

I assent,

F. D. JAKEWAY,

Officer Administering
the Government.

4th December, 1954.

ORDINANCE No. 41 OF 1954

AN ORDINANCE to provide for the postponement of elections to the Town Councils of Georgetown and New Amsterdam and for purposes connected therewith.

A.D. 1954

[4th December, 1954

Enacted by the Legislature of British Guiana:—

PART I

Short title.
and com-
mencement

1. This Ordinance may be cited as the Municipal Councils (Postponement of Elections) Ordinance, 1954, and shall be deemed to have come into operation on the first day of October, nineteen hundred and fifty-four.

Termina-
tion of
operation
of Parts II
and III.

2. (1) The Governor may, by Proclamation published in the Gazette, declare that Parts II and III of this Ordinance or either of them shall cease to be in operation, and such Parts of this Ordinance as may be so specified shall thereupon cease to be of any effect whatsoever, without prejudice however to anything lawfully done thereunder.

(2) The Governor may in any Proclamation made under the preceding subsection in relation to any Part of this Ordinance specified therein and notwithstanding that such Part ceases thereupon to be of any effect declare that the persons who were immediately prior to the making of such Proclamation members of any Council mentioned in the said Part shall continue in office as such pending the election or appointment of new members thereof at a date specified by the Governor in such Proclamation not being a date later than one year or earlier than six months from the making of the said Proclamation.

(3) The provisions of the Ordinance referred to in any Part of this Ordinance as the Principal Ordinance shall *mutatis mutandis* apply to the election or appointment of members of any Council specified in such Part held or made as the case may be under the provisions of the preceding subsection subject however to such amendments or variations as may be specified by the Governor in the Proclamation issued under the said subsection in relation to the said Part.

3. The New Amsterdam Town Council (Special Provisions) Ordinance, 1953, is hereby repealed, without prejudice however to anything lawfully done thereunder.

Repeal.
No. 26 of
1953.

PART II

The Mayor and Town Council of Georgetown.

4. This Part of this Ordinance shall be construed and read as one with the Georgetown Town Council Ordinance hereinafter referred to as the Principal Ordinance and any Ordinance amending the same.

Interpre-
tation.
Cap. 86.

5. Anything contained in the Principal Ordinance to the contrary notwithstanding --

Postpone-
ment of
election of
councillors.

- (a) no general election or by-election of councillors shall be held during the continuance in operation of this Part of this Ordinance;
- (b) the councillors who are at the commencement of this Ordinance elected councillors for the wards of the city shall continue in office as elected councillors during the continuance in operation of this Part of this Ordinance:

Provided that the seat of any such councillor may at any time become vacant in accordance with the provisions of the Principal Ordinance;

- (c) where during the continuance in operation of this Part of this Ordinance the seat of any member of the Council specified in paragraph (b) of this section becomes vacant such vacancy may be filled by a new member nominated by the Governor in that behalf and such new member shall be deemed to be a member of the Council in the same manner as if he had been elected thereto under the Principal Ordinance;
- (d) no person shall during the continuance in operation of this Part of this Ordinance be required to do any act in connection with the registration of voters or the holding of elections under the Principal Ordinance.

6. Anything contained in the Principal Ordinance to the contrary notwithstanding the Governor in Council may from time to time during the continuance in operation of this Part of this Ordinance nominate in writing a number of persons not exceeding three to serve on the Council for periods of one year commencing on the first day of January of each year and the provisions of the Principal Ordinance relating to the nomination of councillors by the Governor in Council and to councillors so nominated shall apply to the nomination of councillors, and to councillors nominated under this section.

Appoint-
ment of
nominated
councillors.

7. Nothing in this Ordinance shall prevent or otherwise interfere with the election of the Mayor or Deputy Mayor in accordance with the provisions of the Principal Ordinance and for the purposes of any such election during the continuance in operation of this Part of this Ordinance the councillors for the

Election of
Mayor and
Deputy
Mayor.

time being entitled to hold office under the provisions of section five of this Ordinance and the persons nominated by the Governor under the provisions of section six of this Ordinance to hold office during the year for which a Mayor is to be elected shall be deemed to be the councillors entitled to hold office on the first day of January in the year for which the Mayor is to be elected or the councillors for the ensuing year as the case may be within the meaning of the Principal Ordinance:

Provided that where no person is elected as Mayor at the meeting held for such purpose the provisions of subsections (9), (10), (11), (12), (13) and (14) of section eighty of the Principal Ordinance shall not apply and the Mayor shall be nominated by the Governor from among the councillors and shall hold office as such in the same manner as if he had been elected under the provisions of the Principal Ordinance.

PART III

The Mayor and Town Council of New Amsterdam.

8. This Part of this Ordinance shall be construed and read as one with the New Amsterdam Town Council Ordinance, 1949, hereinafter referred to as the Principal Ordinance and any Ordinance amending the same.

9. Anything contained in the Principal Ordinance to the contrary notwithstanding—

- (a) no general election or by-election of councillors shall be held during the continuance in operation of this Part of this Ordinance;
- (b) the councillors who are at the commencement of this Ordinance elected councillors for the wards of the town shall continue in office as elected councillors during the continuance in operation of this Part of this Ordinance:

Provided that the seat of any such councillor may at any time become vacant in accordance with the provisions of the Principal Ordinance;

- (c) where during the continuance in operation of this Part of this Ordinance the seat of any member of the Council specified in paragraph (b) of this section becomes vacant such vacancy may be filled by a new member nominated by the Governor in that behalf and such new member shall be deemed to be a member of the Council in the same manner as if he had been elected thereto under the Principal Ordinance;
- (d) no person shall during the continuance in operation of this Part of this Ordinance be

Interpre-
tation.
No. 25 of
1949.

Postpone-
ment of
election of
councillors.

required to do any act in connection with the registration of voters or the holding of elections under the Principal Ordinance.

Appoint-
ment of
nominated
councillors.

10. Anything contained in the Principal Ordinance to the contrary notwithstanding the Governor in Council may from time to time during the continuance in operation of this Part of this Ordinance nominate in writing a number of persons not exceeding three to serve on the Council for periods of one year commencing on the first day of January of each year and the provisions of the Principal Ordinance relating to the nomination of councillors by the Governor in Council and to councillors so nominated shall apply to the nomination of councillors, and to councillors nominated under this section.

Election of
Mayor and
Deputy
Mayor.

11. Nothing in this Ordinance shall prevent or otherwise interfere with the election of the Mayor or Deputy Mayor in accordance with the provisions of the Principal Ordinance and for the purposes of the election of the Mayor during the continuance in operation of this Part of this Ordinance the councillors for the time being entitled to hold office under the provisions of section nine of this Ordinance and the persons nominated by the Governor under the provisions of section ten of this Ordinance to hold office during the year for which a Mayor is to be elected shall be deemed to be the councillors entitled to hold office on the first day of January in the year for which the Mayor is to be elected within the meaning of the Principal Ordinance:

Provided that where no person is elected as Mayor at the meeting held for such purpose the provisions of subsections (9), (10), (11), (12), (13) and (14) of section eighty-seven of the Principal Ordinance shall not apply and the Mayor shall be nominated by the Governor from among the councillors and shall hold office as such in the same manner as if he had been elected under the provisions of the Principal Ordinance.