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STATUTORY INSTRUMENTS

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**2007 No. 1678**

**The Virgin Islands Constitution Order 2007**

THE CONSTITUTION OF THE VIRGIN ISLANDS

CHAPTER 5

THE LEGISLATURE

*Composition*

**Leader of the Opposition**

- 70.**—(1) Subject to this section, the Governor may appoint a Leader of the Opposition.
- (2) The Governor shall appoint as the Leader of the Opposition—
- (a) a member of the House of Assembly recommended by a majority of the elected members of the House who are members of any opposition party whose numerical strength in the House is greater than that of any other opposition party; or
  - (b) if there is no such party or if no recommendation is made under paragraph (a), the member of the House of Assembly who in the judgement of the Governor is best able to command the support of the members of the House in opposition to the Government.
- (3) If at any time between the polling in a general election and the next following dissolution of the House of Assembly the Governor is satisfied that, if the office of the Leader of the Opposition were then vacant, he or she would appoint to that office 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 House of Assembly the holder of that office ceases to be a member of the House; or
  - (b) if the holder of that office is appointed as a Minister.
- (5) In this section “opposition party” means a group of members of the House of Assembly in opposition to the Government who are prepared to support one of their number as their leader.
- (6) In the exercise of his or her functions under this section the Governor shall act in his or her discretion.