

## **Title 6A: Defense and Security**

### 197A Defence and security

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[7 of 2001]  
[5 of 2003]

197A. (1) The State's defence and security policy shall be to defend national independence, preserve the country's sovereignty and integrity, and guarantee the normal functioning of institutions and the security of citizens against any armed aggression.

(2) The Defence and Security Forces shall be subordinate to national and defence and security policy and owe allegiance to the Constitution and to the Nation. The oath taken by members of the Defence and Security Forces shall establish their duty to respect the Constitution.

Cap. 15:01

(3) The Guyana Defence Force established under the Defence Act shall in the discharge of its constitutional responsibilities function in such a manner as to earn the respect and enjoy the confidence of citizens.

Cap. 16:01

(4) The Police Force established under the Police Act shall function in accordance with the law as the law enforcement agency of the State responding to the daily need to maintain law and order by suppressing crime to ensure that citizens are safe in their homes, the streets and other places.

(5) Disciplined forces commissions may be constituted by the National Assembly from time to time, as may be necessary, with power to

examine any matter relating to the public welfare, public safety, public order, defence or security, including the structure and composition of the disciplined forces and make recommendations generally with a view to promoting their greater efficiency , and giving effect to the need in the public interest that the composition of the disciplined forces take account of the ethnic constituents of the population.

(6) The provisions of the Commissions of Inquiry Act as in force immediately before the commencement of this Constitution shall, subject to the provisions of this article, apply as nearly as may be in relation to commissions appointed under the preceding paragraph or, as the context may require, to the members thereof as they apply in relation to Commissions or Commissioners appointed under that Act, and such application shall have effect as if they formed part of this Constitution.

(7) As regards the application of the Commissions of Inquiry Act pursuant to paragraph (6) -

- (a) the following provisions shall apply, that is to say -
  - (i) section 2 - the whole section;
  - (ii) section 3 - so much of the section as follows the words "in his place";
  - (iii) section 4 - the whole section;
  - (iv) section 5 - the whole section;
  - (v) section 7 - the words "after taking such oath or

affirmation";

(vi) section 16 - the whole section;

(b) for the words "Such sums so directed to be paid shall be paid out of moneys provided by Parliament" in section 15 there shall be substituted the words "Such sums so directed to be paid shall be charged on and paid out of the Consolidated Fund";

(c) for the words "the President" wherever they appear in the applicable provisions substitute the words "the National Assembly".