1964 No. 269

AFRICA

The Nyasaland (Electoral Provisions) Order in Council 1964

Made - - - -	*26th February* 1964
Laid before Parliament	*3rd March* 1964
Coming into Operation	*4th March* 1964

At the Court at Buckingham Palace, the 26th day of February 1964

Present,

The Queen's Most Excellent Majesty in Council

Whereas it is now proposed that there should be established for Nyasaland a National Assembly (in this Order referred to as " the proposed Assembly ") which shall consist of fifty members elected by voters having certain qualifications (in this Order referred to as " general roll voters") and three members elected by voters having certain other qualifications (in this Order referred to as " special roll voters ") :

Now, therefore, Her Majesty, by virtue and in exercise of the powers in that behalf by the Foreign Jurisdiction Act 1890(a), or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows : —

Citation, construction and commencement.

1.—(1) This Order may be cited as the Nyasaland (Electoral Provisions) Order in Council 1964.

(2) This Order shall come into operation on 4th March 1964.

(3) The provisions of the Nyasaland (Constitution) Order in Council 1963(b) shall apply for the purpose of interpreting this Order as they apply for the purpose of interpreting that Order in Council.

Revocation

2. The Nyasaland (Electoral Provisions) Order in Council 1963(c) is revoked.

Power to make regulations.

3.—(1) The Governor, acting in his discretion, may by regulation make provision for the election of members of the proposed Assembly including (without prejudice to the generality of the foregoing power) the following matters :—

(*a*) the qualifications for registration as a general roll voter or as a special roll voter ;

(*b*) the registration of voters ;

(*c*) the division of Nyasaland into constituencies for the purpose of returning members to the proposed Assembly ;

(*d*) the qualifications for election as a member of the proposed Assembly ;

(a) 53 & 54 Vict. c. 37. (b) S.I. 1963/883 (1963 II, p. 1435).
(c) S.I. 1963/1925 (1963 III, p. 3779).

(*e*) the holding of elections;

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

(2) Regulations made under this section shall provide—

(*a*) that Nyasaland shall be divided into fifty constituencies each returning one member elected by voters registered on the general roll;

(*b*) that Nyasaland shall be divided into three constituencies each returning one member elected by voters registered on the special roll.

(3) No election of members to the proposed Assembly shall be held under any regulations made in pursuance of this section until provision has been made by Order of Her Majesty in Council for the establishment of the proposed Assembly and that provision has come into operation: but constituencies may be established, registration of voters may take place and all other things necessary or expedient to prepare for the first general election to the proposed Assembly (including the appointment of a day, time and place for the receipt of nominations of candidates in any constituency and the appointment of a day for the taking of a poll in any constituency) may be done in pursuance of such regulations at any time after 4th March 1964:

Provided that a day for the receipt of nominations of candidates or for the taking of the poll shall not be appointed unless the Legislative Assembly established by the Nyasaland (Constitution) Order in Council 1963 is first dissolved.

Transitional.

4. Any regulations made under the Nyasaland (Electoral Provisions) Order in Council 1963 and in force immediately before the coming into operation of this Order shall, so far as they are consistent with this Order, continue in force after the coming into operation of this Order as if they had been made in pursuance of this Order, and may be amended or revoked accordingly.

W. G. Agnew.

EXPLANATORY NOTE

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

This Order enables the Governor of Nyasaland to make provision for the election of members to a new National Assembly that it is proposed should hereafter be established for Nyasaland and permits registration of voters to take place and certain preliminary steps to be taken for the purpose of holding the first general election to the Assembly.