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## STATUTORY INSTRUMENTS

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# 1965 No. 135

## The Gambia Independence Order 1965

### Parliament

6.—(1) The House of Representatives constituted by the existing Orders (hereinafter referred to as “the existing House of Representatives”) shall be the House of Representatives during the period beginning with the commencement of this Order and ending with the first dissolution of Parliament thereafter.

(2) The electoral districts established immediately before the commencement of this Order in pursuance of section 37(d) of the Gambia (Constitution) Order in Council 1962<sup>(1)</sup> for the purposes of elections of the elected members of the existing House of Representatives referred to in paragraphs (a) and (b) of section 28(2) of that Order shall be deemed as from the commencement of this Order and until other provision is made in that behalf in accordance with this Order to be the constituencies into which The Gambia is divided in pursuance of section 38 of the Constitution; and the persons who, immediately before the commencement of this Order, are the elected members of the existing House of Representatives representing those electoral districts shall be deemed as from the commencement of this Order to have been elected to the House of Representatives in accordance with the provisions of this Order as the elected members representing the respective constituencies corresponding to those electoral districts and shall hold their seats in the House of Representatives in accordance with those provisions.

(3) The registers of voters having effect immediately before the commencement of this Order for the purposes of elections of the elected members of the existing House of Representatives referred to in paragraphs (a) and (b) of section 28(2) of the Gambia (Constitution) Order in Council 1962 shall, as from the commencement of this Order, have effect as if they had been compiled in pursuance of this Order.

(4) The persons who, immediately before the commencement of this Order, are the elected members of the existing House of Representatives referred to in section 28(2)(c) of the Gambia (Constitution) Order in Council 1962 and the persons who, immediately before the commencement of this Order, are the nominated members of the existing House of Representatives shall, as from the commencement of this Order, be deemed respectively to have been elected or, as the case may be, appointed as the Chiefs' representative members and the nominated members of the House of Representatives in accordance with the provisions of this Order and shall hold their seats in the House of Representatives in accordance with those provisions.

(5) The person who, immediately before the commencement of this Order, is the Speaker of the existing House of Representatives shall be deemed as from the commencement of this Order to have been elected as Speaker of the House of Representatives in accordance with the provisions of this Order and shall hold office in accordance with those provisions.

(6) Until Parliament otherwise provides, any person who holds or acts in any office the holding of which would, under the existing Orders, have disqualified him for membership of the existing House of Representatives shall be disqualified to be nominated for election as a voting member or appointed as a nominated member of the House of Representatives as though provision in that behalf had been made in pursuance of section 35(6) of the Constitution.

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(1) (1962 1, p. 876).

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(7) The Standing Orders of the existing House of Representatives as in force immediately before the commencement of this Order shall, until it is otherwise provided by the House of Representatives under section 58(1) of the Constitution, be the Standing Orders of the House but they shall be construed with such modifications, adaptations, qualifications and exceptions as may be necessary to bring them into conformity with this Order.

(8) Subject to the provisions of sections 60 and 61 of the Constitution, Parliament shall, unless sooner dissolved, stand dissolved on the date on which the existing House of Representatives would have been required by the existing Orders to be dissolved.

(9) The Governor-General may, at any time after the commencement of this Order, appoint a Constituency Boundaries Commission in accordance with the provisions of the Constitution to review the boundaries of the constituencies into which The Gambia is divided and he shall in any event appoint such a Commission for that purpose in time to enable it to complete such a review and to make any order that may be consequential thereon before the date specified in subsection (8) of this section.

(10) The Commission that is appointed in pursuance of subsection (9) of this section shall be deemed to have been appointed in the circumstances specified in section 38(3)(c) of the Constitution.

(11) Any person who, by virtue of this section, is deemed as from the commencement of this Order to have been elected as Speaker or any other member of the House of Representatives shall be deemed to have taken and subscribed any necessary oath under the Constitution.