1966 No. 1457

CARIBBEAN AND NORTH ATLANTIC TERRITORIES

The Virgin Islands (Electoral Provisions) Order 1966

Made - - - - 22*nd November* 1966
Laid before Parliament 28*th November* 1966
Coming into Operation 29*th November* 1966

At the Court at Buckingham Palace, the 22nd day of November 1966

Present,

The Queen's Most Excellent Majesty in Council

Whereas it is proposed that there shall in due course be established a new Constitution for the Virgin Islands making provision for, among other things, a Legislative Council (in this Order referred to as "the proposed Legislative Council"), comprising seven elected members as well as certain other members:

And Whereas it is expedient to extend the life of the existing Legislative Council and to enable certain provisions to be made for the purposes of elections to the proposed Legislative Council:

Now, therefore, Her Majesty, by virtue and in exercise of the powers vested in Her by section 5 of the West Indies Act 1962(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, interpretation and commencement.

1.—(1) This Order may be cited as the Virgin Islands (Electoral Provisions) Order 1966.

(2) The provisions of article 2(1) of the Virgin Islands Letters Patent 1959(b) shall apply for the purpose of interpreting this Order as they apply for the purposes of interpreting those Letters Patent.

(3) This Order shall come into effect on 29th November 1966.

Extension of life of existing Legislative Council.

2. Notwithstanding the provisions of section 25(2) of the Virgin Islands Constitution and Elections Ordinance 1954(c) the Administrator shall not be obliged to dissolve the existing Legislative Council at the expiration of three years from the date of the return of the first writ at the last preceding general election, but, unless the Legislative Council is sooner dissolved, it shall stand dissolved on 28th March 1967.

(a) 1962 c. 19. (b) S.I. 1959 II, p. 3450. (c) No. 7 of 1954.

Electoral regulations.

3. Subject to the provisions of section 4 of this Order, the Administrator may by regulations make provision, for the purposes of the election of members of the proposed Legislative Council, for—

(*a*) the division of the Virgin Islands into seven electoral districts;

(*b*) the registration of voters;

(*c*) any matter that appears to him to be incidental thereto or consequential thereon.

Qualifications of voters.

4.—(1) Subject to the provision of subsection (2) of this section, a person shall be qualified to be registered as a voter for the purposes of elections to the proposed Legislative Council if, and shall not be so qualified unless, on the qualifying date, he has attained the age of twenty-one years and is a British subject and he either—

(*a*) has resided in the Virgin Islands for twelve months immediately preceding the qualifying date; or

(*b*) is domiciled and resident in the Virgin Islands at that date; or

(*c*) is at that date domiciled in the Virgin Islands but is resident in the United States Virgin Islands, having ceased during the two years immediately preceding that date to be resident in the Virgin Islands.

(2) No person shall be qualified to be registered as a voter under this section who on the qualifying date—

(*a*) is a person certified to be insane or otherwise adjudged to be of unsound mind under any law in force in the Virgin Islands; or

(*b*) is disqualified by or under any such law from being registered as a voter for the purposes of elections to the existing Legislative Council by reason of his having been convicted of an offence relating to such elections; or

(*c*) is under sentence of death imposed on him by a court in any part of the Commonwealth or is serving a sentence of imprisonment (by whatever name called) for a term exceeding twelve months imposed on him by such a court or substituted by competent authority for some other sentence imposed on him by such a court.

(3) In this section "the qualifying date" means such date as may be appointed by or under regulations made under section 3 of this Order as the date with reference to which the qualifications of any person for registration are to be ascertained.

(4) For the purposes of subsection (2)(*c*) of this section—

(*a*) two or more sentences of imprisonment that are required to be served consecutively shall be regarded as separate sentences if none of those sentences exceeds twelve months, but if any one of those sentences exceeds that term they shall be regarded as one sentence; and

(*b*) no account shall be taken of a sentence of imprisonment imposed as an alternative to or in default of the payment of a fine.

W. G. Agnew.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order enables the Administrator of the Virgin Islands to make provision for the division of the Islands into electoral districts and for the registration of voters for the purposes of elections to a proposed Legislative Council, and also extends the maximum life of the existing Legislative Council by a period of four months, that is to say, until 28th March 1967.