

THE CONSTITUTION OF ANGUILLA, JULY 1967

(prepared by Dr. Roger Fisher)

1. The people of Anguilla establish this Constitution to govern the Territory of Anguilla, which includes the island of Anguilla, Dog Island, Scrub Island, Prickly Pear Cays, Sombrero, and the small cays and islands associated with them. The ultimate political power shall remain with the people of Anguilla. No constitutional arrangement connecting Anguilla with other islands or countries shall be effective unless it shall have been submitted to a referendum and approved by a majority of those voting.

2. Full legislative and executive powers shall reside in the Anguilla Council which shall have seven members. Five members of the Council shall be elected, one from each of the five electoral districts. The electoral districts may from time to time be changed by the Council, provided that they be reasonably compact, shall fairly reflect the different residential areas of Anguilla, and shall be more or less comparable in size. Two members of the Council shall be nominated members and shall be appointed by the five elected members.

3. The Council shall elect one of its members as Chairman, and he shall be the chief executive officer of Anguilla. The Chairman shall devote full time to his public office, and shall be compensated therefor. The Council by a majority vote may at any time overrule the Chairman, or remove a Chairman from that office and elect some other member of the Council as Chairman.

4. The term of office for members of the Council shall be two years. Members shall be eligible for further election or appointment. Elections shall be held every year on the first Tuesday in August. The term of office of the two nominated members shall expire one year after the date upon which the elected members take office. The first nominated members shall serve for the year, thereafter, nominated members shall serve for two years.

5. If an elected member of the Council dies or resigns more than ninety days before the end of his term of office, a new member shall be elected to serve the balance of that term at a special election in that one district. The special election shall be held by order of the Council on a date no less than three weeks nor more than six weeks after the vacancy occurs. If a nominated member dies or resigns, the elected members of the Council shall appoint a successor to serve the balance of that term.

6. The Council shall have power to appoint officers and officials of all kinds, including magistrates and judges, upon terms to be fixed by the Council.

A judge so designated by the Council shall have authority to decide according to the law all civil and criminal cases brought before him and his decision shall be final.

7. Persons born on Anguilla and persons naturalised under laws in effect prior to this Constitution, or laws in effect under this Constitution are citizens of Anguilla. The voting age shall be 21, unless it be lowered on an age no less than eighteen by action of the Council.

Elected members of the Council and the Chairman must be citizens of Anguilla. Members of the Council need not be residents of the districts by which they are elected. Civil Servants shall be eligible for an elective or appointive office.

8. All rights provided for in the United Nations Covenant of Human Rights are guaranteed to the people of Anguilla by this Constitution, and shall not be taken away from them or curtailed by the Council or by any other authority.

9. The Council shall act by majority vote. A quorum shall be four, and no less than three affirmative votes shall be required to take any action. All members shall be notified of all meetings of the Council.

10. This Constitution may be amended by an affirmative vote of two-thirds vote of those voting in a referendum. A proposed constitutional amendment may be submitted by referendum either by the Council or by a petition of 20 per cent of the qualified voters.

11. The first election under this Constitution shall be held not later than July 1968. Upon adoption of this Constitution and until such elections are held, the seven persons named below shall serve as members of the Council.

LEONARD CARTY
PETER ADAMS
EMILE GUMBS
WALTER HODGE
JOHN HODGE
JOHN ROGERS
RONALD WEBSTER

Ex officio to Council