

S.P. 19/21



**St Helena
Government**

ST HELENA GOVERNMENT

NATIONAL HONOURS AND AWARDS BILL, 2021



ST HELENA

A BILL

FOR

AN ORDINANCE

to provide for the granting of national honours and awards; and for connected and incidental purposes.

Enacted by the Governor of St Helena with the advice and consent of the Legislative Council of St Helena.

**PART 1
PRELIMINARY**

Short title

1. This Ordinance may be cited as the National Honours and Awards Ordinance, 2021.

Interpretation

2. In this Ordinance—
“**Committee**” means the National Honours and Awards Committee established by section 3;
“**eligible person**” means a person referred to in section 7(2).

**PART 2
NATIONAL HONOURS AND AWARDS COMMITTEE**

National Honours and Awards Committee

3. (1) There is a National Honours and Awards Committee for the purposes of this Ordinance, which consists of a Chairperson and four other members appointed by the Governor who must be persons of integrity and high public standing.

NATIONAL HONOURS AND AWARDS ORDINANCE

ARRANGEMENT OF SECTIONS

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(2) The Governor or Head of the Governor's Office shall be the Chairperson of the Committee.

(3) The members of the Committee are appointed for a period not exceeding three years and may be reappointed.

Duties of Committee

4. It is the duty of the Committee, with a view to the proper carrying out of the provisions of this Ordinance—

- (a) to receive and consider nominations for honours and awards;
- (b) to make investigations as it thinks fit to determine persons upon whom may be conferred the honours and awards under this Ordinance;
- (c) to prepare a list of recommendations for the conferment of honours and awards; and
- (d) to undertake any other duty in relation to this Ordinance as may be assigned by the Governor in Council.

Secretary of the Committee

5. The Governor must appoint a Secretary to the Committee, who is responsible for—

- (a) maintaining records of all honours and awards conferred under this Ordinance;
- (b) recording the minutes of all meetings of the Committee;
- (c) arranging for the ceremony at which an honour or award is formally conferred on a person; and
- (d) performing any other function as the Committee may direct.

Confidentiality of deliberations

6. The deliberations of the Committee pertaining to the selection of a recipient of an honour or award are confidential and a member of the Committee who breaches this confidentiality may be removed and is not eligible for reappointment.

PART 3 NATIONAL HONOURS AND AWARDS

Establishment of Honours and Awards

7. (1) There is established the following honours and awards:

- (a) Badge of St Helena; and
- (b) Freedom of the City of Jamestown.

(2) An individual is eligible for the Badge of St Helena under subsection (1)(a) if he or she—

- (a) was born outside St Helena; and
- (b) has not been ordinarily resident in St Helena for 10 years or more immediately prior to the date of the honour or reward being granted.

(3) Freedom of the City of Jamestown under subsection (1)(b) may be awarded to individuals regardless of nationality and whether resident in or outside St Helena.

(4) An honour or award under subsection (1) may not be granted to an individual posthumously.

Badge of St Helena

8. (1) The Badge of St Helena may be granted by the Governor, in consultation with the Honours Committee and Executive Council, to an eligible person who, by exceptional and extraordinary service, has contributed to St Helena, including contributions to public life, research, philanthropy, literature and the promotion and support provided to the culture, heritage and development of the Island.

(2) The Badge of St Helena ranks beside the Badge of Honour and Certificate awarded by the Governor under the St Helena Statutory Rules and Orders No. 24 of 1957.

(3) A person to whom the Badge of St Helena has been awarded is entitled to wear the Badge as a decoration and shall be worn on the breast on official occasions when full-sized medals are worn.

Freedom of the City of Jamestown

9. (1) Freedom of the City of Jamestown may be awarded by the Governor, in consultation with the Honours Committee and Executive Council, to a person who is considered to be admirable or worthy of distinction and who has made a contribution to St Helena that merits special recognition.

(2) The award of Freedom of the City of Jamestown is symbolic and does not confer on the person any status nor does it grant any rights with respect to residency or confer any privileges or duties akin to citizenship.

(3) The award of Freedom of the City of Jamestown ceases upon death of the person.

PART 4

NOMINATIONS AND CONFERMENT OF HONOURS AND AWARDS

Nominations for honours and awards

10. A person may nominate another person for the bestowal of an honour or award and the nomination must be submitted in writing to the Secretary of the National Honours and Awards Committee for consideration by the Committee.

Conferment of honours and awards

11. (1) The Governor may, at a public ceremony, confer the honours and awards referred to in section 7(1).

(2) The name of every person upon whom an honour or award has been bestowed must be published in the Gazette.

(3) The honours and awards granted under this Ordinance may be made at a date to be determined by the Governor.

PART 5 OFFENCES AND REVOCATION

Unauthorised use of insignia

12. It is an offence for a person—
- (a) without lawful authority to use or wear a Badge supplied or authorised in connection with an honour or award under this Ordinance, or use or wear any insignia, medal or badge so nearly resembling such Badge as to be calculated to deceive;
 - (b) to falsely represents him- or herself to be a person who is or has been entitled to use or wear such Badge;
 - (c) without lawful authority or excuse to supply or offer to supply the Badge to any person not authorised to wear it.

Maximum penalty: A fine of £1,000.

Abuse in connection with grant of honour or award

13. A person who accepts, obtains, agrees to accept or attempts to obtain from another person, whether for him- or herself or for any other person, any gift, money or valuable consideration as an inducement or reward for procuring, or assisting or endeavouring to procure, the grant of an honour or award under this Ordinance to any person, or otherwise in connection with the grant, commits an offence.

Maximum penalty: A fine of £2,000.

(2) A person who gives or offers, or agrees or proposes to give or offer, to another person any gift, money or valuable consideration as an inducement or reward for procuring, or assisting or endeavouring to procure, the grant of an honour or award under this Ordinance, or otherwise in connection with the grant, commits an offence.

Maximum penalty: A fine of £2,000.

Revocation of honour or award

14. The Governor may revoke an honour or award granted to a person under this Ordinance if the person—

- (a) is convicted of an offence; or
- (b) engages in any act or behaviour not conducive to the reputation or international standing of St Helena or which brings the honours system into disrepute.

PART 6 MISCELLANEOUS

Financial provision

15. All expenditure incurred in relation to or in connection with the conferment of honours and awards must be paid from the Consolidated Fund.

Regulations

16. The Governor in Council may make regulations necessary or convenient for the purposes of this Ordinance, and without limiting that power, the regulations may specifically prescribe—

- (a) the insignia and regalia of the Badge of St Helena;
- (b) the eligibility of conferment of an honour or award;
- (c) the investitures in relation to an honour or award;
- (d) the rights or privileges appurtenant to the conferment of an honour or award.

Protection of honours and awards by Her Majesty

17. Nothing in this Ordinance has the effect of establishing, or may be construed as establishing, a system for the grant of honours or awards by or on behalf of Her Majesty, nor does this Ordinance in any way affect the prerogative of Her Majesty in respect of honours and awards.

EXPLANATORY NOTE

(This note does not form part of the Ordinance)

This Ordinance introduces a provision to grant honours and awards to recognise exceptional service by persons who are not currently eligible for the Badge of Honour. The Ordinance makes provision for a new Badge of St Helena and for the award of Freedom of the City of Jamestown for persons who have made a significant contribution to St Helena and its people.

