
STATUTORY INSTRUMENTS

1990 No. 587

The Anguilla Constitution (Amendment) Order 1990

Insertion of new section 40A in Constitution.

15. The following new section is inserted in the Constitution after section 40–

“Leader of the Opposition.

40A.—(1) Subject to the provisions of this section, the Governor may appoint a Leader of the Opposition.

(2) The Governor shall appoint as Leader of the Opposition–

- (a) the member of the Assembly who in the judgement of the Governor, is the leader of any opposition party whose numerical strength in the Assembly is greater than that of any other opposition party; or
- (b) if there is no such party, the member of the Assembly who in the judgement of the Governor is best able to command the support of the members of the Assembly in opposition to the Government.

(3) If at any time between polling in a general election and the next following dissolution of the Assembly the Governor is satisfied that, if the office of the Leader of the Opposition were then vacant, he would appoint thereto a person other than the person then holding that office, the Governor shall revoke the appointment of the Leader of the Opposition.

(4) The office of the Leader of the Opposition shall also become vacant–

- (a) if for any reason other than a dissolution of the Assembly the holder thereof ceases to be a member of the Council, or
- (b) if the holder thereof is appointed as the Chief Minister.

(5) In this section, “opposition party” means a group of members of the Assembly in opposition to the Government who are prepared to support one of their number as their leader.

(6) In the exercise of his functions under this section the Governor shall act in his discretion.”.