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STATUTORY INSTRUMENTS

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**2020 No. 407**

**CARIBBEAN AND NORTH ATLANTIC TERRITORIES**

**The Anguilla (Coronavirus) (General Election Postponement)  
Order 2020**

*Made*

*3rd April 2020*

*Coming into force in accordance with article 1(4)*

At the Court at Windsor Castle, the 3rd day of April 2020

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 1(2) of the Anguilla Act 1980<sup>(a)</sup> or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered as follows:

**Citation, interpretation and commencement**

1.—(1) This Order may be cited as the Anguilla (Coronavirus) (General Election Postponement) Order 2020.

(2) In this Order, “the Constitution” means the Constitution set out in the Schedule to the Anguilla Constitution Order 1982<sup>(b)</sup>.

(3) Capitalised terms used but not defined in this Order shall have the meaning given to them in the Constitution.

(4) This Order comes into force on such day as the Governor, acting in his or her discretion, may appoint by proclamation in the Official Gazette.

**Disapplication of Section 64 of the Constitution**

2.—(1) Paragraphs (2) and (3) apply in relation to the first general election in Anguilla following the commencement of this Order.

(2) Section 64 of the Constitution (General elections) does not apply.

(3) The Governor shall, acting in his or her discretion, by proclamation published in the Official Gazette, appoint a date for the holding of the first general election to the Assembly following the commencement of this Order, and such date shall be not later than four months after the dissolution of the Assembly.

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(a) 1980 c. 67.

(b) S.I. 1982/334, as amended by S.I. 1990/587, S.I. 2019/852 and S.I. 2019/1461.

## Recalling dissolved Assembly in case of emergency

3.—(1) Prior to the first general election following the commencement of this Order, the Governor may recall the Assembly dissolved in accordance with section 63 of the Constitution if the Governor considers, in his or her discretion, that an emergency has arisen such that it is necessary for the Assembly to be recalled.

(2) If the dissolved Assembly is recalled in accordance with paragraph (1), the Assembly shall be deemed not have been dissolved apart from on the date on which the next general election is held, when the Assembly shall be deemed to be dissolved.

*Richard Tilbrook*  
Clerk of the Privy Council

## EXPLANATORY NOTE

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

This Order allows for the postponement of the next general election in Anguilla that would otherwise have been required within two months of the dissolution of the Assembly by the operation of section 64 of the Constitution of Anguilla.

The Governor is required to appoint a date for the first general election following commencement of this Order which must be no later than four months after the dissolution of the Assembly. The Governor is further given the power to recall the dissolved Assembly in case of emergency.

These measures have been taken in light of the exceptional public health situation created by the effects of a Coronavirus (Covid-19) pandemic.

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