

# Bill No. 8 of 1966

PUBLISHED 26TH NOVEMBER, 1966.

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GUYANA PANDITS' COUNCIL (INCORPORATION)

BILL, 1966.

Arrangement of Sections.

## Section

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A Bill

intituled

AN ACT to provide for the incorporation of the Guyana Swatantra Vidwat Parishad commonly known as the Guyana Pandit's Council and for purposes connected therewith.

Enacted by the Parliament of Guyana:—

A.D. 1966

1. This Act may be cited as the Guyana Pandits' Council Short Title. (Incorporation) Act, 1966.

2. In this Act unless context otherwise requires — Inter-pretation.

"Board of Examiners" means the Board of Examiners established under the provisions of section 13 of this Act;

"Executive Committee" means the Executive Committee of the Guyana Pandits' Council appointed or elected in accordance with the constitution and By-laws of the Guyana Pandits' Council;

"Pandit" means a Brahmin who is learned in the teachings of the Sanatan Dharma and who is qualified to perform the functions of a Pandit under the provisions of section 14 of this Act;

"successors in office" means the persons appointed or elected from time to time in accordance with the constitution and By-laws of the Guyana Pandits' Council.

Incorporation of the Executive Committee of the Guyana Pandits' Council.

3. Narine Prashad Sharma, Arjoon Persaud, Surajkant Persaud, Oudit Narine Sharma, Sase Narine Persaud, Seepersaud Maraj, being respectively the President, Senior Vice-President, Junior Vice-President, Secretary, Assistant Secretary and Treasurer of the Executive Committee, and the other members of the Executive Committee, and their successors in office shall be a body corporate and shall have the name of the Executive Committee of the Guyana Pandits' Council, with perpetual succession and a common seal with power to sue and be sued in the name of the Guyana Pandits' Council, hereinafter referred to as the Council.

Power to acquire and dispose of property.

4. The Executive Committee shall have full power to purchase, accept by way of gift, legacy or devise, take, hold, enjoy, sell, transport, mortgage, lease, invest, and otherwise deal with and dispose of all property movable or immovable of whatever nature or kind soever.

Vesting of property.

5. All property, movable or immovable of whatever nature or kind soever, heretofore and hereafter bequeathed or devised by will or otherwise given to or acquired by any person or body of persons on behalf of or for the use or benefit of the Council, shall be held by and is hereby vested in and shall be deemed to be the property of the Executive Committee.

6. All property vested in or hereafter acquired by the Executive Committee shall be held by the Executive Committee for the use and benefit of the Council.

Disposition of immovable property.

7. No immovable property held by the Executive Committee by virtue of the provisions of this Act shall be transported, leased, mortgaged or otherwise disposed of by the authority of a resolution of the Executive Committee.

Evidence of membership of the Executive Committee.

8. A statement that any person named therein has been appointed or elected to be President, Vice-President, Treasurer, Secretary, or a member of the Executive Committee, purporting to be signed by the President or Vice-President and the Secretary of the Executive Committee shall be *prima facie* evidence of the said fact.

Change of membership of the Executive Committee not to derogate from powers of the Executive Committee.

9. No change in the membership of the Executive Committee shall derogate from the title or powers of the said Executive Committee in respect of any property or estate or interest therein.

Seal of the Executive Committee.

10. (1) The Executive Committee shall have seal with its name engraved thereon in legible characters.

(2) The seal of the Executive Committee shall not be affixed to any deed, transport, mortgage, cancellation of mortgage, lease, transfer, agreement, or other like document except by the authority of a resolution of the Executive Committee, and shall be affixed by the President or Vice-President, and the Treasurer of the Executive Committee or by any two persons appointed by resolution of the Executive Committee for this purpose.

(3) The persons authorised by subsection (2) of this section to affix the seal of the Executive Committee to any document shall do so in the presence of each other.

11. All process which is required to be served on the Executive Committee shall be deemed to be sufficiently served—

- (a) if a copy thereof is left with the President or the Secretary of the Executive Committee at any place within Guyana or with an adult inmate at the place of residence in Guyana of the President or the Secretary; or
- (b) if a copy thereof is published in the Official Gazette and in one newspaper circulating in Guyana.

12. (1) All the assets of the trustees of the Guyana Swatantra Vidwat Parishad shall vest in the Executive Committee.

Transfer of assets and discharge of certain obligations.

(2) The Executive Committee shall discharge the obligations and perform the functions heretofore discharged and performed by the trustees of the Guyana Swatantra Vidwat Parishad.

13. (1) The Executive Committee shall appoint a Board of Examiners consisting of six members and shall appoint a person to be Secretary of the Board of Examiners.

Establishment of a Board of Examiners.

(2) The Executive Committee may grant leave of absence to any member of the Board of Examiners.

(3) Where leave of absence has been granted under subsection (2) of this section, the Executive Committee may appoint another person to act in the place of the member of the Board of Examiners who has been granted such leave.

(4) The Executive Committee may, at any time, revoke the appointment of a member of the Board of Examiners.

14. (1) It shall be the duty of the Board of Examiners to conduct examinations of all persons who desire to perform the functions of a Pandit and to award certificates of competency to such persons to perform such functions.

Duties of the Board of Examiners.

(2) No person shall perform the functions of a Pandit unless he has been awarded a certificate under the provisions of subsection (1) of this section.

(3) This section shall not apply to any person of the Hindu religion who before the commencement of this Act solemnized a marriage in accordance with the provisions of the Marriage Ordinance or the Indian Labour Ordinance.

Cap. 164  
Cap. 104.

15. The Executive Committee may, with the approval of the Minister for the time being charged with responsibility for education, make regulations—

Power to make regulations.

- (a) regulating the conduct of any examinations which may be conducted by the Board of Examiners under the provisions of section 14 of this Act, and any matters ancillary to or connected with any such examinations; and
- generally, for carrying out the provisions of this Act.

16. Nothing in this Act shall be deemed to affect any right of Her Majesty the Queen, Her Heirs and Successors, or of any body politic or corporate, of any other person or persons except such as are mentioned in this Act and those claiming by, from, through or under them.

Saving the rights of Her Majesty.

#### EXPLANATORY MEMORANDUM

This Bill seeks to incorporate in Guyana certain persons as the Executive Committee of the Guyana Pandits' Council and to vest in the Committee all property in Guyana held by or vested in any person or body of persons on behalf of, or for the use or benefit of the Guyana Pandits' Council.

2. The Bill also contains provisions whereby the Executive Committee may acquire and dispose of property, and provides for the establishment of a Board of Examiners to conduct examinations for the award of certificates to perform the functions of a Pandit.

(Bill No. 8/1966).