

TRANSFER OF POWERS REGULATION

1980

EXPLANATORY NOTE

The purpose of this Regulation is to give the President power to adapt laws made before Independence so that provision is made for changes in offices brought about by Independence. For example some functions exercised by the Resident Commissioners may be exercised after Independence either by the President, the Prime Minister, a Minister or other officer.

A time limit is put on the President's power under Section 3 but Parliament may extend the time limit if it sees fit.

APRIL 1980

W.H. LINI
CHIEF MINISTER

DRAFTSMANS NOTE

The Resident Commissioners Joint Regulation bringing this Resolution into force as a law will provide that this resolution will be cited as the Transfer of Powers Regulation 1980 and shall come into force on the Day of Independence.

TRANSFER OF POWERS REGULATION

No. 14 of 1980

ARRANGEMENT OF SECTIONS

1. Power of President to transfer powers, duties or functions.
2. Power of President to substitute reference to officers or persons.
3. Time Limit on President's powers.

RESOLUTION No. OF 1980

To provide for transfer of statutory functions and powers.

The Representative Assembly at its sitting on the day
of 1980 hereby resolves and decides in accordance
with Article 23 of the Schedule to the Exchange of Notes of
15th September 1977 to adopt the following measures :-

Power of
President
to transfer
powers,
duties or
functions.

1. Where by any Regulation the exercise of any power or the performance of any duty or function is vested in any person or body the President acting on the advice of the Council of Ministers may by order transfer the exercise of such power or the performance of such duty or function to the President, a Minister, public officer or other person as may be specified in the order.

Power of
President to
substitute
reference to
officers or
persons.

2. The President may on the advice of the Council of Ministers by order substitute with effect from a date specified in the order for any reference to a public officer or other person made in a Regulation a reference to the President, Minister, public officer or other person as may be specified in the order.

Time Limit
on President's
powers.

3. The powers under sections 1 and 2 shall be exercisable for a period of one year from the Day of Independence unless before the end of that period Parliament extends such period by such time as shall be given in the resolution.