

SCHEDULE 1
TO THE ORDER

THE CONSTITUTION OF ST. HELENA
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PART III

LEGISLATIVE COUNCIL

Vacation of seat on sentence, etc.

19.—(1) Subject to the provisions of this section, if an Elected Member of the Legislative Council is sentenced by a court of law in any country to death or to imprisonment (by whatever name called) for a term of or exceeding twelve months, he shall forthwith cease to discharge his functions as a member of the Council, and his seat in the Council shall become vacant at the expiration of a period of thirty days thereafter:

Provided that the Speaker may, at the request of the member, from time to time extend that period for thirty days to enable the member to pursue any appeal in respect of his conviction or sentence, save that extensions of time exceeding in the aggregate three hundred and thirty days shall not be granted without the approval of the Council signified by resolution.

(2) If at any time before the member vacates his seat he receives a free pardon or his conviction is set aside or his sentence is reduced to a term of imprisonment of less than twelve months or a punishment other than imprisonment is substituted, his seat in the Legislative Council shall not become vacant under this section, and he may again discharge his functions as a member of the Council.

(3) For the purpose of this section, two or more terms of imprisonment that are required to be served consecutively shall be regarded as a single term of imprisonment for the aggregate period of those terms.