

SCHEDULE

THE CONSTITUTION OF ST HELENA, ASCENSION AND TRISTAN DA CUNHA

CHAPTER 3

TRISTAN DA CUNHA

PART 3

THE GOVERNOR

The Governor

208.—(1) There shall be a Governor of Tristan da Cunha, who, subject to subsections (3) and (4), shall be the person for the time being holding or lawfully performing the functions of the office of Governor of St Helena.

(2) The Governor shall have such functions as are conferred or imposed on him or her by this Constitution or any other law and such other functions as Her Majesty may from time to time be pleased to assign to him or her through a Secretary of State, and, subject to the provisions of this Constitution and of any other law by which any such functions are conferred or imposed, shall do and execute all things that belong to his or her office according to such instructions, if any, as Her Majesty may from time to time see fit to give him or her through a Secretary of State; but no court shall enquire whether or not he or she has complied with any such instructions.

(3) No person who is acting as Governor shall do so in relation to Tristan da Cunha while the Governor is in Tristan da Cunha.

(4) No person who is appointed as a Governor's Deputy under section 28 shall discharge any function of the office of Governor in relation to Tristan da Cunha while the Governor is in Tristan da Cunha unless the Governor expressly authorises him or her to do so.

(5) In subsections (3) and (4), "the Governor" means the person holding the office of Governor.

Powers of pardon, etc

209. The Governor may, in Her Majesty's name and on Her Majesty's behalf—

- (a) grant to any person concerned in or convicted of any offence a pardon, either free or subject to lawful conditions;
- (b) grant to any person a respite, either indefinite or for a specified period, of the execution of any punishment imposed on that person for any offence;
- (c) substitute a less severe form of punishment for any punishment imposed on any person for any offence; or
- (d) remit the whole or part of any punishment imposed on any person for any offence or of any penalty or forfeiture otherwise due to Her Majesty on account of any offence.

Powers to dispose of land

210. Subject to this Constitution and any other law, the Governor or any person duly authorised by him or her in writing under his or her hand may, in Her Majesty's name and on Her Majesty's behalf, make and execute grants and other dispositions of any land or other immovable property in Tristan da Cunha that is vested in Her Majesty in right of the Government of Tristan da Cunha.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Public seal

211.—(1) There shall be a public seal of Tristan da Cunha, which shall be the public seal of St Helena.

(2) The Governor shall have custody of the public seal.

(3) The public seal may be used to seal such public documents signed by the Governor or an officer subordinate to the Governor as should be sealed with the public seal.

Constitution of offices

212.—(1) There shall be an Administrator of Tristan da Cunha, who shall be appointed by the Governor, shall be an officer of the Tristan da Cunha Public Service and shall have such functions as may be prescribed by any law.

(2) Subject to this Constitution and any other law, the Governor, in Her Majesty's name and on Her Majesty's behalf, may constitute other offices for Tristan da Cunha.