

Bill No. 28 of 1958
MUNICIPAL COUNCILS (POSTPONEMENT OF ELECTIONS)
BILL, 1958.

ARRANGEMENT OF SECTIONS.

Section

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A BILL

Intituled

AN ORDINANCE TO PROVIDE FOR THE POSTPONEMENT OF ELECTIONS TO THE TOWN COUNCILS OF GEORGETOWN AND NEW AMSTERDAM AND FOR PURPOSES CONNECTED THEREWITH.

Enacted by the Legislature of British Guiana:—

PART I

1. This Ordinance may be cited as the Municipal Councils (Postponement of Elections) Ordinance, 1958.

Short title and commencement.

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

Termination of operation of Parts II and III.

(2) The Governor may in any Proclamation made under the preceding subsection in relation to any Part of this Ordinance or any provision thereof specified therein and notwithstanding that such Part or such provision 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 this Ordinance shall continue in office as such pending the election or appointment of new members thereof at a date to be specified by the Governor in a 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 any Proclamation issued under this section.

PART II

The Mayor and Town Council of Georgetown.

3. 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.

Interpretation.
Cap. 152.

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

Postponement 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.

Appointment of
nominated
councillors.

5. 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 De-
puty Mayor.

6. Nothing in the 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 time being entitled to hold office under the provisions of section 4 of this Ordinance and the persons nominated by the Governor in Council under the provisions of section 5 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 81 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.

Interpretation.
Cap. 161.

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

Application of
sections 4, 5 and
6.

8. The provisions of sections 4, 5 and 6 of this Ordinance shall apply to the Principal Ordinance referred to in Part III hereof as they apply to the Georgetown Town Council Ordinance, subject to the following modifications.

- (a) for the words "section 4" and "section 5" in section 6 there shall be substituted the words, "section 8" and "section 9" respectively; and
- (b) for the section number "81" in the proviso to section 6 there shall be substituted the section number "87".

OBJECTS AND REASONS

The object of this Bill is to make provision for the postponement of the election of members of the Georgetown Town Council and the New Amsterdam Town Council due to be held in December 1958 until such time as the Government implements Dr. A. H. Marshall's recommendations on Local Government. Provision is made in Parts II and III of the Bill for the postponement of elections to the Georgetown Town Council and the New Amsterdam Town Council respectively.

2. Clause 2 of the Bill seeks to empower the Governor to declare by Proclamation at any time that Parts II and III of the Bill or either of them shall cease to be in operation and to provide thereupon for the holding of elections to the appropriate Council or Councils subject to such variations from the existing statutory provisions as may be specified by the Governor.

3. Clause 5 seeks to provide that the Governor in Council may from time to time nominate not more than three persons to serve on the Georgetown Town Council for periods of one year commencing on the 1st of January of each year.

4. Clause 6 seeks to provide that nothing in the Bill shall prevent or interfere with the election of the Mayor or Deputy Mayor in accordance with the provisions of the Georgetown Town Council Ordinance; but seeks to provide also that where no person is elected as Mayor at the meeting held for the purpose the Mayor shall be nominated by the Governor from among the councillors.

5. Clause 8 seeks to make similar provision to clauses 4, 5 and 6 in respect of the New Amsterdam Town Council.

CHEDDI JAGAN

for Minister of Community Development and Education.

(M.P. 80/12/5).
(Leg. Bill 28/58).