
S T A T U T O R Y I N S T R U M E N T S

1972 No. 301

ASSOCIATED STATES

The Antigua Constitution (Amendment) Order 1972

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| <i>Made - - - -</i> | <i>1st March 1972</i> |
| <i>Coming into Operation</i> | <i>1st March 1972</i> |

At the Court of Saint James, the 1st day of March 1972

Present,

Her Majesty Queen Elizabeth The Queen Mother
Her Royal Highness The Princess Margaret, Countess of Snowdon

Lord President
Viscount Eccles

Mr Secretary Campbell
Sir Peter Rawlinson
Sir Frederick Lawton

Whereas Her Majesty, in pursuance of the Regency Acts 1937 to 1953, was pleased, by Letters Patent dated the fourth day of February 1972, to delegate to the following Counsellors of State (subject to the exceptions hereinafter mentioned) or any two or more of them, that is to say, His Royal Highness The Prince Philip, Duke of Edinburgh, Her Majesty Queen Elizabeth The Queen Mother, His Royal Highness The Prince Charles, Prince of Wales, Her Royal Highness The Princess Anne, Her Royal Highness The Princess Margaret, Countess of Snowdon, and His Royal Highness the Duke of Gloucester, full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval for anything for which Her Majesty's approval in Council is required:

And whereas Her Majesty was further pleased to except from the number of the said Counsellors of State His Royal Highness The Prince Philip, Duke of Edinburgh, His Royal Highness The Prince Charles, Prince of Wales, Her Royal Highness The Princess Anne and Her Royal Highness The Princess Margaret, Countess of Snowdon, while absent from the United Kingdom:

And whereas a resolution in the terms set out in Part I of the Schedule to this Order was unanimously passed in the Senate and House of Representatives of the Associated State of Antigua on 22nd November 1971 and a further resolution in the terms set out in Part II of that Schedule was so passed therein on 14th January 1972:

Now, therefore, Her Majesty Queen Elizabeth The Queen Mother and Her Royal Highness The Princess Margaret, Countess of Snowdon, being authorised thereto by the said Letters Patent, and in pursuance of the powers

conferred upon Her Majesty by section 5(4) of the West Indies Act 1967(a), do hereby, by and with the advice of Her Majesty's Privy Council, on Her Majesty's behalf order, and it is hereby ordered, as follows:—

1.—(1) This Order may be cited as the Antigua Constitution (Amendment) Order 1972.

(2) This Order shall be construed as one with the Antigua Constitution Order 1967(b) and this Order and that Order may be cited together as the Antigua Constitution Orders 1967 and 1972.

(3) This Order shall come into operation on 1st March 1972:

Provided that section 3 shall be deemed to have come into operation on 31st January 1972.

2. Section 36(1) of the Constitution of Antigua is amended by the deletion of the words “twenty-one years” and the substitution of the words “eighteen years”.

3. Section 77 of the Constitution of Antigua is amended by the deletion of the words “thirty days” and the substitution of the words “three months”.

W. G. Agnew.

SCHEDULE

PART I

Whereas by the Constitution of Antigua it is provided by section 36(1) thereof that, “subject to subsection (2) of this section, a person shall be qualified to be registered as an elector for the purpose of the election of members of the House of Representatives if, and shall not be so qualified unless, he has attained the age of twenty-one years and—

(a) is a Commonwealth citizen who was born in Antigua and is domiciled and resident there at the date of his application for registration; or

(b) is a Commonwealth citizen who, for a period of three years immediately preceding his application for registration or for such other period as may be prescribed by Parliament, has been resident in Antigua”:

And whereas by the said Constitution at section 38(4) thereof section 36 has been made an entrenched section of the Constitution aforesaid:

And whereas by section 5(4) of the West Indies Act 1967 it is provided that, “where the constitution of an associated state provided by a Constitution Order has come into effect, Her Majesty may at any time, by Order in Council made at the request and with the consent of that state, alter that constitution or any part of that constitution, or alter any law which alters that constitution or any part of it”:

And whereas the Parliament of the State of Antigua considers it desirable that the voting age for a person otherwise qualified to be registered as an elector for the purpose of the election of members of the House of Representatives be lowered from twenty-one years to eighteen years:

Be it resolved that this State by its House of Representatives and by its Senate, consent that Her Majesty be requested to exercise the powers reserved unto herself by the West Indies Act 1967 section 5(4) and alter the Constitution of Antigua section 36(1) by lowering the voting age prescribed thereby from twenty-one to eighteen years.

(a) 1967 c. 4.

(b) S.I. 1967/225 (1967 I, p. 383).

PART II

Whereas section 77 of Schedule 2 to the Antigua Constitution Order 1967 provides that Parliament may make provision under which, if the Appropriation Act in respect of any financial year has not come into operation by the beginning of that financial year, the Minister responsible for finance may authorise the withdrawal of moneys from the Treasury Fund for the purpose of meeting expenditure necessary to carry on the services of the Government until the expiration of thirty days from the beginning of that financial year or the coming into operation of the Act, whichever is the earlier:

And whereas section 77 is one of the sections of the Constitution of Antigua entrenched by the provisions of section 38 of the said Constitution:

And whereas section 5(4) of the West Indies Act 1967 provides that where the constitution of an associated state provided by a Constitution Order has come into effect, Her Majesty may at any time, by Order in Council made at the request and with the consent of that state, alter that constitution or any part of that constitution, or alter any law which alters that constitution or any part of it:

And whereas the Parliament of Antigua considers it desirable that the period of thirty days provided in section 77 of the said Constitution should be altered to a period of three months:

Be it resolved that the Parliament of Antigua humbly requests that Her Majesty may be graciously pleased by Order in Council made at the request and with the consent of the State of Antigua to alter the provisions of section 77 of Schedule 2 to the Antigua Constitution Order 1967 by the deletion from that section of the words "thirty days" and the substitution of the words "three months".

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, which is made under section 5(4) of the West Indies Act 1967 at the request and with the consent of the Associated State of Antigua, amends section 36(1) of the Constitution of Antigua so as to alter the minimum age for registration as a voter for the purposes of elections to the House of Representatives of Antigua from twenty-one years to eighteen years and amends section 77 of that Constitution with effect retrospective to 31st January 1972 so as to alter the period therein specified from thirty days to three months.

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