STATUTORY INSTRUMENTS

1977 No. 590

PACIFIC ISLANDS

The Solomon Islands (Amendment) Order 1977

Made - - - -	30*th March* 1977
Laid before Parliament	7*th April* 1977
Coming into Operation	*On a day to be appointed under section* 1(2)

At the Court of Saint James, the 30th day of March 1977

Present,

The Counsellors of State in Council

Whereas Her Majesty, in pursuance of the Regency Acts 1937 to 1953, was pleased, by Letters Patent dated the 3rd day of February 1977, to delegate to the six Counsellors of State therein named or any two or more of them full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval for anything for which Her Majesty's approval in Council is required:

Now, therefore, Her Majesty Queen Elizabeth The Queen Mother and Her Royal Highness The Princess Margaret, Countess of Snowdon, being authorised thereto by the said Letters Patent, and in pursuance of the powers conferred by the Foreign Jurisdiction Act 1890(**a**) and all other powers enabling Her Majesty, and by and with the advice of Her Majesty's Privy Council, do on Her Majesty's behalf order, and it is hereby ordered, as follows:—

1.—(1) This Order may be cited as the Solomon Islands (Amendment) Order 1977 and shall be construed as one with the British Solomon Islands Order 1974(**b**) including the Constitution set out in the Schedule thereto as amended by the British Solomon Islands (Amendment) Order 1975(**c**), the British Solomon Islands (Name of Territory) Order 1975(**d**), the Solomon Islands Courts Order 1975(**e**), the Solomon Islands (Amendment) Order 1975(**f**) and the Solomon Islands (Amendment) Order 1976(**g**).

(2) This Order shall be published in the Gazette and shall come into operation on such day as the Governor, acting in his discretion, by proclamation published in like manner shall appoint, which day shall not be earlier than the day when this Order is so published nor earlier than 29th April 1977.

(**a**) 1890 c. 37.
(**b**) S.I. 1974/1262 (1974 II, p. 4785).
(**c**) S.I. 1975/807 (1975 II, p. 2888).
(**d**) S.I. 1975/808 (1975 II, p. 2890).
(**e**) S.I. 1975/1511 (1975 III, p. 5041).
(**f**) S.I. 1975/1832 (1975 III, p. 6916).
(**g**) S.I. 1976/422 (1976 I, p. 1290).

2. In this Order, " the Constitution " means the Constitution set out in the Schedule to the British Solomon Islands Order 1974 as amended by the British Solomon Islands (Amendment) Order 1975, the British Solomon Islands (Name of Territory) Order 1975, the Solomon Islands Courts Order 1975, the Solomon Islands (Amendment) Order 1975, and the Solomon Islands (Amendment) Order 1976.

3. Section 27(*b*) of the Constitution is amended by substituting for the words " four nor more than eight " the words " six nor more than ten ".

4. The following new section is inserted immediately after section 40B of the Constitution—

" Leaders of opposition and independent groups in the Legislative Assembly.

40C.—(1) If at any time it appears to the Speaker of the Legislative Assembly, after consultation with the Chief Minister and with the leader of each opposition group of which the Speaker is aware, that the leader of any one such opposition group, by reason of the numerical strength of that opposition group or by reason of the support which he receives from the members of opposition groups generally, should be appointed as Leader of the Official Opposition, the Speaker shall so inform the Governor who may appoint such leader accordingly.

(2) If at any time it appears to the Speaker, after consultation with the Chief Minister and with the leader of each independent group of which the Speaker is aware, that the leader of any one such independent group, by reason of the numerical strength of that independent group or by reason of the support which he receives from the members of independent groups generally, should be appointed as Leader of the Independent Members, the Speaker shall so inform the Governor who may appoint such leader accordingly.

(3) If the Governor, after consultation with the Speaker, considers that the Leader of the Official Opposition is no longer the person who, if the office of Leader of the Official Opposition were vacant, should be appointed thereto under subsection (1) of this section, the Governor may remove the Leader of the Official Opposition from office.

(4) If the Governor, after consultation with the Speaker, considers that the Leader of the Independent Members is no longer the person who, if the office of Leader of the Independent Members were vacant, should be appointed thereto under subsection (2) of this section, the Governor may remove the Leader of the Independent Members from office.

(5) If the Leader of the Official Opposition or the Leader of the Independent Members—

(*a*) is required under section 46 of this Constitution to cease to perform his functions as a member of the Assembly; or

(*b*) otherwise ceases to be such a member,

his office shall become vacant.

(6) For the purposes of this section—

" opposition group " means a group of elected members of the Legislative Assembly in opposition to the Government, whose number includes a leader who commands their support; and

" independent group " means a group of elected members of the Legislative Assembly whose members are independent both of the Government and of any opposition group and whose number includes a leader who commands their support.

(7) Except where he is required to consult the Speaker, the Governor shall exercise the functions conferred on him by this section in his discretion.".

N. E. Leigh,
Clerk of the Privy Council.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Constitution of the Solomon Islands to increase the number of Ministers who may be appointed and to enable the appointment of leaders of opposition and independent groups in the Legislative Assembly.

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