

No. **S** of 2011.

Prime Minister and National Executive Council (Amendment No. 2) Act 2011.

Certified on : **28 DEC 2011**



No. of 2011.

Prime Minister and National Executive Council (Amendment No. 2) Act 2011.

ARRANGEMENT OF SECTIONS.

- 1 Compliance with Constitutional Requirements.
2. Amendment of Long Title.
3. New Section 6A.

"6A. AGE LIMIT OF PRIME MINISTER."

4. New Section 6B.

"6B. VALIDATION OF ACTIONS AND DECISIONS OF THE NEW GOVERNMENT."



No. of 2011.

AN ACT

entitled

Prime Minister and National Executive Council (Amendment No. 2) Act 2011.

Being an Act to amend the *Prime Minister and National Executive Council Act 2002*,

MADE by the National Parliament and deemed to have come into operation on and from 1 August 2011.

1. COMPLIANCE WITH CONSTITUTIONAL REQUIREMENTS.

This Act, to the extent that it regulates or restricts a right or freedom referred to in Subdivision III.3.C (*Qualified Rights*) of the *Constitution*, namely –

- (a) the right to freedom from arbitrary search and entry conferred by Section 44 of the *Constitution*; and
- (b) the right to privacy conferred by Section 49 of the *Constitution*; and
- (c) the right to freedom of information conferred by Section 51 of the *Constitution*.
- (d) the right to freedom of movement conferred by Section 52 of the *Constitution*,

is a law that is made for the purpose of giving effect to the public interest in public order and public welfare.

2. AMENDMENT OF LONG TITLE.

The Long Title to the Principal Act is amended by adding after Paragraph (a) the following new Paragraph:-

- “(ba) to provide for a maximum age for a member of Parliament to hold the office of the Prime Minister pursuant to Section 142 of the *Constitution*”.

3. NEW SECTION 6A.

The Principal Act is amended by adding after Section 6 the following new section:-

“6A. AGE LIMIT OF PRIME MINISTER.

A member of Parliament is not qualified to be or to remain, Prime Minister if he has attained the age of 72 years.”

4. **NEW SECTION.**

The Principal Act is amended by adding after Section 6A, the following new section:-

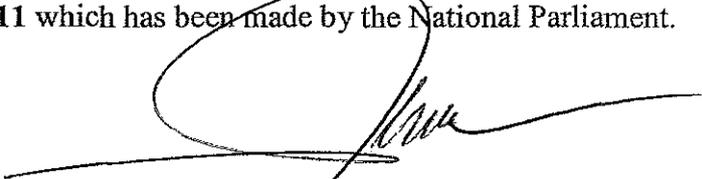
“6B. VALIDATION OF ACTIONS AND DECISIONS OF THE NEW GOVERNMENT.

“For the avoidance of doubt and by virtue of the powers conferred by Sections 2, 3 and 4 of the *Prime Minister and National Executive Council (Amendment) Act 2011*, actions taken and decisions made following the election of the Prime Minister referred to in Section 6(c) of the *Prime Minister and National Executive Council (Amendment) Act 2011* by -

- (a) the Prime Minister; or
- (b) the National Executive Council of which the Prime Minister is the chairman appointed by the Head of State acting on advice of the Prime Minister; or
- (c) individual Ministers who are members of the National Executive Council; or
- (d) government agencies and officers of the Public Service acting on the authority of the persons or body referred to in Paragraphs (a), (b) and (c),

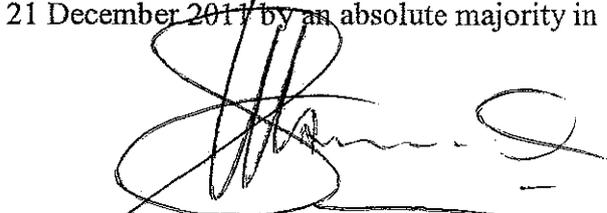
shall be treated by virtue of Section 3 of the *Prime Minister and National Executive Council (Amendment) Act 2011* as having been validly taken or made from the time they were taken or made.”.

I hereby certify that the above is a fair print of the *Prime Minister and National Executive Council (Amendment No. 2) Act 2011* which has been made by the National Parliament.


Acting Clerk of the National Parliament.

28 DEC 2011

I hereby certify that the *Prime Minister and National Executive Council (Amendment No. 2) Act 2011* was made by the National Parliament on 21 December 2011 by an absolute majority in accordance with the *Constitution*.


Acting Speaker of the National Parliament.

28 DEC 2011