
The Saint Lucia Constitution Order 1978

STATUTORY INSTRUMENTS
1978 No. 1901

SAINT LUCIA

The Saint Lucia Constitution Order 1978

Made: 20th December 1978

Coming into Operation: 22nd February 1979

At the Court at Buckingham Palace, the 20th day of December 1978
Present,
The Queen's Most Excellent Majesty in Council

17.- Declaration of emergency

(1) The Governor-General may, by proclamation which shall be published in the Official Gazette, declare that a state of emergency exists for the purposes of this Chapter.

(2) A proclamation under this section shall not be effective unless it contains a declaration that the Governor-General is satisfied-

- a) that a public emergency has arisen as a result of the imminence of a state of war between Saint Lucia and a foreign state;
- b) that a public emergency has arisen as a result of the occurrence of any earthquake, hurricane, flood, fire, outbreak of pestilence or of infectious disease, or other calamity whether similar to the foregoing or not; or
- c) that action has been taken, or is immediately threatened, by any person, of such a nature and on so extensive a scale, as to be likely to endanger the public safety or to deprive the community or any substantial portion of the community of supplies or services essential to life.

(3) Every declaration of emergency shall lapse-

- a) in the case of a declaration made when Parliament is sitting, at the expiration of a period of seven days beginning with the date of publication of the declaration; and
- b) in any other case, at the expiration of a period of twenty-one days beginning with the date of publication of the declaration unless it has in the meantime been approved by resolutions of the Senate and the House.

(4) A declaration of emergency may at any time be revoked by the Governor-General by proclamation which shall be published in the Official Gazette.

(5) A declaration of emergency that has been approved by resolutions of the Senate and the House in pursuance of subsection (3) of this section shall remain in force so long as both those resolutions remain in force and no longer.

(6) A resolution of the Senate or the House passed for the purposes of this section shall remain in force for twelve months or such shorter period as may be specified therein:

Provided that any such resolution may be extended from time to time by a further such resolution, each extension not exceeding twelve months from the date of the resolution effecting the extension; and any such resolution may be revoked at any time by a further resolution.

(7) A resolution of the House for the purposes of subsection (3) of this section and a resolution of the House extending any such resolution shall not be passed in the House unless it is supported by the votes of majority of all the members of the House.

(8) Any provision of this section that a declaration of emergency shall lapse or cease to be in force at any particular time is without prejudice to the making of a further such declaration whether before or after that time.

Complete Constitution is available at

http://www.stlucia.gov.lc/saint_lucia/saintluciaconstitution/the_saint_lucia_constitution.htm