
STATUTORY INSTRUMENTS

2007 No. 1678

**CARIBBEAN AND NORTH
ATLANTIC TERRITORIES**

The Virgin Islands Constitution Order 2007

Made - - - - 13th June 2007

Laid before Parliament 14th June 2007

Coming into force in accordance with section 1(2)

THE VIRGIN ISLANDS CONSTITUTION ORDER 2007

1. Citation, commencement and establishment of Constitution

THE CONSTITUTION OF THE VIRGIN ISLANDS

Whereas the people of the territory of the Virgin Islands...
Acknowledging that the society of the Virgin Islands is based...
Mindful that the people of the Virgin Islands have expressed...
Recognising that the people of the Virgin Islands have a...
Recalling that because of historical, economic and other reasons many...
Accepting that the Virgin Islands should be governed based on...
Affirming that the people of the Virgin Islands have generally...
Noting that the United Kingdom, the administering power for the...
Now, therefore, the following provisions have effect as the Constitution...

CHAPTER 1

2. Interpretation
3. References to public office
4. Appointments
5. Re-election or reappointment
6. Removal from office
7. Resignation
8. Power to amend or revoke instruments

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

CHAPTER 2

9. Fundamental rights and freedoms of the individual
10. Interpretation of Chapter 2
11. Protection of right to life
12. Equality before the law
13. Protection from inhuman treatment
14. Protection from slavery and forced labour
15. Protection of right to personal liberty
16. Provisions to secure protection of law
17. Protection of right of prisoners to humane treatment
18. Protection of freedom of movement
19. Protection of private and family life and privacy of home and other property
20. Protection of the right to marry and found a family
21. Protection of freedom of conscience
22. Protection of the right to education
23. Protection of freedom of expression
24. Protection of freedom of assembly and association
25. Protection from deprivation of property
26. Protection from discrimination
27. Provisions for periods of public emergency
28. Protection of persons detained under emergency laws
29. Protection of the environment
30. Protection of children
31. Enforcement of protective provisions
32. Proceedings which might affect freedom of conscience
33. Proceedings which might affect freedom of expression
34. Establishment of a Human Rights Commission

CHAPTER 3

35. Governor
36. Deputy Governor
37. Acting Governor
38. Functions of Deputy Governor
39. Deputy to Governor
40. Exercise of Governor's functions
41. Crown lands
42. Powers to constitute offices and make appointments, etc
43. Powers of pardon, etc
44. Advisory Committee on the Prerogative of Mercy
45. The public seal

CHAPTER 4

46. Executive authority of the Virgin Islands
47. Cabinet
48. Meetings of the Cabinet
49. Proceedings in the Cabinet

50. Summoning of persons to the Cabinet
51. Cabinet Secretary
52. Appointment of Ministers
53. Tenure of office of Ministers
54. Absence of Ministers from the Virgin Islands
55. Performance of functions of Premier in certain events
56. Assignment of responsibilities to Ministers
57. National Security Council
58. Attorney General
59. Director of Public Prosecutions
60. Governor's special responsibilities
61. Oaths and affirmations

CHAPTER 5

Composition

62. Composition of Legislature
63. House of Assembly
64. Elected members
65. Qualifications for elected membership
66. Disqualifications for elected membership
67. Tenure of seats of members of House of Assembly
68. Qualifications of voters
69. Speaker and Deputy Speaker
70. Leader of the Opposition

Powers and Procedure

71. Power to make laws
72. Standing Orders
73. Oaths and affirmations
74. Presiding in the House of Assembly
75. Voting
76. Validity of proceedings
77. Quorum
78. Introduction of Bills, etc
79. Assent to Bills
80. Disallowance of laws
81. Governor's reserved power
82. Privileges, immunities and powers of House of Assembly

Miscellaneous

83. Sessions of House of Assembly
84. Prorogation and dissolution
85. Recalling dissolved House of Assembly in case of emergency
86. General elections
87. Determination of questions as to membership
88. Penalty for unauthorised sitting or voting

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CHAPTER 6

- 89. Eastern Caribbean Supreme Court
- 90. Subordinate courts and tribunals

CHAPTER 7

Public Service - General

- 91. Public Service Commission
- 92. Power to appoint, etc, to public office
- 93. Teaching Service Commission
- 94. Judicial and Legal Services Commission
- 95. Power to appoint, etc, to legal offices
- 96. Police Service Commission
- 97. Power to appoint, etc, to offices in the Police Force
- 98. Legislation regarding Commissions

Pensions

- 99. Applicability of pension law
- 100. Pensions, etc, charged on Consolidated Fund or Pension Fund
- 101. Grant and withholding of pensions, etc

CHAPTER 8

- 102. Consolidated Fund
- 103. Withdrawal of money from Consolidated Fund or other public funds
- 104. Authorisation of expenditure
- 105. Authorisation of expenditure in advance of appropriation
- 106. Contingencies Fund
- 107. Public debt
- 108. Remuneration of certain officers
- 109. The Auditor General

CHAPTER 9

- 110. The Complaints Commissioner
- 111. Functions of Complaints Commissioner
- 112. Registration of interests

CHAPTER 10

- 113. Meaning of the appointed day
- 114. Revocations
- 115. Existing laws
- 116. Existing offices and officers
- 117. Standing Orders
- 118. Elections

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119. Power reserved to Her Majesty
Signature

SCHEDULE 1 — FORMS OF OATHS AND AFFIRMATIONS

SCHEDULE 2 — REVOCATIONS

Explanatory Note