

SCHEDULE

THE CONSTITUTION OF ST HELENA, ASCENSION AND TRISTAN DA CUNHA

CHAPTER 1

ST HELENA

PART 1

PARTNERSHIP VALUES

The partnership values

2. The partnership between the United Kingdom and St Helena shall continue to be based on the following values—

- (a) good faith;
- (b) the rule of law;
- (c) good government;
- (d) sound financial management;
- (e) the impartial administration of justice;
- (f) the impartiality of the St Helena Public Service;
- (g) the maintenance of public order;
- (h) compliance with applicable international obligations of the United Kingdom and of St Helena; and
- (i) the maintenance of international peace and security and the right of individual or collective self-defence.

Relationships between St Helena, Ascension and Tristan da Cunha

3. The relationships between each of St Helena, Ascension and Tristan da Cunha shall continue to be based on the values listed in section 2 and a willingness to have due regard for one another's interests.

Duty to give effect to the partnership values

4.—(1) In exercising their responsibilities and powers, all organs of government in St Helena have a duty to give effect to the partnership values.

(2) As the partnership values are statements of political principle, no court shall find that any act or omission of an organ of government was unlawful on account of a failure to give effect to the partnership values.

(3) Subject to subsection (2), the Supreme Court may enquire, but only on an application for judicial review, whether or not any organ of government (other than the Governor) has acted rationally and with procedural propriety in relation to giving effect to a partnership value.

(4) No court shall enquire whether or not the Governor is justified in—

- (a) deciding not to act in accordance with the advice of the Executive Council under section 43(5); or
- (b) reserving a Bill for the signification of Her Majesty's pleasure under section 74(3)(a),

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in order to ensure consistency with a partnership value.