

SCHEDULE

THE CONSTITUTION OF ST HELENA, ASCENSION AND TRISTAN DA CUNHA

CHAPTER 1

ST HELENA

PART 4

THE EXECUTIVE

Executive Council

35.—(1) There shall be an Executive Council for St Helena, which shall consist of—

- (a) five of the Elected Members of the Legislative Council, elected in accordance with section 36 (in this Part called “the elected members”);
- (b) three *ex officio* members, namely the Chief Secretary, the Financial Secretary and the Attorney General; and
- (c) such temporary members as may be appointed under subsection (2).

(2) The Governor may, by notice published in the *Gazette*, declare that a member of the Executive Council is, by reason of absence or illness, temporarily unable to discharge his or her functions as such member and appoint another person to be a temporary member of the Council; and any member in respect of whom the Governor has made such a declaration shall not take part in the proceedings of the Council until he or she is declared in the same manner to be again able to discharge those functions.

(3) The Governor, in making an appointment under subsection (2), shall appoint—

- (a) in place of an elected member, a person who is an Elected Member of the Legislative Council; and
- (b) in place of an *ex officio* member, an officer of the St Helena Public Service.

(4) The powers conferred on the Governor by this section shall be exercised by the Governor in his or her discretion.