
 STATUTORY INSTRUMENTS

1979 No. 452

**CARIBBEAN AND NORTH ATLANTIC
TERRITORIES**
The Bermuda Constitution (Amendment) Order 1979

Made - - - - - 11th April 1979

* *To be laid before Parliament* 1979

Coming into Operation 28th May 1979

At the Court at Windsor Castle, the 11th day of April 1979

Present,

The Queen's Most Excellent Majesty in Council

Whereas it is expedient to give effect to certain recommendations made at a Constitutional Conference held in Bermuda in February 1979:

Now, therefore, Her Majesty, by virtue and in exercise of the powers vested in Her in that behalf by section 1 of the Bermuda Constitution Act 1967(a) 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:—

1.—(1) This Order may be cited as the Bermuda Constitution (Amendment) Order 1979.

Citation
and
commence-
ment.

(2) This Order shall come into operation on 28th May 1979 (in this Order referred to as “the appointed day”).

2.—(1) In this Order—

“the amended Constitution” means the Constitution as amended by this Order;

“the Constitution” means the Constitution of Bermuda set out in Schedule 2 to the Bermuda Constitution Order 1968(b), as amended by the Bermuda Constitution (Amendment) Order 1968(c), the Bermuda Constitution (Amendment) (No. 2) Order 1968(d), and the Bermuda Constitution (Amendment) Order 1973(e).

Interpre-
tation.

(2) This Order shall be construed as one with the Constitution.

3. Section 53 of the Constitution is amended—

(a) in subsection (2)(d), by substituting for the words “one member” the words “two members”;

Amendment
of
Constitution.

(a) 1967 c. 63.

(b) S.I. 1968/182.

(c) S.I. 1968/463.

(d) S.I. 1968/726.

(e) S.I. 1973/233.

* This instrument was laid before Parliament on 9th May 1979.

(b) in subsection (5)(c), by substituting for the words “the member appointed under subsection (2)(d)” the words “a member appointed under subsection (2)(d)”;

(c) by inserting after subsection (8) the following new subsection—

“(9) Subject to the provisions of subsection (7) of this section, any question before a Constituency Boundaries Commission may be determined by the vote of a majority of the members of the Commission present and voting:

Provided that in the event of an equality of votes, the Chairman shall have and shall exercise a casting vote”.

Transitional provisions.

4.—(1) Any person who immediately before the appointed day holds office as a member of the existing Commission shall, on and after that day, continue to hold office as a member of the Constituency Boundaries Commission in accordance with the amended Constitution.

(2) As soon as practicable after the appointed day an additional member shall be appointed to the existing Commission in accordance with section 53(2)(d) of the amended Constitution.

(3) In this section, “the existing Commission” means the Constituency Boundaries Commission constituted in accordance with section 53 of the Constitution and in existence immediately before the appointed day.

N. E. Leigh,
Clerk of the Privy Council.

EXPLANATORY NOTE

(This Note is not part of the Order.)

The Constitutional Conference held in Bermuda in February 1979, at which Her Majesty's Government in the United Kingdom, the United Bermuda Party and the Progressive Labour Party were represented, made a number of recommendations for the amendment of the Constitution of Bermuda. This Order gives effect to the recommendations relating to the composition of the Constituency Boundaries Commission.

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