

1967 No. 547

**CARIBBEAN AND NORTH ATLANTIC
TERRITORIES**
**The Saint Vincent Constitution (Amendment No. 2)
Order 1967**

<i>Made - - - -</i>	<i>5th April 1967</i>
<i>Laid before Parliament</i>	<i>5th April 1967</i>
<i>Coming into Operation</i>	<i>6th April 1967</i>

At the Court at Windsor Castle, the 5th day of April 1967

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of Her powers under sections 5 and 7 of the West Indies Act 1962(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation,
construction
and com-
mencement.

1.—(1) This Order may be cited as the Saint Vincent Constitution (Amendment No. 2) Order 1967.

(2) This Order shall be construed as one with the Saint Vincent (Constitution) Order in Council 1959(b), as amended by the West Indies (Dissolution and Interim Commissioner) Order in Council 1962(c) and the Saint Vincent Constitution (Amendment) Order 1967(d), (hereinafter called "the principal Order").

(3) The Saint Vincent (Constitution) Order in Council 1959, the Saint Vincent Constitution (Amendment) Order 1967 and this Order may be cited together as the Saint Vincent Constitution Orders 1959 to 1967.

(4) This Order shall come into operation on 6th April 1967.

Amendment
of section 36
of Order of
1959.

2. Section 36 of the principal Order is amended by the insertion, at the beginning of subsection (1), of the words "Subject to the provisions of section 40A of this Order".

Amendment
of section 37
of Order of
1959.

3. Section 37 of the principal Order is amended by the insertion, at the beginning of the section, of the words "Save as otherwise provided in this Order".

Amendment
of section 39
of Order of
1959.

4. Section 39 of the principal Order is amended by the deletion from subsection (2) of the word "seven" and the substitution of the word "five".

(a) 1962 c. 19.

(b) S.I. 1959/2201 (1959 I, p. 479).

(c) S.I. 1962/1084 (1962 II, p. 1220).

(d) S.I. 1967/232 (1967 I, p. 749).

5. The following section shall be inserted in the principal Order immediately after section 40—

“Motions of no confidence. 40A.—(1) If—

Insertion of section 40A in Order of 1959.

- (a) the Administrator is satisfied that a motion of no confidence given in accordance with the Standing Orders of the Legislative Council has been received by the Clerk of the Council ; or
- (b) the Administrator is given notice in writing by any elected member of the Council that that member proposes a motion of no confidence for debate in the Council in terms specified in the notice,

and the Administrator is satisfied that the public interest requires that the motion should be debated in the Council as a matter of urgency, the Administrator may, if he shall think fit, by proclamation summon a special meeting of the Council at such time and place as may be specified in the proclamation for the purpose of debating and disposing of the motion :

Provided that the Council may be so summoned notwithstanding that it stands prorogued.

(2) Where the Legislative Council meets, in pursuance of a proclamation under subsection (1) of this section, for the purpose of debating and disposing of a motion of no confidence, the following provisions shall apply—

- (a) such member of the Council (not being an elected member) as may be specified by the Administrator by writing under his hand shall preside at the meeting ;
- (b) no business shall be transacted at the meeting other than debating and disposing of the motion (including any amendment to the motion) ;
- (c) no person who is not an elected member of the Council shall vote in any proceedings at the meeting ;
- (d) the Standing Orders of the Council shall apply in relation to any proceedings at the meeting with such adaptations, modifications and exceptions as may be prescribed by the Administrator by order ;
- (e) if at the meeting a motion of no confidence is duly passed by a majority of all the elected members of the Council in accordance with the provisions of this section, the member presiding shall transmit to the Administrator a certificate in writing under his hand to that effect ; and, for the purposes of section 14(1) of this Order, the certificate shall be conclusive evidence that the motion was so passed and shall not be questioned in any court.

(3) In this section “motion of no confidence” means a motion that the Legislative Council should declare a lack of confidence in the Government of Saint Vincent.

(4) In the exercise of the powers conferred upon him by this section the Administrator shall act in his discretion.”.

W. G. Agnew.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Saint Vincent (Constitution) Order 1959 to make provision enabling the Administrator to summon a special meeting of the Legislative Council to consider a motion of no confidence in the Government of Saint Vincent in certain circumstances and relating to the proceedings at such a meeting.