

At the Court at Buckingham Palace

THE 21st DAY OF DECEMBER 1977

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY
IN COUNCIL

Her Majesty, by virtue and in exercise of the powers in Her Majesty vested, 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 Gilbert Islands (Amendment) (No. 2) Order 1977 and shall be construed as one with the Gilbert and Ellice Islands Order in Council 1915(a), the Gilbert Islands Order 1975(b), the Gilbert Islands (Amendment) Order 1976(c), and the Gilbert Islands (Amendment) Order 1977(d).

(2) This Order shall be published in the Gilbert Islands by exhibition at the Public Office of the Governor and printed in the Gazette as soon as may be after the date of such publication and shall come into operation on such day as the Governor, acting in his discretion, by notice published and printed in like manner respectively, shall appoint.

2. In this Order, "the Constitution" means the Constitution of the Gilbert Islands set out in Schedule 2 to the Gilbert Islands Order 1975 as amended by the Gilbert Islands (Amendment) Order 1976 and the Gilbert Islands (Amendment) Order 1977.

3. The following section is substituted for section 44 of the Constitution—

"House of Assembly. 44.—(1) There shall be a House of Assembly which shall consist of—

(a) thirty-five elected members who shall be directly elected in such manner as may be prescribed by or under a law made under section 52 of this Constitution;

(b) one appointed member, who shall be appointed to the House of Assembly by the Rabi Council of Leaders; and

(c) the Attorney-General.

(2) No person shall be appointed to the House of Assembly under subsection (1)(b) of this section unless he is—

(a) a member of the Banaban community as defined in section 83Z(5) of this Constitution; and

(a) S.R. & O. Rev. 1948, IX p. 655.

(b) S.I. 1975 III, p. 8487.

(c) S.I. 1976 III, p. 6280.

(d) S.I. 1977 II, p. 4362.

(b) qualified to be elected as an elected member of the House of Assembly under sections 46 and 47 of this Constitution.

(3) The member appointed to the House of Assembly under subsection (1)(b) of this section shall, for the purposes of the provisions of this Constitution other than this section and section 45, be deemed to be an elected member of the House of Assembly.”

4. Section 50(1)(a) of the Constitution is amended by inserting after the word “elected” the words “or appointed”.

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

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Constitution of the Gilbert Islands by providing that the House of Assembly shall consist of thirty-five elected members, one appointed member and the Attorney-General.