

**EXPLANATORY MEMORANDUM TO
THE TURKS AND CAICOS ISLANDS (ELECTORAL DISTRICT BOUNDARY
COMMISSION) ORDER 2011**

2011 No. 2719

1. This explanatory memorandum has been prepared by the Foreign and Commonwealth Office and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

2.1 The Order provides for some preparatory action that needs to be taken before a general election can be held in the Turks and Caicos Islands under the new Constitution of that territory.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None

4. Legislative Context

4.1 The Order is made under sections 5 and 7 of the West Indies Act 1962.

5. Territorial Extent and Application

5.1 This instrument applies to the Turks and Caicos Islands.

6. European Convention on Human Rights

As the instrument is required only to be laid before Parliament after being made and does not amend primary legislation, no statement is required.

7. Policy background

• *What is being done and why*

7.1 The new Constitution of the Turks and Caicos Islands, which is set out in Schedule 2 to the Turks and Caicos Islands Constitution Order 2011 (S.I. 2011/1681), provides that the House of Assembly of the Islands shall consist of 15 elected members, ten of whom shall be elected from electoral districts each of which shall return one member to the House. Before this Constitution is brought into force and a general election is held to the House of Assembly, it is necessary to establish an Electoral District Boundary Commission to make recommendations on the boundaries of the ten electoral districts each of which will return one member to the House. This Order provides for the establishment of such a Commission, for its mandate, and for the Governor to enact an Ordinance, with the prior approval of a Secretary of State, to give effect to the Commission's recommendations, with or without modifications. These are necessary preparatory steps for the operation of the new Constitution.

- *Consolidation*

7.2 No question of consolidation arises.

8. Consultation outcome

8.1 The Order has been approved in draft by the Government of the Turks and Caicos Islands.

9. Guidance

9.1 No guidance is considered necessary.

10. Impact

10.1 There is no impact on business, charities or voluntary bodies in the United Kingdom.

10.2 There is no impact on the public sector in the United Kingdom.

10.3 An Impact Assessment has not been prepared for this instrument.

11. Regulating small business

11.1 The legislation does not apply to small business.

12. Monitoring & review

12.1 The operation of the instrument will be kept under review by the Foreign and Commonwealth Office.

13. Contact

Susan Dickson at the Foreign and Commonwealth Office Tel: 020 7008 3317 or email: Susan.Dickson@fco.gov.uk can answer any queries regarding the instrument.