

## SCHEDULE 2

### THE CONSTITUTION OF PITCAIRN

#### PART 3

#### THE GOVERNOR

##### **The Governor**

**27.**—(1) There shall be a Governor of Pitcairn, who shall be appointed by Her Majesty by Commission under Her Sign Manual and Signet and shall hold office during Her Majesty’s pleasure.

(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.

(3) Subject to the provisions of this Constitution and of any other law by which any functions are conferred or imposed on the Governor, the Governor 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 the Governor has complied with any such instructions.

(4) A person appointed to the office of Governor shall, before assuming the functions of that office, make oaths or affirmations of allegiance and for the due execution of that office in the forms set out in the Schedule.

##### **Acting Governor**

**28.**—(1) During any period when the office of Governor is vacant or the Governor is for any reason unable to perform the functions of that office those functions shall, during Her Majesty’s pleasure, be assumed and performed by such person as Her Majesty may designate for that purpose by instructions given through a Secretary of State (“the person designated”).

(2) Before assuming the functions of the office of Governor, the person designated shall make the oaths or affirmations directed by section 27(4) to be made by the Governor.

(3) The person designated shall not continue to act in the office of Governor after the Governor has notified him or her that the Governor is about to assume or resume the functions of that office.

(4) In this section “the Governor” means the person holding the office of Governor.

##### **Powers of pardon, etc**

**29.** The Governor may, in Her Majesty’s name and on Her Majesty’s behalf—

- (a) grant to any person convicted of any offence under the law of Pitcairn 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 such an offence;
- (c) substitute a less severe form of punishment for any punishment imposed on any person for such an offence; or
- (d) remit the whole or part of any punishment imposed on any person for such an offence or of any penalty or forfeiture otherwise due to Her Majesty on account of such an offence.

*Status: This is the original version (as it was originally made).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

### **Power to dispose of Crown land**

**30.** 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 Pitcairn that is vested in Her Majesty in right of the Government of Pitcairn.

### **Official stamp**

**31.—(1)** There shall be an Official Stamp for Pitcairn.

(2) The Governor shall keep and use the Official Stamp for stamping all such documents as may by law require to be stamped with it.

### **Constitution of offices**

**32.** Subject to this Constitution and any other law, the Governor, in Her Majesty's name and on Her Majesty's behalf, may constitute offices for Pitcairn.