
STATUTORY INSTRUMENTS

1997 No. 2974

SOUTH ATLANTIC TERRITORIES

**The Falkland Islands Constitution
(Amendment) (No. 2) Order 1997**

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| <i>Made</i> | - - - - | <i>17th December 1997</i> |
| <i>Laid before Parliament</i> | | <i>5th January 1998</i> |
| <i>Coming into Operation</i> | | <i>1st February 1998</i> |

At the Court at Buckingham Palace, the 17th day of December 1997

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers vested in Her by the British Settlements Acts 1887 and 1945(1), and of all other powers enabling Her in that behalf is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation, construction and commencement

1.—(1) This Order may be cited as the Falkland Islands Constitution (Amendment) (No. 2) Order 1997 and shall be construed as one with the Falkland Islands Constitution Order 1985(2).

(2) The Falkland Islands Constitution Order and this Order may be cited together as the Falkland Islands Constitution Orders 1985 to 1997.

(3) This Order shall come into operation on 1st February 1998.

Interpretation

2. In this Order, “the Constitution” means the Constitution of the Falkland Islands set out in Schedule 1 to the Falkland Islands Constitution Order 1985.

Replacement of Section 23 of the Constitution

3. Section 23 of the Constitution is replaced by the following—

(1) 1887 c. 54 and 1945 c. 7 (9 and 10 Geo 6).
(2) S.I.1985/444, as amended by S.I. 1997/864.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“23. Subject to the provisions of Section 24 of this Constitution, any person who has attained the age of twenty-one years and who is registered as an elector pursuant to section 27 of this Constitution is qualified to be elected as a member of the Legislative Council in respect of either constituency.”

Amendment of Annex B to the Constitution

4. In Annex B to the Constitution there shall be substituted for the reference to the “Civil Commissioner” in the Oath (or Affirmation) of Secrecy a reference to the “Governor”.

N. H. Nichols
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

Section 23 of the Falkland Islands Constitution required a person standing for election as a member of the Legislative Council to be registered as a voter in the constituency in which he was seeking election. This Order removes this restriction and provides for a person to be elected in respect of either of the two constituencies in the Falkland Islands if he is registered as a voter pursuant to section 27 of the Constitution. This Order also amends Annex B to the Constitution (Oaths and Affirmations) by replacing an out-dated reference to the Civil Commissioner in the Oath (or Affirmation) of Secrecy with a reference to the Governor.