

**THE OFFICIAL GAZETTE 8TH MAY, 2003
LEGAL SUPPLEMENT - C**

BILL No. 4 of 2003

Thursday 8th May, 2003

**PARLIAMENT OFFICE
Public Buildings,
Georgetown,
Guyana.**

The following Bill which will be introduced in the National Assembly is published for general information.

S. E. Isaacs,
Clerk of the National Assembly



GUYANA

BILL No. 4 of 2003

CONSTITUTION (AMENDMENT) BILL 2003

ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Alteration of article 197A of the Constitution.

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**A BILL
Intituled**

AN ACT to alter the Constitution in accordance with articles 66 and 164.

Enacted by the Parliament of Guyana:-

A.D. 2003

Short title.

1. This Act may be cited as the Constitution (Amendment) Act 2003.

Alteration of
article 197A
of the Constitution.

2. Article 197A of the Constitution is hereby altered in the following manner -

- (a) in paragraph (5), by the insertion immediately after the word "examine" of the words "any matter relating to the public welfare, public safety, public order, defence or security, including :
- (b) by the insertion immediately after paragraph (5) of the following paragraphs as paragraphs (6) and (7) -

Cap. 19:03

"(6) The provisions of the Commissions of Inquiry Act as in force immediately before the commencement of this Constitution shall, subject to 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 not 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;

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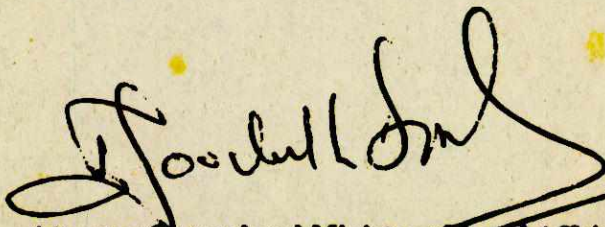
- (iv) section 5 - the whole section;
- (v) section 7 - the words "after taking such oath or affirmation";
- (vi) section 16 - the whole section;
- (b) for the words "Such sums so directed to be paid shall be paid out of moneys provided by Parliament" in section 15 there shall be substituted the words "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".

EXPLANATORY MEMORANDUM

This Bill seeks to alter article 197A of the Constitution to widen the scope of inquiries which may be conducted by disciplined forces commissions.

By the amendment to paragraph (5) a disciplined force commission is given additional power to inquire into any matter relating to the public welfare, public safety, public order, defence or security.

The insertion of paragraphs (6) and (7) provides that where the National Assembly constitutes a disciplined force commission that commission shall have the necessary powers under the Commissions of Inquiry Act, Cap. 19:03. The powers include the power to regulate its own procedure, to summon and examine witnesses, to prosecute a person for giving false evidence and for contumacy and insult to or interruption of the proceedings of the Commission. In short, the applicable provisions of the Commissions of Inquiry Act, as modified, shall have effect as if they form part of the Constitution.



Attorney General and Minister of Legal Affairs.