1959 No. 1044

The Trinidad and Tobago (Constitution) (Amendment) Order in Council, 1959

Made - - - - 15*th June*, 1959

Coming into operation *Sections* 14 *and* 19 *on a day to be appointed by the Governor under section* 24.
Remainder on 20*th June*, 1959.

At the Court at Buckingham Palace, the 15th day of June, 1959

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers vested in Her by the Trinidad and Tobago Act, 1887(a), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation, construction and commencement

1.—(1) This Order may be cited as the Trinidad and Tobago (Constitution) (Amendment) Order in Council, 1959, and shall be construed as one with the Trinidad and Tobago (Constitution) Order in Council, 1950(b), as amended by the Trinidad and Tobago (Constitution) (Amendment) Order in Council, 1956(c), which Order, as so amended, is hereinafter referred to as " the principal Order ".

(2) This Order, the Trinidad and Tobago (Constitution) Order in Council, 1958(d), and the principal Order may be cited together as the Trinidad and Tobago (Constitution) Orders in Council, 1950 to 1959.

(3) This Order shall be published in the Gazette and, save as otherwise expressly provided in this Order, shall come into operation on a day to be appointed by the Governor by Proclamation published in the Gazette (in this Order referred to as " the date of the commencement of this Order ").

Amendment of section 1 *of the principal Order*

2. Section 1 of the principal Order is amended as follows—

(*a*) In subsection (1) the definitions of " the Colony ", " the Executive Council ", " Parliamentary Secretary " and " the public service " are omitted, and the following definitions are inserted in their appropriate alphabetical order—

" " the Cabinet " means the Cabinet established by this Order ;

(a) 50 & 51 Vict. c. 44.
(b) S.I. 1950/510 (1950 II, p. 1156).
(c) S.I. 1956/835 (1956 II, p. 2393).
(d) S.I. 1958/428 (1958 I, p. 248).

"Elected Member" means an elected member of the Legislative Council;

"Parliamentary Secretary" means a Parliamentary Secretary appointed under section 18 of this Order;

"police officer" means any member of the Police Force;

"the public service" means—

(*a*) the service of the Crown in a civil capacity in respect of the government of the Territory;

(*b*) service in the office of Judge of the Supreme Court; and

(*c*) service as a teacher as defined in section 2 of the School Teachers' Pensions Ordinance(a);

but does not include service on the personal staff of the Governor, or as a member of any board, panel, committee or other similar body (whether incorporated or not) established by any law of the Territory for the time being in force;

"the Territory" means the Colony of Trinidad and Tobago;'

(*b*) for subsection (2) there is substituted the following subsection—

"(2) Any reference made in this Order to the holder of an office by the term designating his office shall be construed as including a reference to any person who is for the time being performing the functions of that office."

(*c*) for paragraph (*b*) of subsection (4) there is substituted the following paragraph—

"(*b*) For the purposes of this Order a person shall not be considered to be a public officer or otherwise to hold an office of emolument under the Crown by reason of the fact that he is in receipt of a salary or other emoluments in respect of his tenure of the office of Speaker, Deputy Speaker, Premier, any other Minister, Temporary Minister, Parliamentary Secretary, Member of the Legislative Council, member of the Public Service Commission, the Judicial and Legal Service Commission, or the Police Service Commision.";

(*d*) immediately after subsection (4) there are inserted the following subsections—

"(4A) Where by this Order the Governor is required to act in accordance with the advice or recommendation of, or after consultation with, any person or authority the question whether he has in any matter so acted shall not be called in question in any court.

(4B) For the avoidance of doubt it is hereby declared that any person who has vacated any office established by this Order may, if qualified, again be appointed to that office from time to time.

(4C) (*a*) Where by or under this Order a power is conferred on the Governor to make any appointment to any public office, a person may be appointed to that office notwithstanding that some other person may be holding that office, when that other person is on leave of absence pending relinquishment of the office.

(a) Laws of Trinidad and Tobago, 1950, Ch. 14, No. 5.

(*b*) When two or more persons are holding the same office by reason of an appointment made in pursuance of this subsection, then for the purposes of any function conferred upon the holder of that office the person last appointed shall be deemed to be the sole holder of the office."

Revocation and replacement of sections 4 to 26 of the principal Order

3. Sections 4 to 26 of the principal Order are revoked and the following sections are substituted therefore as Part II of the principal Order:—

"PART II

Cabinet

Cabinet.

4.—(1) There shall be a Cabinet in and for the Territory which shall, subject to section 11 of this Order, consist of nine Ministers, who shall be Elected Members, and two *ex-officio* Members.

(2) Of the Ministers one, who shall be styled the Premier shall be appointed in accordance with subsection (1) of section 6 of this Order and the others shall be appointed in accordance with subsection (3) of that section.

(3) The *ex-officio* Members of the Cabinet shall be the Chief Secretary and the Attorney-General.

Functions of Cabinet and exercise of Governor's powers.

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

(2) The Governor shall, save as otherwise provided by any Instructions under Her Majesty's Sign Manual and Signet—

(*a*) consult with the Cabinet 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 or after consultation with or on the advice or recommendation of any person or authority other than the Cabinet; and

(*b*) act in accordance with the advice of:—

(i) the Cabinet in any matter on which he is by this subsection obliged to consult with the Cabinet;

(ii) any person or authority other than the Cabinet in exercise of any power which he is directed or empowered by this Order to exercise on the advice or recommendation of such person or authority.

Appointment of Premier and other Ministers.

6.—(1) Wherever there shall be occasion for the appointment of a Premier, the Governor, acting in his discretion, shall by Instrument under the Public Seal appoint to be Premier—

(*a*) the Elected Member who is the leader in the Legislative Council of the party which commands the support of the majority of the Elected Members, or

(*b*) if it appears to him that such party does not have an undisputed leader in the Legislative Council or that no party commands the support of such a majority, the Elected Member who in his judgment is most likely to command the support of the majority of the Elected Members,

and who is willing to accept the office of Premier.

(2) For the purposes of this section there shall be occasion for the appointment of a Premier when, following a dissolution of the Legislative Council, a general election has been held, or when the appointment of the Premier has been revoked under subsection (4) of section 7 of this Order, or when the office of Premier has become vacant under paragraph (*a*) or paragraph (*b*) of subsection (1) or subsection (3) of section 7 of this Order.

(3) Whenever the office of a Minister other than the Premier is vacant the Governor shall, on the advice of the Premier, by Instrument under the Public Seal, appoint to that office a person who is an Elected Member.

Tenure of office of Premier.

7.—(1) The Premier shall vacate his office—

(*a*) if he ceases to be an Elected Member otherwise than by a dissolution of the Legislative Council ;

(*b*) if he resigns his office by writing under his hand addressed to the Governor, upon receipt of such resignation by the Governor ; or

(*c*) if between the date of a dissolution of the Legislative Council and the date of the first appointment of a Premier thereafter any circumstances arise which, if he were an Elected Member, would cause him to vacate his seat in the Legislative Council.

(2) The Premier shall also be deemed to have vacated his office immediately prior to the appointment by the Governor of a person to be Premier under subsection (1) of section 6 of this Order, following the holding of a general election.

(3) The Governor, acting in his discretion, may declare the office of Premier vacant if the Premier is absent from the Territory without having given the Governor prior notice of such absence ; and upon the Governor making a declaration under this subsection the Premier shall vacate his office.

(4) Whenever it appears to the Governor that the Premier has ceased to command the support of the majority of the Elected Members the Governor may, in his discretion, by Instrument under the Public Seal, revoke the appointment of the Premier and the Premier shall unless he sooner vacates his office be deemed to have vacated this office in pursuance of subsection (2) or this section :

Provided that before so revoking the Premier's appointment, the Governor shall consult with the Premier and, if the Premier so requests, the Governor, acting in his discretion, may dissolve the Legislative Council instead of revoking the appointment.

Tenure of office of Minister other than the Premier.

8.—(1) A Minister other than the Premier shall vacate his office—

(*a*) when the Governor appoints a person to be Premier under subsection (1) of section 6 of this Order;

(*b*) if he ceases to be an Elected Member for any reason other than the dissolution of the Legislative Council;

(*c*) if he resigns his office by writing under his hand addressed to the Governor, upon receipt of such resignation by the Governor; or

(*d*) if between the date of a dissolution of the Legislative Council and the date of the first appointment of a Premier thereafter any circumstances arise which, if he were an Elected Member, would cause him to vacate his seat in the Legislative Council.

(2) The Governor, acting on the advice of the Premier, may declare the office of a Minister other than the Premier vacant if the Minister is absent from the Territory without the permission of the Governor, acting on the advice of the Premier; and upon the Governor making a declaration under this subsection the Minister shall vacate his office.

(3) The Premier may recommend to the Governor the revocation of the appointment of any other Minister and upon receiving such a recommendation the Governor shall, by Instrument under the Public Seal, revoke the appointment of the Minister to whom it relates and that Minister shall thereupon vacate his office.

Leave of absence for Ministers and Parliamentary Secretaries.

9.—(1) The Governor, acting in his discretion, may grant leave of absence from his duties to the Premier.

(2) The Governor, acting on the recommendation of the Premier, may grant leave of absence from his duties to any Minister, other than the Premier, or to a Parliamentary Secretary.

Performance of functions of Premier.

10.—(1) Whenever the office of Premier is vacant or the Premier is ill or has been granted leave of absence from his duties by the Governor, or is absent from the Territory, or is absent from Trinidad but not from the Territory, the Governor may, by Instrument under the Public Seal, appoint one of the other Ministers to perform the functions conferred on the Premier by this Order (other than the function conferred by subsection (3) of this section) and any Minister so appointed may, during the subsistence of his appointment, perform those functions.

(2) The Governor may, by Instrument under the Public Seal, revoke any appointment made under this section.

(3) The powers conferred on the Governor by this section shall be exercised by the Governor acting in his discretion—

(*a*) if the office of Premier is vacant; or

(*b*) if, in the opinion of the Governor, it is impracticable to obtain the advice of the Premier owing to his illness or absence,

and in any other case shall be exercised by the Governor on the advice of the Premier.

Temporary Ministers.

11.—(1) Whenever the office of a Minister, other than the Premier, is vacant, or such a Minister is ill or has been granted leave of absence from his duties by the Governor, or is absent from the Territory, or is absent from Trinidad but not from the Territory, the Governor may, by Instrument under the Public Seal, appoint a Parliamentary Secretary to be temporarily a member of the Cabinet.

(2) Members of the Cabinet appointed under this section shall be styled Temporary Ministers.

(3) Sections 8, 9, 16 and 17 of this Order shall apply in relation to a person appointed under this section to be a Temporary Minister as they apply in relation to a Minister.

(4) Subject to section 8 of this Order as applied by subsection (3) of this section, a person appointed under this section to be a Temporary Minister shall hold office until he is notified by the Governor that the circumstances which gave rise to his appointment have ceased to exist.

(5) The powers conferred on the Governor by this section shall be exercised by him acting on the recommendation of the Premier.

Oath to be taken by Ministers, etc.

12. Before entering upon the functions of his office every Minister, Temporary Minister or Parliamentary Secretary shall make and subscribe before the Governor, or some other person authorised in that behalf by the Governor, an oath or affirmation for the due execution of that office in the form set out in the Second Schedule to this Order.

Governor entitled to information.

13. The Governor shall, for the due exercise of his functions, be entitled to all papers which are available to the Cabinet and to any other information concerning the government of the Territory which is so available.

Determination of questions as to members of Cabinet.

14. Any question whether any person is a Minister shall be referred to, and determined by, the Governor, acting in his discretion.

Summoning of Cabinet.

15. Meetings of the Cabinet shall be summoned by the Premier :

Provided that the Governor, acting in his discretion, may summon a special meeting of the Cabinet whenever he thinks fit and may attend and preside at such a meeting.

Proceedings in Cabinet.

16.—(1) Subject to the provisions of section 15 of this Order, there shall preside at any meeting of the Cabinet—

(*a*) the Premier ; or

(*b*) in the absence of the Premier, such other Minister as the Premier may appoint ; or

(*c*) if no Minister so appointed is present, such other Minister as the Ministers present may elect.

(2) No business shall be transacted at any meeting of the Cabinet if there are less than five Ministers present.

(3) Subject to the provisions of subsection (2) of this section the Cabinet shall not be disqualified for the transaction of business by reason of any vacancy in the membership of the Cabinet (including any vacancy not filled when the Cabinet is first constituted or is reconstituted at any time) and the validity of the transaction of business in the Cabinet shall not be affected by reason only of the fact that some person who was not entitled so to do took part in those proceedings.

Assignment of departments and subjects.

17.—(1) The Governor, acting in his discretion, may by directions in writing—

(*a*) charge any *ex officio* Member of the Cabinet with the administration of any department or subject not being the subject of finance ;

(*b*) declare what other departments or subjects, not including the subject of finance, may be assigned to a Minister ; and

(*c*) revoke or vary any directions given under this subsection.

(2) The subject of finance shall be assigned to a Minister.

(3) The Governor, on the advice of the Premier, may by directions in writing—

(*a*) charge any Minister with the administration of the subject of finance, and, during such time as it shall be declared, under paragraph (*b*) of subsection (1) of this section, to be a department or subject which may be assigned to a Minister, with the administration of any other department or subject ; and

(*b*) revoke or vary any direction given under this subsection."

Amendment of principal Order

4. Section 26A of the principal Order is revoked and the following sections are inserted immediately after section 17 of the principal Order as amended by this Order.

"*Parliamentary Secretaries*

Appointment and tenure of office of Parliamentary Secretaries.

18.—(1) Whenever a Premier has been appointed by the Governor under subsection (1) of section 6 of this Order the Premier may recommend to the Governor for appointment from among the Elected Members not more than four persons, not being Ministers or the Speaker or the Deputy Speaker, to be Parliamentary Secretaries, and upon receiving such a recommendation the Governor shall, by Instrument under the Public Seal, appoint such persons to be Parliamentary Secretaries.

(2) A Parliamentary Secretary shall vacate his office—

(*a*) when the Governor appoints a person to be Premier under subsection (1) of section 6 of this Order ;

(*b*) if he ceases to be an Elected Member for any reason other than the dissolution of the Legislative Council ;

(*c*) if he is appointed under subsection (3) of section 6 of this Order to be a Minister ;

(*d*) if he resigns his office by writing under his hand addressed to the Governor, upon receipt of such resignation by the Governor ;

(*e*) if he is elected to be the Speaker or Deputy Speaker of the Legislative Council ; or

(*f*) if between the date of a dissolution of the Legislative Council and the date of the first appointment of a Premier thereafter any circumstances arise which, if he were an Elected Member, would cause him to vacate his seat in the Legislative Council.

(3) The Governor, acting on the advice of the Premier, may declare the office of a Parliamentary Secretary vacant if he is absent from the Territory without the permission of the Governor, acting on the advice of the Premier ; and upon the Governor making a declaration under this subsection the Parliamentary Secretary shall vacate his office.

(4) The Premier may recommend to the Governor the revocation of the appointment of a Parliamentary Secretary and upon receiving such a recommendation the Governor shall, by Instrument under the Public Seal, revoke the appointment of the Parliamentary Secretary to whom it relates and that Parliamentary Secretary shall thereupon vacate his office.

(5) Whenever the office of a Parliamentary Secretary becomes vacant under the provisions of this section, or there are less than four Parliamentary Secretaries, the Premier may recommend to the Governer the appointment from among the Elected Members of a person not being a Minister, the Speaker or the Deputy Speaker, either to fill the vacancy or to increase the number of Parliamentary Secretaries to a number not exceeding four, as the case may be, and upon receiving such a recommendation the Governor shall, by Instrument under the Public Seal, appoint such person to be a Parliamentary Secretary.

Functions of Parliamentary Secretaries.

19. The Governor, on the advice of the Premier, may by directions in writing charge a Parliamentary Secretary with assisting a Minister in the exercise of his Ministerial duties and may likewise at any time revoke or vary any such directions.

Decision of question whether a person is a Parliamentary Secretary.

20. Any question whether any person is a Parliamentary Secretary shall be referred to, and determined by, the Governor, acting in his discretion."

5. There is substituted for section 32 of the principal Order the following section—

"Salaries of Speaker and Deputy Speaker.

32. There shall be paid to the Speaker and to the Deputy Speaker, respectively, such salary as may be prescribed by any law of the legislature of the Territory and such allowances as may be prescribed by or under any such law:

Provided that the salary of the Speaker or of the Deputy Speaker shall not be diminished during his continuance in office."

6. Section 33 of the principal Order is amended by the substitution of the words "Chief Secretary" for the words "Colonial Secretary".

7. Subsection (1) of section 40 of the principal Order is amended by the insertion, immediately after the words "shall be referred to", of the words and symbols, ", and determined by,".

8. The following section is substituted for section 41 of the principal Order—

"Temporary Members.

41.—(1) Whenever there shall be a vacancy in the number of persons sitting in the Legislative Council by reason of the fact that a Nominated Member is absent from the Territory or is declared by the Governor, under section 39 of this Order, to be, by reason of illness, temporarily incapable of discharging his functions as a Member, the Governor may, in his discretion, by Instrument under the Public Seal, appoint a person qualified for appointment as a Nominated Member to be a Temporary Member of the Legislative Council for the period of such vacancy.

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

(3) An appointment made under this section may be revoked by the Governor, acting in his discretion, by Instrument under the Public Seal.

(4) So long as his appointment shall subsist a person appointed under subsection (1) of this section shall, for the purposes of this Order, but subject to the provisions of this section, be deemed to be a Nominated Member of the Legislative Council, and, subject as aforesaid, the provisions of section 38 of this Order shall have effect accordingly.

(5) An appointment made under this section shall cease to have effect if the person appointed is notified by the Governor that the circumstances which gave rise to his appointment have ceased to exist."

9. Subsection (2) of section 44 of the principal Order is revoked.

10. Section 45 of the principal Order is amended by the deletion of the words "entitled to be".

11. The following section is substituted for section 54 of the principal Order—

"Voting.

54.—(1) All questions proposed for decision in the Legislative Council shall be determined by a majority of the votes of the Members present and voting.

(2) (*a*) The Speaker, if an Elected Member, or

(*b*) any other member presiding in the absence of the Speaker

shall not have an original vote, but if upon any question before the Legislative Council the votes are equally divided such a person shall have and exercise a casting vote.

(3) If the Speaker is not an Elected Member he shall not have an original vote or a casting vote, and if upon any question before the Legislative Council the votes are equally divided the motion shall be declared lost".

12. Section 56 of the principal Order is revoked.

13. For subsection (1) of section 62 of the principal Order there is substituted the following subsection—

"(1) The Governor, acting in his discretion, may at any time prorogue or dissolve the Legislative Council by Proclamation published in the Gazette:

Provided that if in the opinion of the Governor the Premier commands the support of the majority of the Elected Members the Governor shall, in the exercise of the powers conferred on him by this subsection, act on the advice of the Premier".

14. Sections 64 to 66G of the principal Order are revoked and replaced as follows—

"PART VI

The Judicature

Judges of the Supreme Court.

64.—(1) The Chief Justice of the Supreme Court of the Territory shall be a person qualified for appointment under subsection (3) of this section and shall be appointed by the Governor, by Instrument under the Public Seal, after consultation with the Premier.

(2) Judges of the Supreme Court other than the Chief Justice (hereafter in this Part referred to as Puisne Judges) shall be persons qualified as aforesaid and shall be appointed by the Governor, by Instrument under the Public Seal, after consultation with the Judicial and Legal Service Commission.

(3) The qualifications for appointment as a Judge of the Supreme Court shall be such as may be prescribed by any law for the time being in force in the Territory:

Provided that a person who has been appointed as a Judge of the Supreme Court may continue in office notwithstanding any subsequent variation in the qualifications so prescribed.

Tenure of office of Judges.

64A.—(1) Subject to the following provisions of this section, the Chief Justice and each Puisne Judge shall hold office until he attains the age of sixty-two years:

Provided that the Governor may permit the Chief Justice or a Puisne Judge who has attained that age to continue in office for the purpose of giving judgment or otherwise in relation to any proceeding heard by him before he attained that age.

(2) A Judge of the Supreme Court may resign his office by writing under his hand addressed to the Governor.

(3) A Judge of the Supreme Court may be removed from office only for inability to discharge the functions of his office (whether arising from infirmity of body or mind or any other cause) or for misbehaviour, and shall not be removed except in accordance with the provisions of the next following subsection.

(4) A Judge of the Supreme Court shall be removed from office by the Governor by order under the Public Seal if the question of the removal of that Judge from office has, at the request of the Governor, made in pursuance of the next following subsection, been referred by Her Majesty to the Judicial Committee of Her Majesty's Privy Council under section 4 of the Judicial Committee Act, 1833(a), or any other enactment enabling Her Majesty in that behalf, and the Judicial Committee has advised Her Majesty that the Judge ought to be removed from office for inability as aforesaid or misbehaviour.

(5) If the Governor considers that the question of removing a Judge of the Supreme Court from office for inability as aforesaid or misbehaviour ought to be investigated, then—

(*a*) the Governor shall appoint a tribunal, which shall consist of a chairman and not less than two other members, selected by the Governor from among persons who hold or have held office as a judge of a court having unlimited jurisdiction in civil and criminal matters in some part of Her Majesty's dominions or a court having jurisdiction in appeals from any such court;

(*b*) the tribunal shall enquire into the matter and report on the facts thereof to the Governor and recommend to the Governor whether he should request that the question of the removal of that Judge should be referred by Her Majesty to the Judicial Committee; and

(*c*) if the tribunal so recommends the Governor shall request that the question should be referred accordingly.

(6) The provisions of sections 6 and 8, section 9 (other than the words "not inconsistent with their commission" and "subject only to the terms of their commission"), sections 10 to 14 inclusive and section 16 of the Commissions of Enquiry Ordinance (b), as in force on the 15th day of June, 1959, shall apply in relation to a tribunal appointed under the last foregoing subsection as they apply in relation to commissioners appointed under that Ordinance, and for that purpose those provisions shall have effect as if they formed part of this Order.

(7) If the question of removing a Judge of the Supreme Court from office has been referred to a tribunal under subsection (5) of this section the Governor may suspend

(a) 3 & 4 Will. 4. c. 41.
(b) Laws of Trinidad and Tobago, 1950, Ch. 7, No. 2.

the Judge from performing the functions of his office, and any such suspension may at any time be revoked by the Governor, and shall in any case cease to have effect—

(*a*) if the tribunal recommends to the Governor that he should not request that the question of the removal of the Judge from office should be referred by Her Majesty to the Judicial Committee; or

(*b*) if the Judicial Committee advise Her Majesty that the Judge ought not to be removed from office.

(8) The powers conferred upon the Governor by this section shall be exercised by him in his discretion.

Acting Chief Justice.

64B. If the office of Chief Justice is vacant or if the Chief Justice is for any reason unable to perform the functions of his office then, until some other person has been appointed to, or has been appointed to act in, and has assumed the functions of, that office, or until the Chief Justice has resumed those functions, as the case may be, those functions shall be performed by such one of the Puisne Judges as the Governor may, after consultation with the Premier, appoint for that purpose.

Temporary Puisne Judges.

64C.—(1) If the office of a Puisne Judge is vacant, or if any such Judge is appointed to act as Chief Justice, or is for any reason unable to perform the functions of his office the Governor, after consultation with the Chief Justice, may appoint a person qualified under subsection (3) of section 64 of this Order for appointment as a Judge of the Supreme Court to be temporarily a Judge of the Supreme Court:

Provided that a person may be so appointed notwithstanding that he has attained the age of sixty-two years.

(2) Any person appointed under this section to be temporarily a Judge of the Supreme Court shall hold office until his appointment is revoked by the Governor, acting after consultation with the Chief Justice:

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

Salaries of Judges.

64D. There shall be charged on the revenues of the Territory and shall be paid out therefrom upon warrant under the hand of the Governor to the Chief Justice, to the Acting Chief Justice, if any, to any Puisne Judge and to any person appointed temporarily a Judge of the Supreme Court such salaries as may be respectively prescribed by any law in force in the Territory and such allowances as may be prescribed by or under any such law:

Provided that the salary of any such Judge shall not be reduced during his continuance in office.

Oaths to be taken by Judges.

64E. Before entering upon the functions of his office, every Judge of the Supreme Court shall make and subscribe before the Governor, or some other person authorised in that behalf by the Governor, oaths or affirmations of allegiance and for the due execution of his office in the form set out in the Second Schedule to this Order.

PART VIA

The Public Services

Interpretation.

65. In this Part of this Order—

(*a*) references to offices in the public service do not include the following offices, that is to say:—

(i) the office of Judge of the Supreme Court; or

(ii) any office the remuneration of the holder of which is calculated on a rate less than a monthly rate;

(*b*) references to public officers do not include references to Judges of the Supreme Court.

Public Service Commission.

65A.—(1) There shall be in and for the Territory a Public Service Commission.

(2) The members of the Commission shall be a Chairman, who shall perform full-time duties, a deputy Chairman, and not less than two nor more than four other persons who shall be appointed by the Governor, after consultation with the Premier, by Instrument under the Public Seal.

(3) There shall be charged on the revenues of the Territory and shall be paid out therefrom upon warrant under the hand of the Governor to members of the Commission such salaries as may be prescribed by any law in force in the Territory and such allowances as may be prescribed by or under any such law:

Provided that the salary of any member of the Commission and his condition of service other than allowances shall not be altered to his disadvantage during his continuance in office.

(4) A person shall not be qualified for appointment as a member of the Commission if he is a member of the Legislative Council or holds or is acting in any public office but he may be a member of the Judicial and Legal Service Commission or the Police Service Commission.

(5) (*a*) A member of the Commission shall be appointed for a term of five years or, if the Governor after consultation with the Premier in a particular case so determines, for such shorter term as he may so determine.

(*b*) The office of a member of the Commission shall in any case become vacant—

(i) if he resigns his office by writing under his hand addressed to the Governor;

(ii) if any circumstances arise that, if he were not a member of the Commission, would cause him to be disqualified for appointment as such; or

(iii) if the Governor, after consultation with the Premier, directs that he shall be removed from office for inability to discharge the functions of his office arising from infirmity of mind or body or for misbehaviour.

(6) The Governor, acting in his discretion, may grant leave of absence from his duties to any member of the Commission.

(7) Whenever a member of the Commission has been granted leave from his duties by the Governor or is ill, the Governor, after consultation with the Premier, may appoint a person to be a temporary member of the Commission for the period of such leave, or until the person appointed is notified by the Governor that the person on account of whose illness he was appointed is no longer ill; and, subject to the foregoing provisions of this subsection, the provisions of subsections (3), (4) and (5) (b) of this section shall apply in relation to such a temporary member as they apply in relation to any other member of the Commission.

(8) A person who has been appointed under subsection (2) of this section to be a member of the Commission shall not for a period of five years after ceasing to be a member of the Commission be eligible for appointment to any other office in the public service other than the office of member of the Judicial and Legal Service Commission or the Police Service Commission.

Appointment of officers in the public service.

65B.—(1) Subject to the provisions of this Order, power to make appointments (including appointments on promotion and transfer) to offices in the public service and to dismiss and to exercise disciplinary control over persons holding or acting in such offices shall vest in the Governor acting on the recommendation of the Public Service Commission:

Provided that—

(*a*) in the exercise of the power of dismissal and disciplinary control over persons holding or acting in offices in the public service the Governor shall act after consultation with the Public Service Commission; and

(*b*) before appointing any person on the recommendation of the Commission—

(i) to the office of Permanent Secretary, or

(ii) to such other offices as may from time to time be designated by the Governor in writing after consultation with the Premier,

the Governor shall consult with the Premier and shall, if the Premier so requests, refer the recommendation back to the Commission once for reconsideration.

(2) In this section the expression "transfer" does not include transfer without change of rank within a department of government.

Special appointments.

65C.—(1) Power to make appointments (including appointments on promotion and transfer) to the offices of Chief Secretary, Attorney-General and Governor's Secretary and to dismiss and exercise disciplinary control over persons holding or acting in such offices shall vest in the Governor, acting after consultation with the Premier and the Chairman of the Public Service Commission:

Provided that in the exercise of the power of dismissal and disciplinary control over persons holding or acting in such offices the Governor shall act in his discretion.

(2) The Governor, after consultation with the Premier, may by Order published in the Gazette—

(*a*) prescribe certain offices in the public service to be special posts ; and

(*b*) vary or revoke any Order so published under this subsection.

(3) Power to make appointments (including appointments on promotion and transfer) to such offices as may for the time being be prescribed as special posts under the preceding subsection and to dismiss and exercise disciplinary control over persons holding or acting in such offices shall vest in the Governor, acting after consultation with the Premier and the Chairman of the Public Service Commission:

Provided that in the exercise of the power of dismissal and disciplinary control over persons holding or acting in such offices the Governor shall act in his discretion.

The Director of Audit.

65D.—(1) The Director of Audit shall be appointed by the Governor after consultation with the Director-General of the Overseas Audit Service.

(2) The Director of Audit may be removed from office only for inability to discharge the functions of his office arising from infirmity of body or mind or for misbehaviour and shall not be so removed except in accordance with the provisions of subsection (3) of this section.

(3) The Director of Audit may be removed from office by the Governor by Order under the Public Seal if the Governor, after consultation with the Director-General of the Overseas Audit Service, is satisfied that he ought to be removed from office for inability as aforesaid or misbehaviour.

(4) There shall be paid to the Director of Audit such salary as may be prescribed by any law of the legislature of the Territory and such allowances as may be prescribed by or under any such law:

Provided that the salary of the Director and his conditions of service other than allowances shall not be altered to his disadvantage during his continuance in office.

Personal staff of the Governor.

65E.—(1) The legislature of the Territory may from time to time, by law enacted under this Order, prescribe the offices that are to constitute the personal staff of the Governor.

(2) Subject to the provisions of the next following subsection the power to make appointments (including appointments on promotion and transfer) to the offices for the time being prescribed under subsection (1) of this section as being offices constituting the personal staff of the Governor, and to dismiss and to exercise disciplinary control over persons holding or acting in such offices, shall vest in the Governor acting in his discretion.

(3) The Governor, acting in his discretion, may appoint to any one of the offices prescribed under subsection (1) of this section such public officers as he may select from a list submitted by the Public Service Commission, but—

(*a*) the provisions of the last preceding subsection shall apply in relation to any officer so appointed as respects his service on the personal staff of the Governor but not as respects his service as a public officer;

(*b*) an officer so appointed shall not, during his continuance on the personal staff of the Governor, perform the functions of any public office; and

(*c*) an officer so appointed may at any time be appointed by the Governor, if the Public Service Commission so requests, to assume or resume the functions of a public office and shall thereupon vacate his office on the personal staff of the Governor, but the Governor may, in his discretion, decline to release the officer for that appointment.

(4) All offices prescribed under subsection (1) of this section as offices that are to constitute the personal staff of the Governor shall for the purposes of Part IV and sections 65A and 66B of this Order be deemed to be public offices.

Judicial and Legal Service Commission.

66.—(1) There shall be in and for the Territory a Judicial and Legal Service Commission.

(2) The Members of the Commission shall be—

(*a*) the Chief Justice who shall be Chairman of the Commission;

(*b*) the Attorney-General;

(*c*) the senior Puisne Judge;

(*d*) the Chairman of the Public Service Commission; and

(*e*) one other member appointed under subsection (3) of this section.

(3) The Governor, after consultation with the Chief Justice, may by Instrument under the Public Seal appoint to be a member of the Commission a person who is not a member of the Legislative Council but who is or has been a judge of a court having unlimited jurisdiction in civil and criminal matters in some part of Her Majesty's dominions or a court having jurisdiction in appeals from any such court.

(4) There shall be charged on the revenues of the Territory and shall be paid out therefrom upon warrant under the hand of the Governor to the member appointed under subsection (3) of this section such salary as may be prescribed by any law in force in the Territory and such allowances as may be prescribed by or under any such law:

Provided that the salary of any such member and his conditions of service other than allowances shall not be altered to his disadvantage during his continuance in office.

(5) (*a*) A member of the Commission appointed under subsection (3) of this section shall be appointed for a term of three years or, if the Governor after consultation with the Chief Justice in a particular case so determines, for such shorter term as he may so determine.

(*b*) The office of a member of the Commission appointed under subsection (3) of this section shall in any case become vacant—

(i) if he resigns his office by writing under his hand addressed to the Governor;

(ii) if he becomes a member of the Legislative Council;

(iii) if the Governor, after consultation with the Chief Justice, directs that he shall be removed from office for inability to discharge the functions of his office arising from infirmity of mind or body or for misbehaviour.

(6) The Governor, acting in his discretion, may grant leave of absence from his duties to any member of the Commission.

(7) Whenever the member of the Commission appointed under subsection (3) of this section has been granted leave from his duties by the Governor or is ill, the Governor, after consultation with the Chief Justice, may appoint a person to be a temporary member of the Commission for the period of such leave, or until the person appointed is notified by the Governor that the person on account of whose illness he was appointed is no longer ill; and, subject to the foregoing provisions of this subsection, the provisions of subsections (3), (4) and (5) (*b*) of this section shall apply in relation to such a temporary member as they apply in relation to the member of the Commission appointed under the said subsection (3).

(8) In subsection (2) of this section the expression "the senior Puisne Judge" means the person who is senior according to the date of his substantive appointment by the Governor as a Puisne Judge in the Territory, and where two persons have been so appointed on the same day the senior Puisne Judge means the person who is senior according to age.

Appointment of officers in the Judicial and Legal Service.

66A.—(1) Power to make appointments (including appointments on promotion and transfer) to the offices to which this section applies and to dismiss and to exercise disciplinary control over persons holding or acting in such offices shall vest in the Governor acting on the recommendation of the Judicial and Legal Service Commission:

Provided that in the exercise of the power of dismissal and disciplinary control over persons holding or acting in such offices the Governor shall act after consultation with the Judicial and Legal Service Commission.

(2) This section applies to such offices in the public service, for appointment to which persons are required to possess legal qualifications, as, subject to the provisions of this Order, may be prescribed by any law in force in the Territory.

Police Service Commission.

66B.—(1) There shall be in and for the Territory a Police Service Commission.

(2) The members of the Commission shall be—

(*a*) a Chairman, appointed by the Governor, acting in his discretion, who shall be either the Chairman or the deputy Chairman of the Public Service Commission; and

(*b*) four other persons, who shall be appointed by the Governor, after consultation with the Premier and the Chief Justice, by Instrument under the Public Seal.

(3) There shall be charged on the revenues of the Territory and shall be paid out therefrom upon warrant under the hand of the Governor to the members of the Commission such salaries as may be prescribed by any law in force in the Territory and such allowances as may be prescribed by or under any such law:

Provided that the salary of any member of the Commission and his conditions of service other than allowances shall not be altered to his disadvantage during his continuance in office.

(4) A person shall not be qualified for appointment as a member of the Commission if he is a member of the Legislative Council or holds or is acting in any public office but he may be a member of the Public Service Commission or the Judicial and Legal Service Commission.

(5) (*a*) A member of the Commission shall be appointed for a term of five years, or, if the Governor after consultation with the Premier and the Chief Justice in a particular case so determines, for such shorter term as he may so determine.

(*b*) The office of a member of the Commission shall in any case become vacant—

(i) if he resigns his office by writing under his hand addressed to the Governor; or

(ii) if any circumstances arise that, if he were not a member of the Commission, would cause him to be disqualified for appointment as such.

(6) A member of the Commission may be removed from office for inability to discharge the functions of his office arising from infirmity of mind or body or for misbehaviour if the Governor, after consultation with the Premier and the Chief Justice, so directs.

(7) The Governor, acting in his discretion, may grant leave of absence from his duties to any member of the Commission.

(8) Whenever a member of the Commission has been granted leave from his duties by the Governor or is ill, the Governor, after consultation with the Premier and the Chief Justice, may appoint a person to be a temporary member of the Commission for the period of such leave, or until the person appointed is notified by the Governor that the person on account of whose illness he was appointed is no longer ill;

and, subject to the foregoing provisions of this subsection, the provisions of subsections (3), (4) and (5) (*b*) of this section shall apply in relation to such a temporary member as they apply in relation to any other member of the Commission.

(9) A person who has been appointed under subsection (2) of this section shall not for a period of five years after ceasing to be a member of the Commission be eligible for appointment to any other office in the public service other than the office of member of the Public Service Commission or the Judicial and Legal Service Commission.

Appointments etc. of members of Police Force.

66C.—(1) Subject to the provisions of this Order, power to appoint (including power to appoint on transfer) police officers to whom this section applies and to dismiss and to exercise disciplinary control over persons holding or acting in the offices of such police officers shall vest in the Governor acting on the recommendation of the Police Service Commission:

Provided that in the exercise of the power of dismissal and disciplinary control over police officers to whom this section applies the Governor shall act after consultation with the Police Service Commission.

(2) This section applies to all police officers except—

(*a*) the Commissioner of Police and the Deputy Commissioner of Police, and

(*b*) so long as and to the extent that the power to appoint and to exercise disciplinary control over the officers below mentioned is vested in the Commissioner of Police under the powers conferred on him by the Police Ordinance(a),

(i) in matters of appointment, officers below the rank of Inspector,

(ii) in matters of disciplinary control, officers below the rank of Assistant Superintendent on probation.

(3) The Governor, acting in his discretion, may by regulations made under this Order revoke or vary the provisions of paragraph (*b*) of subsection (2) of this section and section 66E of this Order in so far as those provisions relate to the appointment of police officers below the rank of Inspector.

(4) A person to whom paragraph (*b*) of subsection (2) of this section for the time being applies shall be deemed not to hold an office in the public service for the purposes of section 65B of this Order.

(5) The Governor shall act on the recommendation of the Police Service Commission in cases of appeals made to him by officers to whom sub-paragraph (ii) of paragraph (*b*) of subsection (2) of this section applies against the decision of the Commissioner of Police in matters of disciplinary control, in so far as the Police Ordinance confers a right of appeal to the Governor from a decision of the Commissioner of Police in such matters.

(a) Laws of Trinidad and Tobago, No. 10 of 1954.

(6) The Commission shall permit the Commissioner of Police to express his views in its presence on any matter that is before the Commission for their consideration except when the matter for consideration is an appeal from a decision of the Commissioner of Police.

(7) In this section—

(*a*) the expression "power to appoint" includes power to appoint on promotion, and "appointment" shall be construed accordingly;

(*b*) the expression "transfer" includes transfer to the Police Force from a department of Government.

Appointment of Commissioner and Deputy Commissioner of Police.

66D. Power to appoint (including power to appoint on promotion and transfer) the Commissioner of Police and Deputy Commissioner of Police and to dismiss and to exercise disciplinary control over such officers shall vest in the Governor after consultation with the Police Service Commission.

Police Promotions Boards.

66E.—(1) There shall be within the Police Force such number of Police Promotions Boards as may be prescribed.

(2) Every such Board shall consist of such number of police officers above the rank of Inspector, appointed in such manner, as may be prescribed.

(3) The Commissioner of Police may refer to a Police Promotions Board any question relating to the promotion of members of the Police Force below the rank of Inspector as may be prescribed.

(4) It shall be the duty of a Police Promotions Board to advise the Commissioner of Police on any question which he shall refer to them in accordance with the provisions of this section but the Commissioner shall not be required to act in accordance with the advice given to him by such Board.

(5) In this section "prescribed" means prescribed by regulations made under subsection (2) of section 66G of this Order.

Right of Commissioner of Police to advise the Governor unaffected.

66F. Nothing in this Part of the Order shall affect, or be construed as affecting, the right of the Commissioner of Police to tender his own advice to the Governor on any question.

General provisions relating to Commissions.

66G.—(1) A Commission to which this section applies may act notwithstanding a vacancy in its membership; and no proceedings of such a Commission shall be invalidated by reason only that some person not entitled thereto has taken part in them.

(2) Subject to the provisions of this Order, the Governor after consultation with a Commission to which this section applies may make regulations for giving effect to the appropriate provisions of this Part of this Order relating to that Commission, and in particular and without prejudice to

the generality of the foregoing power, may by such regulations provide for any of the following matters, that is to say:—

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

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

(*c*) the delegation to any member of the Commission of any of the functions of the Commission;

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

(*e*) the protection and privileges of members of the Commission in respect of the performance of their duties and the privilege of communications to and from the Commission and its members in case of legal proceedings;

(*f*) 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 five hundred dollars and imprisonment for a term of one year;

(*g*) the requirement to publish an annual report on the exercise of the functions of the Commission and the form in which such report shall be prepared;

(*h*) requiring persons to attend before the Commission to answer questions relating to any enquiry held by the Commission or to any business or duties of the Commission;

(*i*) anything authorised or required to be prescribed under section 66E of this Order.

(3) References in this section to a Commission to which this section applies are references to the Public Service Commission, the Judicial and Legal Service Commission or the Police Service Commission, as the case may be, established under this Part of this Order."

15. For subsection (2) of section 71 of the principal Order there is substituted the following subsection—

"(2) Her Majesty reserves to Herself, Her Heirs and Successors power, with the advice of Her or Their Privy Council, to make laws from time to time for the peace, order and good government of the Territory".

16. For the Second Schedule to the principal Order there is substituted the following Schedule—

Sections 12, 59 and 64E.

"SECOND SCHEDULE

1. *Oath of Allegiance*

I ..... do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, Her Heirs and Successors, according to law. So help me God.

2. *Affirmation of Allegiance*

I ..... do solemnly and sincerely affirm and declare that I will be faithful to Her Majesty Queen Elizabeth the Second, Her Heirs and Successors, according to law.

3. *Oath for due execution of office*

I ..... do swear that I will well and truly serve Her Majesty Queen Elizabeth the Second in the office of (*here insert description of the office*). So help me God.

4. *Affirmation for due execution of office*

I ..... do solemnly and sincerely affirm and declare that I will well and truly serve Her Majesty Queen Elizabeth the Second in the office of (*here insert the description of the office*)."

Pensions

Applicability of pensions laws

17.—(1) Subject to the provisions of section 19 of this Order, the law applicable to the grant and payment to any officer, or to his widow, children, dependants or personal representatives of any pension, gratuity or other like allowance (in this section and in sections 18 and 19 of this Order referred to as an " award ") in respect of the service of that officer in a public office, shall be that in force on the relevant day or any later law not less favourable to the person concerned.

(2) For the purposes of this section the relevant day is—

(*a*) in relation to an award granted before the date of the commencement of this Order, the day on which the award was made ;

(*b*) in relation to an award granted or to be granted on or after the date of the commencement of this Order, to or in respect of a person who was a public officer before that day, the day immediately before that day ;

(*c*) in relation to an award granted or to be granted in respect of a person who first becomes a public officer on or after the date of the commencement of this Order, the date on which he becomes a public officer.

(3) For the purposes of this section, in so far as the law applicable to an award depends on the option of the person to or in respect of whom it is granted or to be granted, the law for which he opts shall be taken to be more favourable to him than any other law for which he might have opted.

Pensions etc. to be charged on the revenues of the Territory

18. Awards granted under any law for the time being in force in the Territory in respect of the public service shall be charged on and paid out of the revenues of the Territory.

Grant and withholding of pensions etc. by Governor

19.—(1) The power to grant any award under any pensions law for the time being in force in the Territory (other than an award to which under that law, the person to whom it is payable is entitled as of right)

and, in accordance with any provisions in that behalf contained in any such law, to withhold, reduce in amount or suspend any award payable under any such law is hereby vested in the Governor.

(2) The power vested in the Governor by the last preceding subsection shall be exercised by him—

(*a*) in the case of an award payable to a person who, immediately before the date on which he ceased to hold public office, was serving—

(i) as a Judge of the Supreme Court;

(ii) in any office to which subsection (1) of section 65C of the principal Order applies;

(iii) in any office to which subsection (3) of section 65C of the principal Order applied on the date aforesaid;

(iv) as Director of Audit;

(v) as Commissioner of Police or Deputy Commissioner of Police; or

(vi) as a member of the personal staff of the Governor (other than a person so serving by virtue of subsection (3) of section 65E of the principal Order),

in his discretion;

(*b*) in the case of an award payable to a person who immediately before the date aforesaid was serving in any office to which subsection (2) of section 66A of the principal Order applied on the date aforesaid, after consultation with the Judicial and Legal Service Commission;

(*c*) in the case of an award payable to a person who, immediately before the date aforesaid was serving as a police officer (other than as Commissioner of Police or Deputy Commissioner of Police), after consultation with the Police Service Commission; and

(*d*) in the case of an award payable to any other person, after consultation with the Public Service Commission.

(3) In this section "pensions law" means any law relating to the grant to any person, or to the widow, children, dependants or personal representative of that person, of an award in respect of the services of that person in a public office, and includes any instrument made under that law.

(4) In this section references to the principal Order means the principal Order as amended by this Order.

Transitional Provisions

Regulations relating to retirement, etc. of certain officers

20.—(1) The Governor may, with the concurrence of the Secretary of State, make such provision, by regulations published in the Gazette, as appears to him to be necessary or expedient for the retirement from the public service of such persons or classes of persons holding office in that service immediately before the relevant date as may be specified by or under those regulations and for the payment of compensation, pensions, gratuities and other like allowances in such cases.

(2) All sums payable by virtue of regulations made under the preceding subsection shall be charged on the revenues of the Territory and shall be paid out upon warrant under the hand of the Governor.

(3) In this section the relevant date is the date when section 14 of this Order comes into operation.

Saving of existing appointments

21.—(1) A person elected to the Executive Council as Chief Minister under the provisions of section 6 of the principal Order, before the re-enactment of that section by this Order, and holding that office immediately before the date of the commencement of this Order shall be deemed to have been appointed Premier under subsection (1) of section 6 of the principal Order as enacted by this Order.

(2) (*a*) Any person who immediately before the date aforesaid was an Elected Member of the Executive Council shall be deemed to have been appointed a Minister under the provisions of subsection (3) of section 6 of the principal Order as enacted by this Order.

(*b*) Notwithstanding the provisions of paragraph (*a*) of this subsection where, on the date of the commencement of this Order, it is necessary to appoint a person to be a Minister in order that the provisions of subsection (1) of section 4 of the principal Order, as enacted by this Order, may be complied with, the Governor shall, on the advice of the Premier, by Instrument under the Public Seal, appoint a person who is an Elected Member of the Legislative Council to be a Minister; any person so appointed shall be deemed to have been appointed a Minister under the provisions of subsection (3) of section 6 of the principal Order as enacted by this Order.

(3) Any person appointed to be a Parliamentary Secretary under the provisions of subsection (1) or subsection (5) of section 26A of the principal Order, and holding that office immediately before the date of the commencement of this Order, shall be deemed to have been appointed to that office under the provisions of subsection (1) of section 18 of the principal Order as enacted by this Order.

(4) Subject to the provisions of this Order, a person holding an office in the public service immediately before the date of the commencement of this Order shall continue to hold that office as if he had been appointed in pursuance of the principal Order as amended by this Order.

Construction

22.—(1) References in the principal Order to the Executive Council or to a Member of the Executive Council shall be construed, respectively, as references to the Cabinet established by the principal Order as amended by this Order, and to a Member of the Cabinet.

(2) References in the principal Order to the Colony shall be construed as references to the Territory.

Adaptation of existing laws

23.—(1) The Governor may, by order published in the Gazette, at any time within twelve months after the date of the commencement of this Order, provide that any existing law shall be read and construed with such adaptations and modifications as may appear to the Governor to be necessary or expedient for bringing the provisions of that law into conformity with the provisions of this Order or otherwise for giving effect or enabling effect to be given to those provisions; and any existing law shall have effect accordingly from such date as may be specified in the order, not being a date earlier than the date of the commencement of this Order.

(2) In this section "existing law" means a law in force immediately before the date of the commencement of this Order that was enacted by the legislature of the Territory and includes any instrument in force as aforesaid and made in exercise of a power conferred by any law of the legislature of the Territory.

(3) An order made under this section may be revoked or amended by a further order made under this section or, in relation to any law or instrument affected thereby, by the authority having power to repeal, revoke or amend that law or instrument.

Commencement of sections 14 *and* 19 *of this Order*

24. Sections 14 and 19 of this Order shall come into operation on such day after the date of the commencement of this Order (being a day not earlier than the date upon which the regulations mentioned in subsection (1) of section 20 of this Order shall have come into force) as the Governor, acting in his discretion, may by Proclamation published in the Gazette appoint.

W. G. Agnew.

EXPLANATORY NOTE

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

This Order amends the Trinidad and Tobago (Constitution) Order in Council, 1950, by substituting a Cabinet for the Executive Council; substitutes a new Public Service Commission for the existing Public Service Commission, and establishes a Judicial and Legal Service Commission and a Police Service Commission. The Order also makes some minor and consequential amendments.

1959 No. 864

The Turks and Caicos Islands (Constitution) Order in Council, 1959

Made - - - - 13*th May*, 1959

Coming into Operation 4*th July*, 1959

ARRANGEMENT OF ORDER

PART I

Introductory

1. Citation, publication and commencement.
2. Interpretation.
3. The appointed day.