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Content

Bill re Constitution (Amendment) Act, 2026.

CONSTITUTION (AMENDMENT) ACT, 2026

OBJECTS AND REASONS

This Bill would amend the *Constitution* in order to promote political stability by limiting parliamentarians' ability to cross the floor.

CONSTITUTION (AMENDMENT) ACT, 2026

Arrangement of Sections

1. Short title
2. Amendment of section 45 of the Constitution
3. Insertion of section 45D into the Constitution

BARBADOS

A Bill entitled

An Act to amend the Constitution.

ENACTED by the Parliament of Barbados in accordance with the provisions of section 49 of the *Constitution* as follows:

Short title

- 1.** This Act may be cited as the *Constitution (Amendment) Act, 2026*.

Amendment of section 45 of the Constitution

2. *Section 45 of the Constitution is amended in subsection (1) by*
- (a) *deleting the full stop appearing at the end of paragraph (g) and substituting a semi-colon; and*
 - (b) *inserting immediately after paragraph (g) the following new paragraph:*

“(h) if he having been a candidate of a political party and elected to the house as a candidate of that political party, resigns from that political party, is expelled by that party or crosses the floor.”.

Insertion of section 45D into the Constitution

3. *The Constitution is amended by inserting immediately after section 45C the following new section:*

“Vacation of seat where member resigns, is expelled or crosses the floor

45D.(1) Where circumstances referred to in section 45 (1)(h) arise, the leader in the House of the party as a candidate of which the member was elected, shall inform the Speaker in writing of those circumstances and the Speaker shall, at the sitting of the House next after he is so informed, make a declaration that the member has resigned from or has been expelled by the party or has crossed the floor, as the case may be.

(2) Where the declaration referred to in subsection (1) is to the effect that the member has crossed the floor, the member shall forthwith after the vacate his seat.

(3) Where the declaration referred to in subsection (1) is to the effect that the member has resigned or has been expelled from the party, and he does not within 14 days after the declaration institute legal proceedings to challenge the allegation that he has resigned or has been expelled by the party, he shall vacate his seat at the end of the period of 14 days.

(4) Where within 14 days of the declaration by the Speaker referred to in subsection (1), the member institutes legal proceedings as aforesaid he shall not vacate his seat unless and until either the proceedings are withdrawn or the proceedings are finally determined by a decision upholding the resignation or expulsion, the decision being one that is not open to appeal or in respect of which the time allowed for an appeal has expired without an appeal being filed.

(5) From the date of the declaration by the Speaker under subsection (1), that the member has resigned from or has been expelled by the party the member shall cease to perform his functions as a member of the House and he shall resume the performance of such functions only if and when the legal proceedings referred to in subsection (4) are fully determined within the meaning of that subsection in favour of such member.

(6) The Standing Orders shall make provision for the identification and recognition of the leader of the business in the House of every party and for otherwise giving effect to this section.”.

Read three times and passed the House of Assembly this
day of _____, 2026.

Speaker

Read three times and passed the Senate this _____ day of
_____, 2026.

President

