercise of Governor's powers.

6.—(1) The Governor shall, save as otherwise provided by any Instructions under His Majesty's Sign Manual and Signet—

(*a*) consult with the Executive Council in the exercise of all powers conferred upon him by this Order other than powers which he is by this Order directed or empowered to exercise in his discretion; and

(*b*) act in accordance with the advice of the Executive Council in any matter on which he is by this subsection obliged to consult with the Executive Council.

(2) Nothing in subsection (1) of this section shall be construed as applying to matters for which provision is made by subsection (1) of section 19, or by section 58, of this Order.

Ex-officio Members.

7. The *ex-officio* Members of the Executive Council shall be the Chief Secretary, the Attorney-General and the Financial Secretary.

Representative Members.

8. Whenever there shall be occasion for the appointment of one or more Representative Members:—

(i) the Governor, acting in his discretion, shall submit to the Assembly, for its approval, the name or names of the person or persons, as the case may be, whom he proposes for appointment;

(ii) the Assembly shall, before the conclusion of the meeting in which the name of any person proposed for appointment as a Member of the Executive Council has been submitted to it in accordance with the provisions of paragraph (i) of this section, consider and resolve whether the appointment of such person shall be approved;

(iii) the Governor shall by Instrument under the Public Seal appoint to be a Member of the Executive Council any person of whose appointment the Assembly shall by resolution approve as provided in paragraph (ii) of this section.

Tenure of Office.

9.—(1) The Assembly may, by resolution in favour of which there are cast the votes of not less than two-thirds of all the Members of the Assembly, request the Governor to revoke the appointment of any Representative Member of the Executive Council.

(2) Upon receipt from the Speaker, Deputy Speaker or other Member presiding of a copy of any such resolution, the Governor shall, by Instrument under the Public Seal, revoke any such appointment; and thereupon the seat of any such Member shall become vacant.

(3) If the Governor, acting in his discretion, shall consider that any Representative Member has failed to carry out any policy or decision of the Executive Council, he may propose to the Executive Council that the appointment of such Member shall be revoked; and, if the Executive Council shall so resolve, the Governor shall by Instrument under the Public Seal revoke such appointment, and thereupon the seat of any such Member shall become vacant.

Vacation of seats.

10.—(1) The seat of a Representative Member of the Executive Council shall in any case become vacant—

(*a*) if he shall cease to be a Member of the Assembly;

Provided that, if a Member of the Executive Council shall cease to be a Member of the Assembly by reason of a dissolution thereof, he shall not on that account vacate his seat in the Executive Council until such time as the Assembly shall, after such dissolution, have resolved that not less than four persons shall be appointed to be Members of the Executive Council in pursuance of paragraph (ii) of section 8 of this Order; or

(*b*) if he shall be absent from the Gold Coast without written permission given by the Governor acting in his discretion.

(2) A Representative Member of the Executive Council may, by writing under his hand addressed to the Governor, resign his seat in the Executive Council; and upon receipt of such resignation by the Governor the seat of such Member shall become vacant.

(3) A person whose seat in the Executive Council has become vacant may, if qualified, again be appointed as a Member of the Executive Council from time to time.

(4) The Governor may, by Instrument under the Public Seal, declare a Representative Member of the Executive Council to be by reason of illness temporarily incapable of discharging his functions as a Member of the Council; and thereupon such Member shall not sit or vote in the Council until he is declared in manner aforesaid again to be capable of discharging his said functions.

Decision of questions as to membership.

11. All questions which may arise as to the right of any person to be or remain a member of the Executive Council shall be referred to the Governor and shall be determined by the Governor acting in his discretion.

Official Oath.

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12. Every Member of the Executive Council shall, before entering on the duties of his office, take and subscribe before the Governor the official oath in accordance with the provisions of the Oaths Ordinance, or shall make the appropriate affirmation in lieu thereof as provided in the said Ordinance.

Temporary Members.

13.—(1) Whenever there shall be a vacancy in the number of persons sitting in the Executive Council by reason of the fact that—

(*a*) an *ex-officio* Member is administering the Government of the Gold Coast; or

(*b*) one person is lawfully discharging the functions of more than one of the three officers referred to in section 7 of this Order; or

(*c*) no person is lawfully discharging the functions of one of those officers; or

(*d*) a Representative Member is declared by the Governor, under subsection (4) of section 10 of this Order, to be temporarily incapable of discharging his functions as a Member; or

(*e*) a Member is absent from the Gold Coast,

a person may be appointed to be a Temporary Member of the Executive Council for the period of such vacancy.

(2) In the case of a vacancy in the number of persons sitting in the Executive Council as *ex-officio* Members, the said person shall be a person who is a public officer and shall be appointed by the Governor, acting in his discretion, by Instrument under the Public Seal.

(3) In the case of a vacancy in the number of persons sitting in the Executive Council as Representative Members:—

(i) the Governor, acting in his discretion, shall, as soon as is convenient, submit to the Executive Council, for its approval, the name of a person, being a Member of the Assembly, whom he proposes for appointment as a Temporary Member of the Council;

(ii) the Executive Council shall, at the meeting at which the name of such person is submitted, consider and resolve whether the appointment of such person shall be approved;

(iii) if the Executive Council shall by resolution approve the appointment, the Governor shall by Instrument under the Public Seal appoint such person to be a Temporary Member of the Council.

(4) The Governor shall forthwith report to His Majesty through a Secretary of State every appointment made under subsection (2) of this section, and every person so appointed shall hold his appointment during His Majesty's pleasure.

(5) Any such appointment may be revoked by the Governor by Instrument under the Public Seal:

Provided that, in revoking any appointment made under the provisions of subsection (2) of this section, the Governor shall act in his discretion.

(6) (*a*) So long as their appointments shall subsist, persons appointed under subsection (2) of this section shall, for the purposes of this Order but subject to the provisions of this section, be deemed to be *ex-officio* Members of the Executive Council.

(*b*) So long as their appointments shall subsist, persons appointed under subsection (3) of this section shall, for the purposes of this Order but subject to the provisions of this section, be deemed to be Representative Members of the Executive Council; and, subject as aforesaid, the provisions of sections 9 and 12 of this Order shall have effect accordingly.

(7) An appointment made under this section shall cease to have effect on notification by the Governor to the person appointed of its revocation by the Governor, or on its supersession by the definitive appointment of a person to fill the vacancy, or when the vacancy shall otherwise cease to exist.

Method of appointment and removal of Representative and Temporary Members of Executive Council.

14.—(i) When, under paragraph (ii) of section 8 of this Order, the Assembly shall consider and resolve whether the appointment of any person to be a Member of the Executive Council shall be approved; or

(ii) when, under subsection (1) of section 9 of this Order, the Assembly shall resolve that the Governor shall be requested to revoke the appointment of a Representative Member of the Executive Council; or

(iii) when, under subsection (3) of section 9 of this Order, the Executive Council shall resolve that the appointment of a Representative Member of the Executive Council shall be revoked; or

(iv) when, under paragraph (ii) of subsection (3) of section 13 of this Order, the Executive Council shall consider and resolve whether the appointment of any person to be a Temporary Member of the Executive Council shall be approved; or

(v) when, under subsection (5) of section 13 of this Order the appointment of a Temporary Member made under subsection (3) of section 13 of this Order is revoked;

the votes of the Members of the Assembly, or of the Executive Council, as the case may be, shall be given by ballot in such manner as not to disclose how any particular Member shall have voted.

Leader of Government Business in Legislative Assembly.

15.—(1) There shall be a Leader of Government Business in the Legislative Assembly (hereinafter called "the Leader of Government Business"), who shall be elected by a majority of the Members of the Executive Council from among their own number.

(2) The Leader of Government Business shall have such powers and duties as the Governor, acting in his discretion, may determine.

Precedence of Members of Executive Council.

16.—(1) The Members of the Executive Council (other than the Governor) shall take precedence among themselves as His Majesty may specially assign and, if precedence be not so assigned, as follows :—

First, the Chief Secretary ;

Secondly, the Leader of Government Business ;

Thirdly, the remaining Members of the Executive Council according to the length of time for which they have been continuously Members of the Council, Members who have been continuously Members for the same length of time taking precedence according to age.

(2) In ascertaining, for the purposes of subsection (1) of this section, the length of time for which any person shall have been continuously a Member of the Executive Council—

(*a*) no account shall be taken of any interval between the vacation by that person of his seat in the Executive Council in consequence of a dissolution of the Assembly and the date of his appointment to fill a vacancy in the Executive Council caused by that dissolution ; and

(*b*) if any person, having been, for any period immediately before the date upon which the Executive Council established by the existing Letters Patent ceases to exist, a Member of that Council, becomes a Member of the Executive Council as first constituted under this Order, he shall be deemed to have been a member of the Executive Council during that period ; and no account shall be taken of any interval between the end of that period and the date upon which such person is first appointed as a Member of the Executive Council under this Order.

Presiding in Executive Council.

17. The Governor shall, so far as is practicable, attend and preside at all meetings of the Executive Council. In his absence the Chief Secretary shall preside ; and, in the absence of the Chief Secretary, such Member as the Governor, acting in his discretion, may appoint shall preside.

Executive Council may transact business notwithstanding vacancies.

18. The Executive Council shall not be disqualified for the transaction of business by reason of any vacancy among the Members thereof ; and any proceedings therein shall be valid notwithstanding that some person who was not entitled so to do sat or voted in the Council or otherwise took part in the proceedings.

Summoning and Quorum.

19.—(1) The Executive Council shall not be summoned except by the authority of the Governor, but shall be so summoned on the written request of at least eight Members of the Executive Council.

(2) No business except that of adjournment shall be transacted in the Executive Council if objection is taken by any Member present that there are less than five Members present besides the Governor or other Member presiding.

Voting.

20. Where any matter is dependent upon the decision of the Executive Council, any decision shall be regarded as the decision of the Executive Council if a majority of the votes of the Members present and voting are cast in favour thereof. The Governor shall not have an original vote but, if upon any question the votes shall be equally divided, he may, acting in his discretion, give a casting vote. In the absence of the Governor, the Member presiding shall have an original vote and may also, if upon any question the votes shall be equally divided, give a casting vote.

Committee of Executive Council.

21. There may be established, by or in pursuance of any Instructions under His Majesty's Sign Manual and Signet and subject to the provisions of any such Instructions, a Committee of the Executive Council to exercise such functions, in such manner, as may be prescribed by or in pursuance of any such Instructions.

Assignment of Departments.

22. The Governor, acting in his discretion, may by directions in writing—

(*a*) charge any Member of the Executive Council with the responsibility for any department or subject; and

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

Ministers.

23.—(1) Members of the Executive Council shall be styled Ministers.

(2) A Member of the Executive Council shall, while charged with the responsibility for any department or subject under the provisions of section 22 of this Order, be styled a Minister with portfolio.

(3) A Member of the Executive Council who is not charged with the responsibility for any department or subject as aforesaid, shall be styled a Minister without portfolio.

Temporary Assignment of Departments.

24. If it shall be decided by the Governor, acting in his discretion, that a Member of the Executive Council is for any cause temporarily unable to administer any department or subject with the responsibility for which he is charged, then the Governor, acting in his discretion, may, by directions in writing, charge any other Member of the Executive Council with the responsibility for that department or subject until such time as the said Member is declared by the Governor, acting in his discretion, again to be able to administer the same. The Governor, acting in his discretion, may, by directions in writing, revoke or vary any directions given under this section.

Ministerial Secretaries.

25. The Governor may, from among the Members of the Assembly, appoint Ministerial Secretaries to assist the Ministers in the exercise of their ministerial duties:

Provided that the number of Ministerial Secretaries shall not at any time exceed the number of Ministers.

Provisions as to Ministerial Secretaries.

26.—(1) Every Ministerial Secretary shall hold office during the Governor's pleasure:

Provided that any Ministerial Secretary may at any time resign his office by writing under his hand addressed to the Governor.

(2) No person shall continue to hold the office of Ministerial Secretary after his seat in the Assembly has become vacant for any cause other than the dissolution of the Assembly.

(3) Whenever a Ministerial Secretary is, from any cause whatever, unable to perform any of the functions of his office, the Governor may, from among the Members of the Assembly, appoint a person, whether or not he has already been appointed a Ministerial Secretary, to act in the place of the said Ministerial Secretary either generally or in the performance of any particular function. For the purposes of this Order, a person so appointed shall be deemed to be a Ministerial Secretary as long as his appointment shall subsist.

(4) A person appointed to be or to act as a Ministerial Secretary shall, before entering on the duties of his office, take and subscribe before

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the Governor the official oath in accordance with the provisions of the Oaths Ordinance or shall make the appropriate affirmation in lieu thereof as provided in the said Ordinance.

Permanent Secretaries.

27.—(1) There shall be for each Ministry a Permanent Secretary who shall be a person who is a public officer and who shall be appointed by the Governor acting in his discretion.

(2) Each Permanent Secretary shall, subject to the general direction and control of his Minister, exercise supervision over the department or departments for which his Minister is responsible.

Salaries of Ministers and Ministerial Secretaries.

28.—(1) Unless it shall be otherwise provided by any other law in force in the Gold Coast—

(*a*) the Chief Secretary and the Leader of Government Business shall be paid salaries at the rate of two thousand seven hundred and fifty pounds per annum;

(*b*) other Ministers shall be paid salaries at the rate of two thousand five hundred pounds per annum;

(*c*) Ministerial Secretaries shall be paid salaries at the rate of one thousand two hundred pounds per annum;

(*d*) the aforesaid salaries shall be in lieu of any salary or allowance to which Ministers and Ministerial Secretaries would, but for the provisions of this section, be entitled as Members of the Assembly;

(*e*) the aforesaid salaries are hereby charged upon the revenues of the Gold Coast and shall be paid by the Accountant General upon warrant directed to him under the hand of the Governor.

Governor's Secretary and Secretary to Executive Council.

29. There shall be an officer, to be styled the Governor's Secretary and Secretary to the Executive Council, who shall be appointed by the Governor acting in his discretion.

The said officer—

(*a*) in his capacity as Governor's Secretary, shall have such functions as the Governor, acting in his discretion, may from time to time direct; and

(*b*) in his capacity as Secretary to the Executive Council, shall be responsible for arranging the business for, and keeping the minutes of, meetings of the Executive Council and for conveying the decisions of the Governor to the appropriate person or authority, and shall have such other functions as the Governor may from time to time direct.

Leave of absence.

30. The Governor, acting in his discretion, may grant leave of absence from his duties to any Minister or Ministerial Secretary.

PART III

Commencement of Part II—Transitional Provisions for Exercise of Governor's Powers

Commencement of Part II.

31. Part II of this Order shall come into operation on such day after the appointed day as the Governor, acting in his discretion, shall by order appoint, and thereupon the Executive Council established by the existing Letters Patent (hereinafter in this Part called "the existing Executive Council") shall cease to exist.

32. Whenever the Governor shall have occasion, before the commencement of Part II of this Order, to exercise any power conferred upon him by any other Part of this Order, then, unless the power is one which he is by this Order directed or empowered to exercise in his discretion, he shall, in the exercise of the power, consult with the existing Executive Council in such circumstances, and on such conditions, as may be prescribed by such provisions of the existing Instructions as may at that time have effect. Governor's Powers.

PART IV

Legislative Assembly

33. There shall be a Legislative Assembly in and for the Gold Coast, which shall consist of a Speaker, three *ex-officio* Members, six Special Members and seventy-five Elected Members. Legislative Assembly.

34.—(1) The Speaker shall be a person, not being either the holder of any public office or a member of the Executive Council, elected by the Members of the Assembly. Speaker.

(2) The election of the Speaker shall take place before the despatch of any other business at the first sitting of the Assembly after the appointed day and thereafter at the first sitting after every dissolution of the Assembly.

(3) A person holding office as Speaker may, by writing under his hand addressed to the Governor, resign the office of Speaker; and upon receipt of such resignation by the Governor the office of Speaker shall become vacant.

(4) A person holding office as Speaker shall, unless he earlier resigns his office, vacate his office on the dissolution of the Assembly.

(5) Whenever the office of Speaker shall become vacant otherwise than as a result of a dissolution of the Assembly, the Assembly shall, at its first sitting after the occurrence of the vacancy, elect another person to be Speaker.

(6) A person shall, if qualified, be eligible for re-election to the office of Speaker from time to time.

35.—(1) The Assembly shall— Deputy Speaker.

(*a*) at its first sitting in every session, and

(*b*) at its first sitting after the occurrence of a vacancy in the office of Deputy Speaker,

or as soon thereafter as may be convenient, elect as Deputy Speaker of the Assembly one of its own members, who shall not be a member of the Executive Council.

(2) A person shall, if qualified, be eligible for re-election to the office of Deputy Speaker from time to time.

(3) The Deputy Speaker shall, unless he earlier vacates his office under the provisions of this Order, hold office until some other person is elected as Deputy Speaker under paragraph (*a*) of subsection (1) of this section.

(4) (*a*) A person shall vacate the office of Deputy Speaker—

(i) upon ceasing to be a member of the Assembly; or

(ii) upon becoming a member of the Executive Council.

(*b*) The Deputy Speaker may by writing under his hand addressed to the Speaker or, in the absence of the Speaker or if there shall be no Speaker, to the Clerk of the Assembly, resign his office; and upon receipt of such resignation by the Speaker or by the Clerk of the Assembly, as the case may be, the office of Deputy Speaker shall become vacant.

Voting at elections of Speaker and Deputy Speaker.

36. In any election of a Speaker or a Deputy Speaker the votes of the Members of the Assembly shall be given by ballot in such manner as not to disclose how any particular Member shall have voted.

Emoluments of Speaker and Deputy Speaker.

37. Unless it shall be otherwise provided by any law in force in the Gold Coast—

(*a*) The Speaker shall be paid a salary at the rate of one thousand five hundred pounds per annum;

(*b*) the Deputy Speaker shall be paid a salary at the rate of seven hundred and fifty pounds per annum;

(*c*) the salaries of the Speaker and Deputy Speaker shall be in lieu of any salaries or allowances to which they respectively would, but for the provisions of this section, be entitled as Members of the Assembly;

(*d*) the aforesaid salaries are hereby charged on the revenues of the Gold Coast and shall be paid by the Accountant-General upon warrant directed to him under the hand of the Governor.

Ex-officio Members.

38. The *ex-officio* Members of the Assembly shall be the Chief Secretary, the Attorney-General and the Financial Secretary.

Special Members.

39.—(1) Of the Special Members, three, who shall be called "Special Members for Commerce", shall be chosen by the members of such Chambers of Commerce of the Gold Coast (hereinafter referred to as "the specified Chambers of Commerce"), and in accordance with such procedure, as the Governor, acting in his discretion, may, by writing under his hand, direct.

(2) The remaining Special Members, who shall be called "Special Members for Mines", shall be chosen by the members of the Gold Coast Chamber of Mines in accordance with such procedure as the Governor, acting in his discretion, may, by writing under his hand, direct.

Elected Members.

40.—(1) The Elected Members of the Assembly shall be:—

(i) Thirty-seven Members, who shall represent the Colony, and who shall consist of:—

(*a*) twelve Territorial Members, of whom eleven shall be elected in accordance with the provisions of Part I of the Second Schedule to this Order, and of whom one shall be elected in accordance with the provisions of Part II of the Second Schedule to this Order;

(*b*) twenty-one Rural Members; and

(*c*) four Municipal Members;

(ii) nineteen Members, who shall represent Ashanti, and who shall consist of:—

(*a*) six Territorial Members, who shall be elected in accordance with the provisions of Part III of the Second Schedule to this Order;

(*b*) twelve Rural Members; and

(*c*) one Municipal Member;

(iii) nineteen Members, who shall represent the Northern Territories, and who shall be elected in accordance with the provisions of Part IV of the Second Schedule to this Order.

(2) Subject to the provisions of this Order, the Rural and Municipal Members mentioned in paragraphs (i) and (ii) of subsection (1) of this section shall be elected in accordance with provision made under section 49 of this Order or under section 3 of the Gold Coast (Constitution) (Electoral Provisions) Order in Council, 1950(a).

Representation of electoral districts in the Colony and Ashanti.

41. Subject to the provisions of any law for the time being in force in the Colony or Ashanti, each of the electoral districts specified in the first column of the Third Schedule to this Order shall be represented in the Assembly by the number of Elected Members specified opposite to the name of that district in the second column of that Schedule.

Qualifications for Special and Elected Membership.

42. Subject to the provisions of section 43 of this Order, any person who—

(*a*) is either a British subject or a British protected person; and

(*b*) is of the age of twenty-five years or upwards; and

(*c*) is able to speak and, unless incapacitated by blindness or other physical cause, to read the English language with a degree of proficiency sufficient to enable him to take an active part in the proceedings of the Assembly;

shall be qualified to be chosen as a Special Member or elected as an Elected Member of the Assembly, and no other person shall be qualified to be so chosen or elected or, having been so chosen or elected, shall sit or vote in the Assembly.

Disqualifications for Special and Elected Members.

43. No person shall be qualified to be chosen as a Special Member or elected as an Elected Member of the Assembly who—

(*a*) is, by virtue of his own act, under any acknowledgment of allegiance, obedience or adherence to a foreign Power or State; or

(*b*) holds or is acting in any public office; or

(*c*) holds the office of Speaker; or

(*d*) in the case of an Elected Member, is a party to, or a partner in a firm, or a director or manager of a company, which is a party to, any contract with the Government of the Gold Coast for or on account of the public service, and has not, within one month before the day of election, published in the English language in the Gazette a notice setting out the nature of such contract, and his interest, or the interest of any such firm or company, therein; or

(*e*) is an undischarged bankrupt, having been adjudged or otherwise declared bankrupt under any law in force in any part of His Majesty's dominions; or

(a) S.I. 1950 No. 1267, p. 862, below.

(*f*) being a person possessed of professional qualifications, is disqualified (otherwise than at his own request) in any part of His Majesty's dominions from practising his profession by the order of any competent authority made in respect of him personally; or

(*g*) is a person adjudged to be of unsound mind or detained as a criminal lunatic under any law in force in the Gold Coast; or

(*h*) is under sentence of death, or is serving, or has within the immediately preceding five years completed the serving of, a sentence of imprisonment (by whatever name called) exceeding twelve months imposed in any part of His Majesty's dominions and has not received a free pardon; or

(*i*) in the case of an Elected Member, other than a Territorial Member or a Member representing the Northern Territories, is not qualified to be registered as an elector under the provisions of any law for the time being in force in the Gold Coast; or

(*j*) in the case of an Elected Member, is disqualified for election by any law for the time being in force in the Gold Coast by reason of his holding, or acting in, any office the functions of which involve any responsibility for, or in connection with, the conduct of any election, or any responsibility for the compilation or revision of any electoral register; or

(*k*) is disqualified for membership of the Assembly by any law for the time being in force in the Gold Coast relating to offences connected with elections.

Tenure of Office of Special and Elected Members.

44.—(1) Every Special Member or Elected Member of the Assembly shall in any case cease to be a Member at the next dissolution of the Assembly after he has been chosen or elected, as the case may be, or previously thereto if his seat shall become vacant under the provisions of this Order.

(2) The seat of a Special Member or of an Elected Member of the Assembly shall become vacant:—

(*a*) upon his death; or

(*b*) if he shall be absent from two consecutive meetings of the Assembly, without having obtained from the Speaker, before the termination of either of such meetings, permission to be or to remain absent therefrom; or

(*c*) if, being a Special Member, he is nominated as a candidate in any election of an Elected Member to the Assembly or, being an Elected Member, is chosen to be a Special Member of the Assembly; or

(*d*) if he shall cease to be a British subject, or shall cease to be a British protected person without becoming a British subject; or shall take any oath, or make any declaration or acknowledgment, of allegiance, obedience or adherence to any foreign Power or State; or shall do, concur in or adopt any act done with the intention that he shall become a subject or citizen of any foreign Power or State; or

(*e*) if he shall be appointed to, or to act in, any public office; or

(*f*) if he shall be elected to be Speaker; or

(*g*) if, being an Elected Member, he shall become a party to any contract with the Government of the Gold Coast for or on account of the public service, or if any firm in which he is a partner, or any company of which he is a director or manager, shall become a party to any such contract, or if he shall become a partner in a firm, or a director or manager of a company, which is a party to any such contract:

Provided that, if in the circumstances it shall appear to them to be just so to do, the Assembly may exempt any Elected Member from vacating his seat under the provisions of this paragraph, if such Member shall, before becoming a party to such contract as aforesaid or before, or as soon as practicable after, becoming otherwise interested in such contract (whether as partner in a firm or as director or manager of a company), disclose to the Speaker the nature of such contract and his interest or the interest of any such firm or company therein; or

(*h*) if he shall be adjudged or otherwise declared bankrupt under any law in force in any part of His Majesty's dominions; or

(*i*) if he shall be sentenced by a court in any part of His Majesty's dominions to death or to imprisonment (by whatever name called) for a term exceeding twelve months; or

(*j*) if he shall become subject to any of the disqualifications specified in paragraphs (*f*), (*g*) or (*k*) of section 43 of this Order; or

(*k*) if, being an Elected Member other than a Territorial Member or a Member representing the Northern Territories, he shall become subject to the disqualification specified in paragraph (*i*) of section 43 of this Order; or

(*l*) if, being an Elected Member, he shall become subject to the disqualification specified in paragraph (*j*) of section 43 of this Order.

(3) A Member of the Assembly other than an *ex-officio* Member may by writing under his hand addressed to the Speaker, resign his seat in the Assembly, and upon receipt of such resignation by the speaker or Deputy Speaker the seat of such Member shall become vacant.

(4) Any person whose seat in the Assembly has become vacant may, if qualified, again be chosen or elected as a Member of the Assembly from time to time.

Decision of questions as to Membership.

45.—(1) All questions which may arise as to the right of any person to be or remain an *ex-officio* Member or Special Member of the Assembly shall be referred to the Governor and shall be determined by the Governor acting in his discretion.

(2) All questions which may arise as to the right of any person to be or remain an Elected Member of the Assembly shall be referred to and determined by the Supreme Court of the Gold Coast in accordance with the provisions of any law in force in the Gold Coast.

Temporary appointments.

46.—(1) Whenever there shall be a vacancy in the number of persons sitting in the Assembly as *ex-officio* Members by reason of the fact that

(*a*) one person is lawfully discharging the functions of more than one of the three officers referred to in section 38 of this Order; or

(*b*) no person is lawfully discharging the functions of any one of those officers ; or

(*c*) an *ex-officio* Member is absent from the Gold Coast ;

a person may be appointed to be a Temporary Member of the Assembly for the period of such vacancy.

(2) The said person shall be a person who is a public officer and shall be appointed by the Governor, acting in his discretion, by Instrument under the Public Seal.

(3) (*a*) The Governor shall forthwith report to His Majesty through a Secretary of State every appointment made under this section, and every person so appointed shall hold his appointment during His Majesty's pleasure.

(*b*) Any such appointment may be revoked by the Governor, acting in his discretion, by Instrument under the Public Seal.

(4) So long as their appointments shall subsist, persons appointed under subsection (2) of this section shall, for the purpose of this Order but subject to the provisions of this section, be deemed to be *ex-officio* Members of the Assembly.

(5) An appointment made under this section shall cease to have effect on notification by the Governor to the person appointed of its revocation by the Governor, or on its supersession by the definitive appointment of a person to fill the vacancy, or when the vacancy shall otherwise cease to exist.

Speaker to report vacancies.

47.—(1) Whenever the seat of a Member of the Assembly shall become vacant under the provisions of subsection (2) of section 44 of this Order, the Speaker shall, by writing under his hand, report such vacancy to the Governor.

(2) As occasion may require, a report under subsection (1) of this section may be made by the Deputy Speaker.

Filling of vacancies.

48.—(1) Whenever the seat of a Special Member of the Assembly becomes vacant, the members of the specified Chambers of Commerce, or of the Gold Coast Chamber of Mines, as the case may be, shall choose another person, qualified as provided in subsection (1) of section 39 of this Order, to fill the vacancy, in accordance with the provisions of this Order.

(2) Whenever the seat of an Elected Member of the Assembly becomes vacant an election shall be held to fill the vacancy in accordance with the provisions of this Order.

Laws as to elections.

49. Subject to the provisions of this Order, provision may be made, by or in pursuance of any law enacted under this Order, for the election of Elected Members of the Assembly including (without prejudice to the generality of the foregoing power) the following matters, that is to say:—

(*a*) the qualifications and disqualifications of electors ;

(*b*) the registration of electors ;

(*c*) the ascertainment of the qualifications of electors and of candidates for election ;

(*d*) the division of the Gold Coast into electoral districts for the purpose of elections ;

(*e*) the holding of elections ;

(*f*) the determination of all questions which may arise as to the right of any person to be or remain an Elected Member of the Assembly; and

(*g*) the definition and trial of offences relating to elections and the imposition of penalties therefor, including disqualification for membership of the Assembly, or for registration as an elector, or for voting at elections, of any person concerned in any such offence.

PART V

Legislation and Procedure in Legislative Assembly

Power to make laws.

50.—(1) Subject to the provisions of this Order it shall be lawful for the Governor, with the advice and consent of the Legislative Assembly, to make laws for the peace, order and good government of the Gold Coast:

Provided that should any such law be repugnant to any provision of the Trusteeship Agreement approved by the General Assembly of the United Nations on the thirteenth day of December, 1946, in respect of Togoland under United Kingdom Trusteeship, such law shall to the extent of such repugnancy, but not otherwise, be void.

(2) No such law shall make persons of any racial community liable to disabilities to which persons of other such communities are not made liable.

(3) Any law made in contravention of subsection (2) of this section shall, to the extent of such contravention, but not otherwise, be void.

Royal Instructions.

51. Subject to the provisions of this Order, the Governor and the Assembly shall, in the transaction of business and the making of laws, conform as nearly as may be to the directions contained in any Instructions under His Majesty's Sign Manual and Signet which may from time to time be addressed to the Governor in that behalf.

Standing Orders.

52.—(1) Subject to the provisions of this Order and of any Instructions under His Majesty's Sign Manual and Signet, the Assembly may from time to time make, amend and revoke Standing Orders for the regulation and orderly conduct of its own proceedings and the despatch of business, and for the passing, intituling and numbering of Bills, and for the presentation thereof to the Governor for assent.

(2) The first Standing Orders of the Assembly shall be made by the Governor, acting in his discretion, and may be amended or revoked by the Assembly under subsection (1) of this section.

Presiding in Assembly.

53. The Speaker, or in his absence the Deputy Speaker, or in their absence a Member of the Assembly (not being a Member of the Executive Council) elected by the Assembly for the sitting, shall preside at the sittings of the Assembly.

Assembly may transact business notwithstanding vacancies.

54. The Assembly shall not be disqualified for the transaction of business by reason of any vacancy among the Members thereof; and any proceedings therein shall be valid notwithstanding that some person who was not entitled so to do sat or voted in the Assembly or otherwise took part in the proceedings.

Quorum.

55. No business except that of adjournment shall be transacted in the Assembly if objection is taken by any Member present that there are less than twenty-five Members present besides the Speaker or Member presiding.

Voting.

56.—(1) Save as otherwise provided in this Order, all questions proposed for decision in the Assembly shall be determined by a majority of the votes of the Members present and voting; and if, upon any question before the Assembly, the votes of the Members shall be equally divided the motion shall be lost.

(2) (*a*) The Speaker shall have neither an original nor a casting vote; and

(*b*) save as is otherwise provided in this section, any other person, including the Deputy Speaker, shall, when presiding in the Assembly, have an original vote but no casting vote.

(3) Not more than two Special Members shall be entitled to vote upon any one question proposed for decision in the Assembly:

Provided that, in any Select Committee of the Assembly, all the Special Members who are members of such Committee may vote upon any question proposed for decision therein.

(4) The members of the specified Chambers of Commerce and of the Gold Coast Chamber of Mines respectively shall nominate, for each session of the Assembly, one of the Special Members for Commerce and one of the Special Members for Mines to vote upon all questions proposed for decision as aforesaid, during the continuance of that session.

(5) If any Special Member for Commerce who shall have been nominated to vote as provided in subsection (4) of this section shall for any cause be unable to attend the Assembly, the President of such one of the specified Chambers of Commerce as the Governor may, by writing under his hand, select, shall, after consultation with the Presidents of the other specified Chambers of Commerce, nominate another of the Special Members for Commerce to vote as aforesaid during the absence of such Special Member.

(6) If any Special Member for Mines who shall have been nominated to vote as provided in subsection (4) of this section shall for any cause be unable to attend the Assembly, the President of the Gold Coast Chamber of Mines shall nominate another of the Special Members for Mines to vote as aforesaid during the absence of such Special Member.

(7) Nominations made under the provisions of subsections (4), (5) and (6) of this section shall be notified to the Clerk of the Assembly by the President selected by the Governor under the provisions of subsection (5) of this section, or by the President of the Gold Coast Chamber of Mines, as the case may require.

Introduction of Bills.

57.—(1) Save as is provided in subsections (2), (3) and (4) of this section, and subject to the provisions of this Order and of the Standing Orders of the Assembly, any Member may introduce any Bill, or propose any motion for debate in, or may present any petition to, the Assembly, and the same shall be debated and disposed of according to the Standing Orders of the Assembly.

(2) Except with the recommendation or consent of the Governor signified thereto, the Assembly shall not proceed upon any Bill, motion or petition which, in the opinion of the Speaker or Member presiding,

would dispose of or charge any public revenue or public funds of the Gold Coast, or revoke or alter any disposition thereof or charge thereon, or impose, alter or repeal any rate, tax or duty.

(3) With respect to a Bill or motion which, in the opinion of the Speaker or of the Attorney-General, would effect any alteration in the salary, allowances or conditions of service of any public officer, or in the law, regulations or practice governing the grant of leave, passages or promotion applicable to any such officer or the payment of pensions, gratuities or other like allowances applicable to any such officer or his widow, children, dependants or personal representatives, the following provisions shall have effect:—

(*a*) except with the recommendation or consent of the Governor, acting in his discretion, signified thereto, the Assembly shall not proceed upon any such Bill or motion;

(*b*) if the Governor, acting in his discretion, shall consider that any alteration effected by any such Bill would prejudicially affect any public officer, he shall reserve that Bill for the signification of His Majesty's pleasure;

(*c*) unless the Governor, acting in his discretion, shall by writing under his hand otherwise direct, no such motion, other than a motion relating to a Bill, shall take effect until the expiration of a period of three days from the date upon which it shall have been carried; and if the Governor, acting in his discretion, shall within that period certify by writing under his hand that any alteration which would be effected by such motion would prejudicially affect any public officer, such motion shall not take effect unless and until it shall have been approved by a Secretary of State.

(4) Except with the recommendation or consent of the Governor, acting in his discretion, signified thereto, the Assembly shall not proceed upon any Bill or motion which, in the opinion of the Speaker or the Attorney-General, would provide for the final determination, otherwise than by the Governor acting in his discretion, of questions relating to any of the following matters:—

(*a*) the election, installation, deposition or abdication of any Chief, or the right of any person to take part in any such election, installation or deposition;

(*b*) the recovery or delivery of Stool property in connection with any such election, installation, deposition or abdication;

(*c*) political or constitutional relations between Chiefs under native customary law.

Governor's reserved power.

58.—(1) Subject to the provisions of subsection (2) of this section, if the Governor shall consider that it is expedient in the interests of public order, public faith or good government (which expressions shall, without prejudice to their generality, include the responsibility of the Gold Coast as a territory within the British Commonwealth of Nations, and all matters pertaining to the creation or abolition of any public office or to the salary or other conditions of service of any public officer) that any Bill introduced, or any motion proposed, in the Assembly should have effect, then, if the Assembly fail to pass such Bill or motion within such time and in such form as the Governor may think reasonable and expedient, the Governor at any time which he shall think fit, may, notwithstanding any provisions of this Order or of any Standing Orders of the Assembly, declare that such Bill or motion shall

have effect as if it had been passed by the Assembly, either in the form in which it was so introduced or proposed or with such amendments as the Governor shall think fit which have been moved or proposed in the Assembly or in any Committee thereof; and thereupon the said Bill or motion shall have effect as if it had been so passed, and, in the case of any such Bill, the provisions of this Order relating to assent to Bills and disallowance of laws shall have effect accordingly.

(2) The Governor shall not make any declaration under this section except in accordance with the following conditions, that is to say:—

(*a*) the question whether the declaration should be made shall first be submitted in writing by the Governor to the Executive Council and if, upon the question being so submitted to it, the Executive Council shall resolve that the declaration be made, the Governor may make the declaration;

(*b*) if, when the question whether the declaration should be made is submitted to it as aforesaid, the Executive Council shall not within such time as the Governor may think reasonable and expedient resolve that the declaration be made, then—

(i) the Governor may submit the said question to a Secretary of State and may make the declaration if, upon the question being so submitted to him, a Secretary of State authorises the Governor to make the declaration; or

(ii) the Governor may make the declaration without submitting the said question to a Secretary of State, if in the Governor's opinion urgent necessity requires that the declaration be made without obtaining the authority of a Secretary of State; in which case he shall, at the time of making the declaration, certify in writing that urgent necessity requires that the declaration be made without obtaining such authority.

(3) (*a*) Whenever the Governor, in accordance with the provisions of paragraph (*b*) of subsection (2) of this section, shall submit to a Secretary of State the question whether a declaration should be made, or shall make a declaration without submitting the said question to a Secretary of State, he shall inform the Executive Council in writing of his reasons for so doing.

(*b*) Whenever the Governor shall make a declaration under this section, other than a declaration made with the authority of a Secretary of State, he shall forthwith report to a Secretary of State the making of, and the reasons for, the declaration and, in the case of a declaration made in accordance with the provisions of sub-paragraph (ii) of paragraph (*b*) of subsection (2) of this section, the grounds of urgency.

(4) If any Member of the Assembly objects to any declaration made under this section, he may, within seven days of the making thereof, submit to the Governor a statement in writing of his reasons for so objecting; and a copy of such statement shall, if furnished by such Member, be forwarded by the Governor as soon as practicable to a Secretary of State.

(5) Any declaration made under this section, other than a declaration relating to a Bill, may be revoked by a Secretary of State, and the Governor shall cause notice of such revocation to be published in the Gazette; and from the date of such publication any motion which shall have had effect by virtue of the declaration shall cease to have

effect; and the provisions of subsection (2) of section 38 of the Interpretation Act, 1889(a), shall apply to such revocation as they apply to the repeal of an Act of Parliament.

Assent to Bills.

59.—(1) No Bill shall become a law until either the Governor shall have assented thereto in His Majesty's name and on His Majesty's behalf and shall have signed the same in token of such assent, or His Majesty shall have given his assent thereto through a Secretary of State.

(2) When a Bill is presented to the Governor for his assent, he shall, acting in his discretion but subject to the provisions of this Order and of any Instructions addressed to him under His Majesty's Sign Manual and Signet or through a Secretary of State, declare that he assents, or refuses his assent, thereto, or that he reserves the Bill for the signification of His Majesty's pleasure:

Provided that the Governor shall reserve for the signification of His Majesty's pleasure—

(*a*) any Bill by which any provision of this Order is revoked or amended or which is in any way repugnant to, or inconsistent with, the provisions of this Order; and

(*b*) any Bill which determines or regulates the privileges, immunities or powers of the Assembly or of its Members;

unless he shall have been authorised by a Secretary of State to assent thereto.

(3) A law assented to by the Governor shall come into operation on the date of its publication in the Gazette, or, if it shall be enacted, either in such law or in some other law (including any law in force on the appointed day), that it shall come into operation on some other date, on that date.

(4) A Bill reserved for the significance of His Majesty's pleasure shall become a law so soon as His Majesty shall have given his assent thereto through a Secretary of State and the Governor shall have signified such assent by Proclamation published in the Gazette. Every such law shall come into operation on the date of such Proclamation or, if it shall be enacted, either in such law or in some other law (including any law in force on the appointed day), that it shall come into operation on some other date, on that date.

Disallowance of Laws.

60.—(1) Any law to which the Governor shall have given his assent may be disallowed by His Majesty through a Secretary of State.

(2) Whenever any law has been disallowed by His Majesty, the Governor shall cause notice of such disallowance to be published in the Gazette.

(3) Every law so disallowed shall cease to have effect as soon as notice of such disallowance shall be published as aforesaid; and thereupon any enactment repealed or amended by, or in pursuance of, the law disallowed shall have effect as if such law had not been made. Subject as aforesaid, the provisions of subsection (2) of section 38 of the Interpretation Act, 1889(a), shall apply to such disallowance as they apply to the repeal of an Act of Parliament.

(a) 52 & 53 Vict. c. 63.

Oath of Allegiance.

Cap. 206.

61. Except for the purpose of enabling this section to be complied with, no Member of the Assembly shall sit or vote therein, until he shall have taken and subscribed before the Assembly the Oath of Allegiance in accordance with the provisions of the Oaths Ordinance or shall have made the appropriate affirmation in lieu thereof as provided in the said Ordinance:

Provided that if, between the time when a person becomes a Member of the Assembly and the time when the Assembly next meets thereafter, a meeting takes place of any Committee of the Assembly of which such person is a member, such person may, in order to enable him to attend the meeting, and take part in the proceedings, of the Committee, take and subscribe the said oath before a Judge of the Supreme Court of the Gold Coast; and the taking and subscribing of the oath in such manner shall suffice for all purposes of this section. In any such case the Judge shall forthwith report to the Assembly through the Speaker or, as occasion may require, through the Deputy Speaker that the person in question has taken and subscribed the said oath before him.

Privileges of Assembly and Members.

62. It shall be lawful, by laws enacted under this Order, to determine and regulate the privileges, immunities and powers of the Assembly and its Members; but no such privileges, immunities or powers shall exceed those of the Commons' House of Parliament of the United Kingdom of Great Britain and Northern Ireland or of the Members thereof.

Sessions of Assembly.

63.—(1) There shall be a session of the Assembly once at least in every year, so that a period of twelve months shall not intervene between the last sitting of the Assembly in one session and the first sitting thereof in the next session.

(2) The first session of the Assembly shall commence within three months after the appointed day.

(3) The sessions of the Assembly shall be held in such places and shall commence at such times as the Governor may from time to time by Proclamation or notice in the Gazette appoint.

Prorogation and dissolution.

64.—(1) The Governor may at any time, by Proclamation published in the Gazette, prorogue or dissolve the Assembly.

(2) The Governor shall dissolve the Assembly at the expiration of four years from the date of the return of the first writ at the last preceding general election, if it shall not have been sooner dissolved.

General Elections.

65. There shall be a general election at such time within two months after the appointed day and thereafter within two months after every dissolution of the Assembly, as the Governor shall by Proclamation published in the Gazette appoint.

PART VI

The Public Service

Public Officers.

66. The appointment, promotion, transfer, dismissal and disciplinary control of public officers is hereby vested in the Governor acting in his discretion.

Public Service Commission.

67.—(1) There shall be, in and for the Gold Coast, a Public Service Commission (hereafter in this Part of this Order referred to as "the Commission") and, subject to the provisions of subsection (3) of this section, the Commission shall consist of such persons, appointed in such manner, as may be prescribed by regulations made under section 69 of this Order.

(2) The Governor, acting in his discretion, may terminate the appointment of any Member of the Commission and, subject as aforesaid, the members of the Commission shall hold office upon such terms and conditions as may be prescribed by regulations made under section 69 of this Order.

(3) No person shall be appointed as, or shall remain, a member of the Commission if he is or becomes a Member of the Assembly.

Functions of Public Service Commission.

68.—(1) The Governor, acting in his discretion, may refer to the Commission for their advice any question relating to the appointment (including promotion and transfer) or to the dismissal or other disciplinary control of public officers or of any public officer, or to any other matter which, in his opinion, affects the public service.

(2) It shall be the duty of the Commission to advise the Governor on any question which he shall refer to it in accordance with the provisions of this section, but the Governor shall not be required to act in accordance with the advice given to him by the Commission.

Regulations regarding Public Service Commission

69. Subject to the provisions of this Order, the Governor, acting in his discretion, may make regulations for giving effect to sections 67 and 68 of this Order, and in particular and without prejudice to the generality of the foregoing power may by such regulations make provision for all or any of the following matters, that is to say:—

(*a*) the membership of the Commission;

(*b*) the appointment, tenure of office and terms of service of members of the Commission;

(*c*) the organisation of the work of the Commission and the manner in which the Commission shall perform its functions;

(*d*) consultation by the Commission with persons other than members of the Commission;

(*e*) the appointment, tenure of office and terms of service of staff to assist the Commission in the performance of its functions;

(*f*) the delegation to any member of the Commission of all or any of the powers or duties of the Commission;

(*g*) the definition and trial of offences connected with the functions of the Commission and the imposition of penalties for such offences:

Provided that no such penalty shall exceed a fine of two hundred pounds and imprisonment for a term of one year.

Preservation of Pensions, etc.

70.—(1) All pensions, gratuities or other like allowances which have been, or which may be, granted to any persons who have been, and have ceased to be, public officers at any time before the appointed day, or to the widows, children, dependants or personal representatives of such persons, shall be governed by the law under which they were granted, or, if granted after that day, by the law in force on that day, or, in either case, by any law made thereafter which is not less favourable.

(2) All pensions, gratuities and other like allowances which may be granted to persons who are public officers on the appointed day, or to the widows, children, dependants or personal representatives of such persons, shall be governed by the law in force on that day or by any law made thereafter which is not less favourable.

(3) Any pension, gratuity or other like allowance which may be granted to any person who may be appointed to be a public officer after the appointed day, or to the widow, children, dependants or personal representatives of any such person shall be governed by the law in force on the day on which any such person is so appointed or by any law made thereafter which is not less favourable.

(4) Where any person is entitled to exercise an option for his case to be governed by one of two or more laws, the law specified by him in exercising such option shall, for the purposes of this section, be deemed to be more favourable than the other law or laws.

Regulations regarding the retirement of persons holding public office.

71.—(1) In this section—

(i) " existing officer " means a person who is the substantive holder of any public office in the senior service on the appointed day, and has been confirmed therein before, on or after that day ;

(ii) " future officer " means any person who shall be appointed to any public office in the senior service after the appointed day, and who shall complete a period of ten years' qualifying service ;

(iii) " qualifying service " means service which, under the appropriate law relating to pensions and gratuities for the time being in force in the Gold Coast, may be taken into account in determining whether any existing officer or future officer is eligible for a pension or gratuity ;

(iv) " senior service " means that part of the public service which comprises such public offices as the Governor acting in his discretion may from time to time specify by notice in the Gazette.

(2) The Governor, acting in his discretion, may with the approval of a Secretary of State make regulations regarding the grant of pensions and gratuities on retirement to existing officers and future officers.

(3) Regulations made by the Governor in pursuance of the provisions of subsection (2) of this section shall, subject to the provisions of subsection (4) of this section, provide:—

(i) that an existing officer may retire at any time after the appointed day ;

(ii) that a future officer may retire at any time within a period of twelve months immediately following the completion of a period of ten years' qualifying service ;

(iii) that an existing officer may, on retiring under the provisions of such regulations, be granted such pension, or such pension and gratuity, as may be prescribed therein, or alternatively a gratuity of one-fifth of the aggregate amount of his pensionable emoluments during his service under the Crown in respect of the Government of the Gold Coast in lieu of such pension or of such pension and gratuity ; and

(iv) that a future officer may, on retiring under the provisions of such regulations, be granted such gratuity as may be prescribed therein.

(4) No existing officer or future officer shall retire under the provisions of regulations made in pursuance of the provisions of subsection (2) of this section without the permission of the Governor, acting in his discretion :

Provided that the Governor shall not withhold his permission unless proceedings for the officer's dismissal are being taken or are about to be taken.

(5) Save as is otherwise provided in this section, the appropriate law for the time being in force in the Gold Coast relating to pensions and gratuities shall apply in relation to the grant of pensions and gratuities, and to pensions and gratuities granted, in pursuance of the provisions of this section; and the provisions of this section shall be construed as one with the provisions of that law.

PART VII

Miscellaneous

Penalty for unqualified person sitting or voting.

72.—(1) Any person who—

(*a*) having been chosen or elected as a Member of the Assembly but not having been, at the time when he was so chosen or elected, qualified to be so chosen or elected, shall sit or vote in the Assembly, or

(*b*) shall sit or vote in the Assembly after his seat therein has become vacant or he has become disqualified from sitting or voting therein,

knowing, or having reasonable grounds for knowing, that he was so disqualified, or that his seat has become vacant, as the case may be, shall be liable to a penalty not exceeding twenty pounds for every day upon which he so sits or votes.

(2) The said penalty shall be recoverable by action in the Supreme Court of the Gold Coast at the suit of the Attorney-General.

Provisions necessary to give effect to this Order.

73.—(1) At any time before the appointed day such provision may be made:—

(*a*) by law made by the Legislature established by the existing Orders, and

(*b*) by law made by the Governor under the provisions of the Northern Territories Order in Council, 1934(**a**), and

(*c*) by law made by the Governor under the provisions of the Togoland under United Kingdom Trusteeship Order in Council, 1949(**b**),

as may appear to the said Legislature, or to the Governor, as the case may be, to be necessary or expedient for giving effect to the provisions of this Order; and in particular, and without prejudice to the generality of the foregoing power, provision may be made as aforesaid for all or any of the matters specified in section 49 of this Order; and the expression "any law in force in the Gold Coast", wherever it occurs in this Order, shall include any law made in pursuance of this subsection.

(2) For the avoidance of doubts it is hereby declared that any law enacted in pursuance of this section may make provision for writs for the election of Members of the Assembly to be issued, and for registration of electors to take place, before the appointed day.

(3) This section shall come into operation on the day after the day on which this Order shall have been laid before both Houses of Parliament.

(**a**) S.R. & O. 1934 (No. 1476) I, p. 653. (**b**) S.I. 1949 (No. 1997) I, p. 1892.

Removal of difficulties.

74.—(1) If any difficulty shall arise in bringing into operation any of the provisions of this Order or in giving effect to the purposes thereof, a Secretary of State may, by Order, make such provision as seems to him necessary or expedient for the purpose of removing the difficulty and may by such Order amend or add to any provision of this Order:

Provided that no Order shall be made under this section later than the first day of July, 1952.

(2) Any Order made under this section may be amended, added to, or revoked by a further Order, and may be given retrospective effect to a date not earlier than the date of this Order.

(3) This section shall come into operation on the day after the day on which this Order shall have been laid before both Houses of Parliament.

Powers reserved to His Majesty.

75.—(1) His Majesty hereby reserves to Himself, His Heirs and Successors power, with the advice of His or Their Privy Council, to amend, add to or revoke this Order as to Him or Them shall seem fit.

(2) Nothing in this Order shall affect the power of His Majesty in Council to make laws from time to time for the peace, order and good government of the Gold Coast.

E. C. E. Leadbitter.

THE FIRST SCHEDULE

PART I

The Gold Coast Colony and Ashanti Letters Patent, 1946.

The Gold Coast Colony and Ashanti (Amendment) Letters Patent, 1949.

PART II

The Gold Coast Colony and Ashanti (Legislative Council) Order in Council, 1946(a).

The Gold Coast Colony and Ashanti (Legislative Council) (Amendment) Order in Council, 1949(b).

PART III

The Northern Territories Order in Council, 1934(c).

The Northern Territories (Amendment) Order in Council, 1949(d).

PART IV

Instructions passed under the Royal Sign Manual and Signet to the Governor and Commander-in-Chief of the Gold Coast dated the seventh day of March, 1946.

Additional Instructions passed under the Royal Sign Manual and Signet to the Governor and Commander-in-Chief of the Gold Coast dated the ninth day of November, 1949.

(a) S.R. & O. 1946 (No. 353) I, p. 640.
(b) S.I. 1949 (No. 1998) I, p. 2067.
(c) S.R. & O. 1934 (No. 1476) I, p. 653.
(d) S.I. 1949 (No. 1999) I, p. 1859.

THE SECOND SCHEDULE

PART I

Territorial Members of the Assembly elected by the Joint Provincial Council

1. In this Part of this Schedule, unless the context otherwise requires— Interpretation.

"the Central group" means the group comprising the States or Native Authority areas, as the case may be, of Abeadzi, Abura, Agona, Ajumako, Akim Busume, Akim Kotoku, Anomabu, Asebu, Asin Apimanim, Asin Atandaso, Ayan Abasa, Ayan Denchira, Ayanmaim, Denkyira, Edina, Effutu, Eguafo, Ekunfi, Esiam, Esikuma, Gomoa Ajumako, Gomoa Asin, Hemang, Komenda, Kwaman, Mankessim, Nkusukum, Oguaa and Twifu;

"the Eastern Akan Group" means the group comprising the States or Native Authority areas, as the case may be, of Akim Abuakwa, Akwamu, Akwapim, Kwahu and New Juaben;

"the Ewe group" means the group comprising the States or Native Authority areas, as the case may be, of Anlo, Peki and Tongu;

"the Ga-Adangme group" means the group comprising the States or Native Authority areas, as the case may be, of Ada, Ga, Manya Krobo, Ningo, Osudoku, Prampram, Shai and Yilo Krobo;

"the Western group" means the group comprising the States or Native Authority areas, as the case may be, of Ahanta, Ajomoro, Aowin, British Sekondi, Dutch Sekondi, Eastern Nzima, Gwira, Lower Axim, Lower Dixcove, Mpohaw, Nsein, Sefwi Anwhiaso, Sefwi Bekwai, Sefwi Wiawso, Shama, Upper Axim, Upper Dixcove, Wasaw Amenfi, Wasaw Fiasi, and Western Nzima;

"Member" means a Territorial Member of the Assembly elected under this Part of this Schedule;

"State" means the territorial area in respect of which a Paramount Chief is elected and installed in accordance with customary law.

2.—(1) Subject to the provisions of this Order, the eleven Members to be elected under this Part of this Schedule shall be elected by the Joint Provincial Council (constituted as provided in paragraph 3 of this Part of this Schedule) in accordance with provision made under section 49 of this Order or under section 3 of the Gold Coast (Constitution) (Electoral Provisions) Order in Council, 1950(a). Eleven Members to be elected by Joint Provincial Council.

(2) Of the eleven Members to be elected under this Part of this Schedule, three shall be elected to represent the Central group, two to represent the Eastern Akan group, two to represent the Ewe group, two to represent the Ga-Adangme group and two to represent the Western group.

3.—(1) For the purposes of this Part of this Schedule, the Joint Provincial Council shall consist of:— Joint Provincial Council.

(*a*) the Paramount Chiefs of the Colony (or their duly accredited representatives as provided for in this paragraph) but excluding any Paramount Chief who has not been, or who has ceased to be, recognised by the Governor, acting in his discretion, as a Native Authority, or as a member of a Native Authority, or as a Paramount Chief in accordance with paragraph 6 of this Part of this Schedule;

(*b*) one member of the Native Authority for every area within the Colony which does not include a State, or part of a State, such member having been chosen by such Native Authority as their representative on the Joint Provincial Council:

Provided that a Paramount Chief who is a member of the Joint Provincial Council may be represented at all or any of the meetings thereof by a person duly accredited for that purpose to the satisfaction of the President of the Joint Provincial Council.

(a) S.I. 1950 No. 1267, p. 862 below.

(2) If any person chosen to be a member of the Joint Provincial Council under clause (*b*) of sub-paragraph (1) of this paragraph ceases to be a member of the Native Authority by which he was chosen, or if such Native Authority ceases to be recognised by the Governor, acting in his discretion, such person shall cease forthwith to be a member of the Joint Provincial Council.

Eligibility for election by Joint Provincial Council.

4.—(1) No person shall be eligible for election under this Part of this Schedule to serve as a Member or, having been so elected, shall sit or vote as such in the Assembly unless:—

(*a*) he is a native of the Colony; and

(*b*) in the group for which he is elected, or proposed for election, he is a Paramount Chief, or owes allegiance to the Stool of a Paramount Chief, or is a member of, or is subject to, the Native Authority for any area in such group where there is no Paramount Chief; and

(*c*) he is otherwise qualified as required by Part IV of this Order.

(2) In this paragraph—

"allegiance" means the duty which according to native customary law a person owes to the Stool to which he is subject;

"native of the Colony" means a person both of whose parents were born in the Colony and are or were members of a tribe or tribes indigenous to Africa.

Vacation of seats by Members elected under this Part.

5. A Member elected under this Part of this Schedule who—

(*a*) having at the time of his election been a Paramount Chief, or a Chief, ceases so to be; or

(*b*) having at the time of his election been a member of the Joint Provincial Council, ceases so to be,

shall thereupon cease to be a Member of the Assembly.

Recognition of Paramount Chiefs.

6.—(1) For the purposes of this Part of this Schedule—

"Paramount Chief" means a Chief (not being in the opinion of the Governor, acting in his discretion, subordinate in his ordinary jurisdiction to any other Chief) whom the Governor, acting in his discretion, either before or after the commencement of this Order, shall, by Instrument under his hand, have recognised as a Paramount Chief, such Instrument not having been revoked.

(2) The Governor, acting in his discretion, shall have power to amend or revoke any such Instrument.

(3) The validity of any such Instrument, amendment or revocation shall not be liable to be impugned in any court of law or otherwise.

(4) After the commencement of this Order every Instrument recognising a Paramount Chief in accordance with the provisions of this section, and every amendment or revocation of any such Instrument, shall be published in the Gazette.

PART II

Territorial Member of the Assembly elected by Southern Togoland Council

Interpretation.

1. In this Part of this Schedule, unless the context otherwise requires, "Member" means a Territorial Member of the Assembly elected under this Part of this Schedule.

Member to be elected by Southern Togoland Council.

2. Subject to the provisions of this Order, the Member to be elected under this Part of this Schedule shall be elected by the Southern Togoland Council (constituted as provided in paragraph 3 of this Part of this Schedule) in accordance with provision made under section 49 of this Order or under section 3 of the Gold Coast (Constitution) (Electoral Provisions) Order in Council, 1950(a).

(a) S.I. 1950 No. 1267, p. 862 below.

Southern Togoland Council.

3. For the purposes of this Part of this Schedule, the Southern Togoland Council shall consist of representatives of the Native Authorities in Southern Togoland chosen in accordance with the provisions of the Native Authority (Southern Section of Togoland under United Kingdom Trusteeship) Ordinance, 1949. No. 7 of 1949.

Eligibility for election by Southern Togoland Council.

4.—(1) No person shall be eligible for election under this Part of this Schedule to serve as a Member or, having been elected, shall sit or vote as such in the Assembly unless—

(*a*) he is a native of Southern Togoland ; and

(*b*) he is a Chief in Southern Togoland or owes allegiance to the Stool of a Chief in Southern Togoland ; and

(*c*) he is otherwise qualified as required by Part IV of this Order.

(2) In this paragraph—

" allegiance " means the duty which according to native customary law a person owes to the Stool of a Chief ;

" native of Southern Togoland " means a person both of whose parents were born in Southern Togoland and are or were members of a tribe or tribes indigenous to Africa.

Vacation of seat by Member elected under this Part.

5. A Member elected under this Part of this Schedule who—

(*a*) having at the time of his election been a Chief, ceases so to be ; or

(*b*) having at the time of his election been a member of a Native Authority, ceases so to be,

shall thereupon cease to be a Member of the Assembly.

PART III

Ashanti Territorial Members of the Assembly

Interpretation.

1. In this Part of this Schedule, unless the context otherwise requires " Member " means a Territorial Member of the Assembly elected under this Part of this Schedule.

Ashanti Territorial Members.

2. Subject to the provisions of this Order, the six Members to be elected under this Part of this Schedule shall be elected by the Asanteman Council (constituted as provided by paragraph 3 of this Part of this Schedule) in accordance with provision made under section 49 of this Order or under section 3 of the Gold Coast (Constitution) (Electoral Provisions) Order in Council, 1950(a).

Asanteman Council.

3. For the purposes of this Part of this Schedule, the Asanteman Council shall consist of the Asantehene and the Head Chiefs of such of the Divisions of Ashanti, and of such of the Kumasi clans, as may from time to time be specified by the Governor, acting in his discretion, in any order made by him under the Native Authority (Ashanti) Ordinance, together with such other persons as the Asantehene, with the approval of the Governor, acting in his discretion, may from time to time appoint as members of the Council. Cap. 79.

Eligibility for election by Asanteman Council.

4.—(1) No person shall be eligible for election under this Part of this Schedule to serve as a Member or, having been elected, shall sit or vote as such in the Assembly unless:—

(*a*) he is a native of Ashanti ; and

(*b*) he owes allegiance directly or indirectly to the Golden Stool of Ashanti ; and

(*c*) he is otherwise qualified as required by Part IV of this Order.

(2) In this paragraph—

" allegiance " means the duty which according to native customary law a person owes to the Golden Stool of Ashanti ;

(a) S.I. 1950 No. 1267, p. 862 below.

"native of Ashanti" means a person both of whose parents were born in Ashanti and are or were members of a tribe or tribes indigenous to Africa.

Vacation of seats by Ashanti Territorial Members.

5. A Territorial Member for Ashanti who—

(*a*) having at the time of his election been a Head Chief, or Chief, ceases so to be; or

(*b*) having at the time of his election been a member of the Asanteman Council, ceases so to be,

shall thereupon cease to be a Member of the Assembly.

PART IV

Members of the Assembly elected for the Northern Territories

Interpretation.

1. In this Part of this Schedule, unless the context otherwise requires, "Member" means a Member of the Assembly elected under this Part of this Schedule.

Members to be elected by Electoral College.

2.—(1) For the purposes of this Part of this Schedule there shall be an Electoral College for the Northern Territories which shall be called "the Electoral College of the Northern Territories of the Gold Coast" (hereinafter referred to as "the Electoral College"), and which shall consist of (*a*) the members for the time being of the Northern Territories Council (constituted as provided in paragraph 3 of this Part of this Schedule) and (*b*) members appointed in accordance with provision made under section 49 of this Order or under section 3 of the Gold Coast (Constitution) (Electoral Provisions) Order in Council, 1950(a). The President of the Northern Territories Council shall be Chairman of the Electoral College.

(2) Subject to the provisions of this Order, the Members to be elected under this Part of this Schedule shall be elected by the Electoral College.

Northern Territories Council.

Cap. 84.

3. For the purposes of this Part of this Schedule, the Northern Territories Council shall consist of representatives of the Native Authorities in the Northern Territories chosen in accordance with the provisions of the Native Authority (Northern Territories) Ordinance.

Eligibility for election by Electoral College.

4.—(1) No person shall be eligible for election under this Part of this Schedule to serve as a Member or, having been elected, shall sit or vote as such in the Assembly unless:—

(*a*) he is a native of the Northern Territories and is, at the time of his nomination for election to the Assembly, a member of the Electoral College; and

(*b*) he is otherwise qualified as required by Part IV of this Order.

(2) For the purposes of this paragraph—

"native of the Northern Territories" means a person who father was born in the Northern Territories and both of whose parents are or were members of a tribe or tribes indigenous to Africa.

Vacation of seats by Members for Northern Territories.

5. A Member for the Northern Territories who—

(*a*) having at the time of his election been a Chief, ceases so to be; or

(*b*) having at the time of his election been a member of the Northern Territories Council, ceases so to be,

shall thereupon cease to be a Member of the Assembly.

(a) S.I. 1950 No. 1267, p. 862 below.

THE THIRD SCHEDULE

PART I

THE COLONY

A. MUNICIPAL ELECTORAL DISTRICTS

Name of Electoral District	Number of Members
1. Accra	2
2. Cape Coast	1
3. Sekondi-Takoradi ...	1

B. RURAL ELECTORAL DISTRICTS

Name of Electoral District	Number of Members
1. Sefwi	1
2. Tarkwa	1
3. Ahanta	1
4. Ankobra	1
5. Cape Coast Rural ...	1
6. Assin-Upper Denkyira	1
7. Saltpond	1
8. Agona	1
9. Winneba	1
10. Western Akim ...	1
11. 12. Akim Abuakwa ...	2
13. Kwahu	1
14. Akwapim-New Juaben	1
15. Ga Adangme ...	1
16. Volta River	1
17. 18. Anlo	2
19. Peki-Tongu	1
20. Akpini-Asogli ...	1
21. Buem-Krachi ...	1

PART II

ASHANTI

A. MUNICIPAL ELECTORAL DISTRICT

Name of Electoral District	Number of Members
1. Kumasi	1

B. RURAL ELECTORAL DISTRICTS

Name of Electoral District	Number of Members
1. Mampong South ...	1
2. Mampong North ...	1
3. Kumasi East (Ashanti Akim)	1
4. Kumasi South ...	1
5. Kumasi West... ...	1
6. Kumasi North-West...	1
7. Kumasi North ...	1
8. Wenchi	1
9. Sunyani North-West	1
10. Sunyani	1
11. Amansie	1
12. Adansi	1

EXPLANATORY NOTE

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

This Order in Council establishes a reformed Executive Council and a Legislative Assembly for the Gold Coast.

The Executive Council consists of the Governor, as President, three *ex-officio* Members and eight Representative Members who are Members of the Legislative Assembly.

The Legislative Assembly consists of a Speaker and eighty-four Members, of whom three are *ex-officio* Members, six are Special Members and seventy-five are Elected Members.

The Order also establishes a Public Service Commission to be constituted in accordance with regulations made by the Governor.

The Gold Coast (Constitution) (Electoral Provisions) Order in Council, 1950

1950 No. 1267

Made - - - -	*28th July*, 1950
Laid before Parliament	*28th July*, 1950
Coming into Operation	*On a day to be appointed by the Governor by Proclamation in The Gold Coast Gazette under Section* 1.*

At the Court at Buckingham Palace, the 28th day of July, 1950

Present,

The King's Most Excellent Majesty in Council

Whereas by the Gold Coast Colony and Ashanti (Legislative Council) Order in Council, 1946, (as amended by the Gold Coast Colony and Ashanti (Legislative Council) (Amendment) Order in Council, 1949) (hereinafter together called " the existing Orders ")(a) provision is made for the constitution of a Legislative Council for the Gold Coast Colony and Ashanti:

And Whereas in the month of December, 1948, a Committee (hereinafter called " the Committee ") was established by the Governor and Commander-in-Chief of the Gold Coast (hereinafter called " the Governor ") to examine certain proposals for constitutional and political reform and to consider the extent to which those proposals could be accepted and the manner in which they should be implemented:

And Whereas the Committee duly made its report to the Governor on the 17th day of August, 1949; and His Majesty's Secretary of State for the Colonies, for and on behalf of His Majesty's Government in the United Kingdom, in a despatch to the Governor dated the 14th day of October, 1949, accepted the recommendations of the Committee with certain variations:

And Whereas in pursuance of the said report and despatch it is proposed that there should in due course be a Legislative Assembly in and for the Gold Coast which should contain elected members:

(a) S.R. & O. 1946 (No. 353) I, p. 640 and S.I. 1949 (No. 1998) I, p. 2067.

* The date thus appointed was 12th August, 1950.