

SCHEDULE 1
TO THE ORDER

THE CONSTITUTION OF ST. HELENA
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PART III

LEGISLATIVE COUNCIL

Determination of questions as to membership of Legislative Council.

20.—(1) Any question whether—

- (a) a person has been validly appointed a Temporary Member of the Legislative Council; or
- (b) a person has vacated his seat therein as such a member, shall be determined by the Governor, acting in his discretion.

(2) Any question whether—

- (a) a person has been validly elected an Elected Member of the Legislative Council; or
- (b) an Elected Member of the Legislative Council has vacated his seat therein or is required under section 19 of this Constitution to cease to discharge his functions as a member,

shall be determined by the Supreme Court in accordance with any law in force in St. Helena. The decision of the Supreme Court shall be final and not subject to any appeal.

(3) An application to the Supreme Court for the determination of any question under subsection (2) of this section may be made by the Attorney General or by any person who is a registered voter; and an application for the determination of any question under paragraph (b) of that subsection may also be made by any member of the Legislative Council.