



St Helena  
Government



## **THE ROLE OF THE LEGISLATIVE COUNCIL**

**A General Election will be held on Wednesday, 3 September 2025 if more than 12 valid nominations are received by no later than 12 noon on Nomination Day, Wednesday, 20 August 2025. This year's Election will be the second under the ministerial system of Government.**

**Leading up to the General Election we will provide information articles on how a Ministerial Government works.**

**This week's focus is on the role of Legislative Council.**

### **Who forms the Legislative Council?**

Legislative Council is comprised of the Speaker, Deputy Speaker, the 12 Elected Members and the Attorney General. The Attorney General is an ex-officio and non-voting Member.

### **What is the role of Legislative Council?**

The Legislative Council together with His Majesty comprise the Legislature of St Helena.

In accordance with the Constitution of St Helena the Legislature may make laws for the peace, order and good governance of St Helena.

At meetings of Legislative Council, the Council considers Bills for Ordinances for approval. If approved they are then forwarded to the Governor for assent on behalf of His Majesty.

Legislative Council also considers and votes on motions presented to them by Members. It further receives petitions presented by Members and papers that under law have to be laid before Council.

At meetings of Legislative Council, Members are able to ask questions to members of Government, i.e. the Chief Minister and Ministers.

Meetings of Legislative Council end with an adjournment debate during which all Members are able to speak generally on the public affairs of St Helena for a fixed time. The Chief Minister responds to points made by Members at the end of adjournment debates.

### **What are the rules of Legislative Council?**

Legislative Council has its own Standing Orders. These are made according to the Constitution which allows the Council to make Standing Orders for the 'orderly conduct of its proceedings and the dispatch of business'. The current Standing Orders, which came into effect in December 2022, cover matters including: the

recording of proceedings, the order of business, the procedure for Bills, rules of debate and provisions on behaviour. Legislative Council can amend its Standing Orders as and when they wish to following discussion amongst themselves.

Members of Legislative Council are also subject to a Code of Conduct that is approved by them pursuant to the Constitution. The Code of Conduct details the behaviour expected of Members and regulates their relationship with Officers of the St Helena Public Service.

### **What is the role of the Speaker and Deputy Speaker?**

The Speaker presides in meetings of Legislative Council. The Speaker is responsible for the observance of the rules of order in the Council and their decision on any point of order is final. The Speaker also receives complaints made against Members under the Code of Conduct.

The Speaker is non-voting. In the absence of the Speaker the Deputy Speaker performs the role.

Both the Speaker and Deputy Speaker are voted for by Elected Members from eligible members of the public who have put themselves forward, usually following a General Election. Each candidate needs to be proposed and seconded by different Elected Members of Council. The Speaker and Deputy Speaker cannot be Elected Members of Legislative Council.

### **What is the responsibility of the Councillors?**

All Councillors including Ministers, have been elected by the public to be Members of Legislative Council. As such all Members are expected to work together for the overall benefit of the Island.

While working with Ministers for the good of St Helena, Councillors also have a remit to scrutinise the performance and decision making of the Ministers and ensure the effective use of public funds. This will include doing so at meetings of Legislative Council and also in select (scrutiny) committees established by Order.

Alongside the scrutiny committees, three of the Councillors (who are not Ministers) also sit on the Public Accounts Committee.

Councillors who are not Ministers are allocated geographical districts on St Helena for which it is expected they become the first point of contact for the public in those areas,

Councillors who are not Ministers are expected also to table questions to the Chief Minister and Ministers at regular Ministers' Question Time sessions.

### **How does post-election representational districts work?**

Each Councillor who is not part of the Ministerial team is allocated a district to represent. They are the first point of contact for members of public in those areas,

they may hold surgeries in those areas and ask questions on behalf of the district in Legislative Council.

### **How are Councillors allocated districts?**

One of the first tasks of the new Legislative Council will be to decide amongst themselves how to allocate the eight representational districts to the seven Councillors who are not Ministers. The eight boundaries of the post-election representational districts are identical to the electoral districts used on Polling Day. Of the seven Councillors, one will have responsibility for two representational districts.

### **How often does Legislative Council meet?**

Meetings of the Legislative Council shall be held at such places and begin at such times as the Speaker, acting in accordance with the advice of the Chief Minister, shall appoint.

The Constitution prescribes that there shall be at least one meeting of the Legislative Council in each quarter of each calendar year but may meet more frequently if necessary.

All members of Legislative Council can meet privately to have briefings or discussions on matters of current concern but these take place outside of the Legislative Council structure.

### **Do all Members attend meetings of Legislative Council?**

For business to be transacted at a meeting of Legislative Council there must be a quorum of seven of the 12 Elected Members in attendance.

However, given the importance of meetings of Legislative Council it is expected that all Members would attend meetings unless there were exceptional circumstances not to do so.

### **How do Councillors who are not Ministers work with Public Service Officials?**

Councillors who are not part of the Ministerial team do not directly deal with public officials. They should direct their queries and views on public services and policies to the relevant Minister. The Minister would then respond to the Councillor, using their public officials for advice and information.

Certain senior public officials can also be called periodically to answer questions on the implementation of public policies and the delivery of public services at meetings of the two Select Committees and the Public Accounts Committee.

Members of Legislative Council are supported by the Clerk of Councils and two Legislative Council Office Assistants.

In our next issue we will look at the role of Ministers and Portfolio Directorates.  
These Information Releases are also available online at:  
<https://www.sainthelena.gov.sh/government/public-information/elections/>

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