

SCHEDULE

THE CONSTITUTION OF ST HELENA, ASCENSION AND TRISTAN DA CUNHA

CHAPTER 1

ST HELENA

PART 4

THE EXECUTIVE

**Election of elected members of Executive Council**

**36.**—(1) At the first meeting of the Legislative Council after every general election the Elected Members of the Legislative Council shall elect five of their number to be members of the Executive Council for a period of two years from the date of their election to the Executive Council.

(2) Thereafter such elections shall be held—

(a) before the expiry of the two-year period referred to in subsection (1), and again before the expiry of the succeeding period of one year, or as soon as possible after the expiry of either period, unless at either of those times the Elected Members of the Legislative Council decide, by a majority of their number, not to hold such an election; or

(b) when the Legislative Council first meets after any dissolution of the Council.

(3) If the Elected Members of the Legislative Council decide not to hold an election in accordance with subsection (2)(a), the elected members of the Executive Council then holding office shall, subject to section 37(1), continue in office for a further period of one year.

(4) A person shall be eligible for election to the Executive Council even though he or she is a member of the Executive Council then in being.

(5) If the seat of an elected member of the Executive Council becomes vacant during the period for which he or she has been elected, the Elected Members of the Legislative Council shall as soon as possible meet and elect one of their number to fill the seat for the remainder of that period.