

1987 No. 1829

**CARIBBEAN AND NORTH ATLANTIC TERRITORIES**

**The Turks and Caicos Islands (Constitution) (Interim  
Amendment) (No. 3) Order 1987**

*Made* - - - - - 21st October 1987

*Laid before Parliament* 29th October 1987

*Coming into force in accordance with section 1(3)*

At the Court of Saint James, the 21st day of October 1987

Present,

The Counsellors of State in Council

Whereas Her Majesty in pursuance of the Regency Acts 1937 to 1953, was pleased, by Letters Patent dated the 17th day of September 1987, to delegate to the six Counsellors of State therein named or any two or more of them 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;

Now, therefore, His Royal Highness The Prince Andrew Duke of York and Her Royal Highness The Princess Royal, being authorised thereto by the said Letters Patent, and in pursuance of the powers conferred by section 5 of the West Indies Act 1962(a) and all other powers enabling Her Majesty, and by and with the advice of Her Majesty's Privy Council, do on Her Majesty's behalf order, and it is hereby ordered, as follows:

1.—(1) This Order may be cited as the Turks and Caicos Islands (Constitution) (Interim Amendment) (No. 3) Order 1987 and shall be construed as one with the Turks and Caicos Islands (Constitution) Order 1976(b), which Order is hereinafter referred to as "the principal Order".

Citation, construction and commencement.

(2) This Order and the principal Order may be cited together as the Turks and Caicos Islands (Constitution) Orders 1976 to 1987.

(3) This Order shall come into force on 20th November 1987:

Provided that sections 2 and 3 of this Order shall come into force on the date of the first dissolution of the Legislative Council after the commencement of this Order.

2. Part IV of the principal Order shall be amended in the manner set out in Schedule 1 to this Order.

Amendment of Part IV of principal Order.

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(a) 1962 c.19.

(b) S.I. 1976/1156, amended by S.I. 1979/919, 1982/1075, 1986/1157, 1987/934/1271.

New electoral districts.

3. For the purposes of elections to the Legislative Council, the Islands shall be divided into the five electoral districts specified in Column 1 of Schedule 2 to this Order which shall comprise the islands or component parts specified in relation thereto in Column 2 of that Schedule, and each electoral district shall return to the Legislative Council the number of members specified in relation thereto in Column 3 of that Schedule.

Electoral Regulations.

4.—(1) The Governor may, acting in his discretion, by regulations published in the *Gazette*, make provision for the holding of elections, the registration of electors and for the procedure for the election of members of the Legislative Council; and such regulations shall have effect as if they were a law made under section 28 of the principal Order.

(2) Regulations made under this section may be made and brought into force, and all necessary preparations for elections to be held in accordance with such regulations and with the principal Order as amended by this Order may be commenced, in anticipation of the coming into force of sections 2 and 3 of this Order:

Provided that no provisions of such regulations shall be brought into force before the coming into force of the said sections 2 and 3 except those provisions relating to the registration of electors, the compilation of electoral lists, and all matters connected therewith.

*G. I. de Deney*  
Clerk of the Privy Council

AMENDMENTS TO PART IV OF PRINCIPAL ORDER

1. Section 19(b) of the principal Order shall be amended by substituting the word "thirteen" for the word "eleven".

2. Section 21 of the principal Order shall be amended by the deletion of subsection (2).

3. Section 22 of the principal Order shall be replaced by the following-

**Qualifications for elected membership.**      **22.** Subject to section 25 of this Order, a person shall be qualified to be elected as a member of the Legislative Council if, and shall not be qualified to be so elected unless, he-

- (a) has attained the age of twenty-one years; and
- (b) is, on the date of his nomination for election, resident in the Islands and has been so resident for not less than twelve months, in the aggregate, out of the two years immediately preceding that date; and
- (c) falls into one of the following categories, that is to say-
  - (i) he was born in the Islands; or
  - (ii) he was born outside the Islands of a father or mother either of whom was born in the Islands; or
  - (iii) he has, under the law in force in the Islands regulating immigration, the status of "Belonger".

4. Section 26(3) of the principal Order shall be amended by the deletion of paragraph (c).

5. Section 27 of the principal Order shall be amended by substituting for subsection (1) the following-

"(1) Subject to the provisions of 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 Legislative Council if, and shall not be so qualified unless, on the qualifying date-

- (a) he has attained the age of eighteen years; and
- (b) he is resident in the Islands and has been so resident for not less than twelve months, in the aggregate, out of the two years immediately preceding the qualifying date; and
- (c) he falls into one of the following categories, that is to say-
  - (i) he was born in the Islands; or
  - (ii) he was born outside the Islands of a father or mother either of whom was born in the Islands; or
  - (iii) he has, under the law in force in the Islands regulating immigration, the status of "Belonger".

6. Section 28(2) of the principal Order shall be amended by the deletion of paragraph (b).

## ELECTORAL DISTRICTS

Column 1	Column 2	Column 3
<i>Electoral District</i>	<i>Islands or Component Parts</i>	<i>Number of Members to be Returned</i>
First District (Grand Turk North)	That part of the island of Grand Turk bounded on the south by a line drawn from west to east across the island at the Prison.	3
Second District (Grand Turk South and Salt Cay)	That part of the island of Grand Turk bounded on the north by a line drawn from west to east across the island at the Prison, and the island of Salt Cay.	3
Third District (South Caicos)	The island of South Caicos.	2
Fourth District (North and Middle Caicos)	The islands of North Caicos, Middle (or Grand) Caicos, and Parrot Cay.	3
Fifth District (Providenciales)	The islands of Providenciales, Pine Cay and West Caicos.	2

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order establishes new electoral districts for the purpose of elections to the Legislative Council of the Turks and Caicos Islands, and enables the Governor to make electoral regulations. It also amends certain provisions of the Constitution of the Islands relating to elections.

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