

BILL No. 6 OF 1981*Saturday, 6th June, 1981*

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

3rd June, 1981.

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

F. A. Narain,
Clerk of the National Assembly.

**GUYANA****BILL NO. 6 OF 1981****MISCELLANEOUS ENACTMENTS (AMENDMENT) BILL 1981****ARRANGEMENT OF SECTIONS****SECTION**

1. **Short title and commencement.**
2. **Amendment of certain enactments.**

SCHEDULE

A BILL
Intituled

AN ACT to amend certain enactments. -

A.D. 1981 Enacted by the Parliament of Guyana:—

Short title and commencement. 1. (1) This Act may be cited as the Miscellaneous Enactments (Amendment) Act 1981.

Cap. 1:06 (2) Save as otherwise provided in the Schedule, the amendments made by section 2 to the National Assembly (Disqualification) Act, the Ministers, Members of the National Assembly and Special Offices (Emoluments) Act, the Interpretation and General Clauses Act and the Pensions (President, Parliamentary and Special Offices) Act shall be deemed to have come into operation on 6th October, 1980 and the amendments made by that section to the other enactments specified in the Schedule shall, in accordance with the provisions of the Interpretation and General Clauses Act, come into operation on the date of publication of this Act.

Cap. 1:07
Cap. 2:01
Cap. 27:03

Cap. 2:01

Amendment of Certain enactments. 2. The enactments specified in the first column of the Schedule are hereby amended in the manner specified in the corresponding entry in the second column of that Schedule.

SECTION

SCHEDULE

Enactments

Amendments

National Assembly
(Disqualification)
Act, Cap. 1:06

Section 2(a)

Substitute for "territory" the following —

"territory, other than in the office of a teacher in the public service:

Provided that the foregoing provisions of this paragraph shall not apply in the case of a person who has not yet made and subscribed the oath of office required by article 167 of the Constitution;".

Ministers, Members
of the National
Assembly and
Special Offices
(Emoluments)
Act, Cap. 1:07.

Section 6(1)

For "as from which he may participate generally in the proceedings thereof without contravening article

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167 of the Constitution” substitute “on which the member was declared elected to the National Assembly”.

Section 6(3)

Insert after subsection (2) the following subsection as subsection (3) —

“(3) Where a member of the National Assembly fails to make and subscribe the oath of office required by article 167 of the Constitution on the date of the first sitting of the National Assembly after his election, no payment shall be made under this Act to the member in relation to his office as such member with respect to the period commencing on the date of the first sitting of the National Assembly and ending on the day immediately preceding the date on which he makes and subscribes the oath unless his failure to make and subscribe the oath is for a reason approved, by resolution, by the National Assembly.”.

Paragraph 1 of the Schedule.

Insert a colon at the end and thereafter insert the following proviso and paragraph —

‘Provided that where any such other Member of the National Assembly had served as a legislator for the period prescribed by section 10(1)(e) of the Pensions (President, Parliamentary and Special Offices) Act and where, if he had ceased to be a legislator at the end of that period, his pension —

Cap. 27:03

- (a) computed at the rate provided for in section 10 of that Act, if he has not received any payment under section 9(8) thereof;
- (b) computed at the rate provided for in section 12(1) of that Act, if he has received any payment under section 9(8) thereof,

would have exceeded his salary as such Member of the National Assembly, he shall in addition to such salary be paid a sum equivalent to the difference between such salary and such pensions.

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Interpretation and
General Clauses
Act, Cap. 2:01.

Section 5(1).

Prison Act,
Cap. 11:01.

Section 33 marginal
note.

Pensions Act,
Cap. 27:02.

Section 12.

Cap. 27:02

1A. In the proviso to paragraph 1 "legislator" has the same meaning as in section 2 of the Pensions (President, Parliamentary and Special Offices) Act.", and the aforesaid amendment shall be deemed to have come into operation on the 1st January, 1979.

In the definition of "local Government authority", for "local Government authority" substitute —

' "local democratic organ" or "local government authority" '.

Delete "for life".

Insert after subsection (3) the following subsection as subsection (4) —

"(4) Where an officer continues in the public service after attaining the age of fifty-five years and where the Minister responsible for the public service certifies in writing that such continued service was at the request of the Government, that officer —

- (a) notwithstanding anything in the foregoing provisions of this section, may be granted a pension computed after taking into account the entire period of service rendered by him whether or not the pension so payable exceeds the limit described in these provisions:

Provided that the pension granted to him under this subsection shall not exceed the highest annual rate of salary payable to him at any time in a pensionable office in Guyana;

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- (b) although still in the service may, at his option exercisable in accordance with section 14 (without the right of re-ocation granted thereby), be paid an amount not exceeding the amount which would have been payable as gratuity to him under that section if he had retired on attaining the age of fifty-five years, and any amount so paid shall be set off against the superannuation benefits granted to him on his retirement or against any gratuity payable on his death to his legal personal representative.”.

Pensions Regulations, 1957 (contained in the Schedule to the Principal Act).

Regulation 6(2).

- (a) For “Elections Officer” substitute “Election Officer”;
- (b) for “two months” substitute “twelve months”;
- and the aforesaid two amendments shall be deemed to have come into operation on 6th October, 1980.

Regulation 6(2A).

Insert after paragraph (2) the following paragraph as paragraph (2A) —

“(2A) If an officer —

- (a) resigned from the public service not earlier than one month prior to the date on which lists of candidates may be submitted to the Chief Election Officer in order to become qualified for election, as a member of a regional democratic council, held before the publication of the Miscellaneous Enactments (Amendment) Act 1981 in the *Gazette*;
- (b) was a candidate at the election; and
- (c) was declared to be elected as a member of that council or failed to be so elected,

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he shall, if on application made by him he is re-employed in the public service within twelve months after the notification by the Elections Commission in the *Gazette* of the results of the election, be deemed for the purposes of this regulation to have been employed in the public service as if he had not resigned and as if during the period commencing with the effective date of his resignation and ending on the day immediately preceding his re-employment he had been on leave of absence without pay, and that period shall be taken into account as qualifying service.”,

and the aforesaid amendment shall be deemed to have come into operation on 6th October, 1980.

Regulation 7(2A).

Insert after paragraph (2) the following paragraph as paragraph (2A) —

“(2A) Where the holder of an office referred to paragraph (2) is allowed to continue in office after attaining the age of retirement referred to therein, he —

- (a) notwithstanding the provisions of paragraph (2), may be granted a pension computed after taking into account the entire period of service rendered by him whether or not the pension so payable exceeds the limit described in section 12:

Provided that the pension granted to him under this paragraph shall not exceed the highest annual rate of salary payable to him at any time in a pensionable office in Guyana;

- (b) although still in service may, at his option exercisable in accordance with section 14 (without the right of revocation granted thereby), be paid an amount not exceeding the amount which would have been payable as gratuity to him under that section if he had retired on attaining the age of retirement referred to in paragraph (2) and any amount so paid shall be set off against the superannuation benefits granted to him on his retirement or against any gratuity payable on

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his death to his legal personal representative.”.

- Regulation 7(3). (a) For “paragraph (2)” substitute “paragraphs (2) and (2A).”.
- (b) For “paragraph applies” substitute “paragraphs apply”.

Regulation 7(4). Insert “, (2A)” after “(2)” where it occurs for the first time.

Regulation 7(4A). Insert after paragraph (4) the following paragraph as paragraph (4A) —

“(4A) The amendment effected in relation to paragraph (4) by the Miscellaneous Enactments (Amendment) Act 1981 shall not apply to any person who retired from any of the offices referred to in that paragraph before the coming into operation of that amendment.”.

- Regulation 7(5). (a) For “paragraph (2)” substitute “paragraphs (2) and (2A).”.
- (b) For “applies” substitute “apply”.

**Pensions, (President,
Parliamentary and
Special Offices)
Act, Cap. 27:03.**

Section 6(2). For “person” substitute “child”.

Section 6A. Insert after section 6 the following section as section 6A —

“Gratuity
where office
holder dies
leaving no
widow or
entitled
child.

6A. (1) Where a person dies while he is President or Prime Minister and he does not leave a widow or entitled child, there shall be paid to the legal personal representative of the deceased person a gratuity of an amount not exceeding the highest annual rate of salary payable at any time to the deceased person as President or Prime Minister, as the case may be, as the President shall determine.

(2) Where a person dies while he is entitled to receive the President's pension or the Prime Minister's pension

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and the aggregate of the pension paid or payable to him, up to the date of his death, under section 4 is less than his highest annual rate of salary, there shall be paid to his legal personal representative a gratuity equal to the deficiency.

(3) In this section "entitled child" has the same meaning as in section 6."

Section 9(8).

Insert after subsection (7) the following subsection as subsection (8) —

"(8) Where a person who has served as a legislator for periods amounting in the aggregate to not less than twelve years continues as a legislator thereafter he may, if he has attained the age of fifty years, at his option exercisable in accordance with section 12, be paid, although he has not ceased to be a legislator, an amount not exceeding the amount which would have been payable as gratuity to him under that section if he had ceased to be a legislator on the day on which he completed the aforesaid twelve years of service, and any amount so paid shall be set off against the superannuation benefits granted to him on his ceasing to be a legislator after that payment or against any gratuity payable under this Act on his death to his legal personal representative."

Section 15A.

Insert after section 15 the following section as section 15A —

"Gratuity
where con-
tributor
lies in being
no eligible
relative or
dependant.

15.A (1) Where a person, having become a contributor under this Act, dies, in the opinion of the Minister, in the course of service as a legislator, and where on the occurrence of the death no person is otherwise entitled under this Act to any benefits thereunder, there shall be paid to the legal personal representative of the deceased person a gratuity of an amount not exceeding either the person's highest annual rate of salary payable at any time to him or the commuted pension gratuity which might have been

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granted to him under section 12 if he had retired on the date of his death in the circumstances described in section 9(1)(c)(ii) and has opted to receive a gratuity and reduced pension, whichever is higher, as the President shall determine.

(2) Where any such person to whom a pension or pension and gratuity, as the case may be, has been granted under this Act dies and the aggregate of the sums paid or payable up to the date of his death on account of such pension or pension and gratuity is less than his highest annual rate of salary, there shall be paid to his legal personal representative a gratuity equal to the deficiency.”.

Promisory Oaths
Act, Cap. 27:06.

Section 6(3).

For “any written law shall (save as otherwise provided by that law)” substitute “any other written law shall (save where that other written law provides that the oath shall be taken before a person other than the President)”,

and the aforesaid amendment shall be deemed to have come into operation on the 25th October, 1980.

Section 6(4).

Insert after subsection (3) the following subsection as subsection (4) —

“(4) Anything done or any action taken under subsection (3) on or after 25th October, 1980 and before the commencement of this subsection, which would have been lawful and valid had subsection (3) as amended by the Miscellaneous Enactments (Amendment) Act 1981 been in force at the material time, shall be deemed always to have been lawfully and validly done or taken.”.

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Dependants'
Pension Act,
Cap. 27:08.

Section 2.

insert after paragraph (e) of the definition of "officer" the following paragraph —

"(f) every officer and every soldier of the Guyana Defence Force;"

Section 6B.

Insert after section 6A the following section as section 6B —

"Date when
an officer or
soldier of
the Guyana
Defence
Force al-
ready in
service be-
comes a con-
tributor.

6B. Anything in sections 5 and 20(3) to the contrary notwithstanding, an officer who has been appointed before the commencement of this section and who by virtue of the amendment of this Act by the Miscellaneous Enactments (Amendment) Act 1981 is eligible to become a contributor shall be registered as a contributor with effect from the first day of July, 1981 and the first monthly deduction in respect of such officer shall be made in that month."

Section 11(1).

For "five" substitute "seven".

Section 11(2).

Substitute —

"(2) The Minister shall appoint six persons to be directors as follows —

(a) two persons, who, in the Minister's opinion, are qualified for appointment by reason of their experience of, and shown capacity in, matters relating to the functions of the Board of Directors,

(b) three persons who, in the Minister's opinion, respectively represent the following trade unions —

(i) the Guyana Public Service Union;

(ii) the Guyana Teachers' Association; and

(iii) the Guyana Trades Union Congress; and

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- (c) one person who, in the Minister's opinion, represents the Police Association.”.
- Section 11(3). Delete “or re-election”.
- Section 15(3). For “Consolidated” substitute “Deposits”.
- Section 20(1)(c). For “four hundred and eighty” substitute “three hundred”, and the aforesaid amendment shall be deemed to have come into operation on 1st November, 1978).
- Section 20(3). For “public officers” substitute “officers”.
- Schedule Part II
under heading
“III — First Wife's
Prospective
Pension.”
- 1st Paragraph. For “public officer” substitute “officer”.
- Local Government
Act, Cap. 28:02.
- The Section after
section 48 and bear-
ing marginal note
“Trespass c. 8:02”.
- Section 66(1)(a). For “Board” substitute “Minister”.
- Local Authorities
(Elections) Act,
Cap. 28:03.
- Section 183(1). For “182” substitute “181”.
- National Insurance
and Social Security
Act, Cap. 36:01.
- Section 19(1)(a)(iv). Insert “in addition to such free medical care and attention as may be prescribed” before “periodical payments”.
- Section 44(2). (a) For “within three years from the time when” substitute “after”.
(b) After “arose” insert ‘, whether or not by virtue of the subsection, prior to its amendment by the

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- Cap. 7:02
- Miscellaneous Enactments (Amendment) Act 1981, or by virtue of the provisions of the Limitation Act such sums would have been irrecoverable immediately prior thereto”.
- Section 45(3).
- (a) Delete “within three years”.
- (b) After “lost” insert “, whether or not by virtue of this subsection, prior to its amendment by the Miscellaneous Enactments (Amendment) Act 1981, or by virtue of the provisions of the Limitation Act the sum equal to the amount of the benefit lost would have been irrecoverable immediately prior thereto”.
- Cap. 7:02
- Section 45A.
- Insert after section 45 the following section as section 45A —
- “45A. Nothing in the amendments effected to sections 44 and 45 by the Miscellaneous Enactments (Amendment) Act 1981 shall enable proceedings to be brought in respect of a claim which was the subject matter of proceedings instituted and determined prior to the coming into operation of those amendments.”.
- Poor Relief Act,
Cap. 36:02.
- Section 11(4).
- (a) For “six” and “three” substitute “nine” and “four” respectively.
- (b) For “a public officer who shall be” substitute “appointed”.
- Rent Restriction
Act, Cap. 36:23.
- Section 3(3).
- (a) For the colon substitute a full stop.
- (b) Delete the proviso.
- Teachers’ Pensions
Act, Cap. 39:05.
- Section 7(7).
- (a) For “Elections Officer” substitute “Election Officer”;

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- (b) For "two months" substitute "twelve months", and the aforesaid two amendments shall be deemed to have come into operation on 6th October, 1980.

Section 7(7A).

Insert after subsection (7) the following subsection as subsection (7A) —

"(7A.) Anything in subsection (2) to the contrary notwithstanding, if a teacher ---

- (a) resigned from his office as a teacher not earlier than one month prior to the date on which lists of candidates may be submitted to the Chief Election Officer in order to become qualified for election to a regional democratic council held before the publication of the Miscellaneous Enactments (Amendment Act 1981 in the *Gazette*;

(b) was a candidate at the election; and

- (c) was declared to be elected as a member of that council or failed to be so elected

he shall, if on application made by him he is re-employed as a teacher in a school within twelve months after the notification by the Elections Commission in the *Gazette* of the results of the election, be deemed for the purposes of this section to have been employed as a teacher in a school as if he had not resigned and as if during the period commencing with the effective date of his resignation and ending on the day immediately preceding his re-employment he had been on leave of absence without pay, and that period shall be taken into account as qualifying service.",

and the aforesaid amendment shall be deemed to have come into operation on 6th October, 1980.

Section 7(9).

Insert after subsection (8) the following subsection as subsection (9) —

"(9) Where a teacher continues in service as a teacher after attaining the age of fifty-five years and where the Teaching Service Commission certifies in writing that such continued service was at the request of the Government, that teacher —

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- (a) notwithstanding anything to the contrary in this Act, may be granted a pension computed after taking into account the entire period of service rendered by him whether or not the pension so payable exceeds any limit prescribed in this Act:

Provided that the pension granted to him under this subsection shall not exceed the highest annual rate of salary payable to him at any time in a pensionable office in Guyana;

- (b) although still in service may, at his option exercisable in accordance with the provisions of this Act, be paid an amount not exceeding the amount which would have been payable as gratuity to him if he had retired on attaining the age of fifty-five years, and any amount so paid shall be set off against the superannuation benefits granted to him on his retirement or against any gratuity payable on his death to his legal personal representative.”

Financial Administration and Audit Act, Cap. 73:01.

Section 2(1).

- (a) In the definition of “officer” after “Government” insert “or of a local democratic organ”.
- (b) In paragraph (b) of the definition of “public moneys” for “officer or not;” substitute “officer or not, not being moneys or other receipts of a local democratic organ (from whatever source arising) other than its receipts from the Government on account of any service in respect of which moneys have been appropriated under any Act or its receipts on behalf of the Government;”

Section 2(2).

Substitute —

- (2) References in this Act to a department include—
- (a) References to a Ministry; and
- (b) in relation to expenditure incurred, on any service in respect of which moneys have been appropriated under any Act, through, or public moneys received by, a local democratic organ or any officer thereof, references to a local democratic organ,

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and the expression "accounting officer of the department" shall be construed accordingly.'

Section 11(4)(c).

Omit "and" at the end.

Section 11(4)(d)

Re-number paragraph (d) as paragraph (e) and insert immediately before that paragraph the following paragraph as paragraph (d) —

"(d) the Minister responsible for regional development, where the person seeking authorisation to appeal or the appellant, as the case may be, is a person in the employ of a local democratic organ; and".

**Bank of Guyana
Act, Cap. 85:02.**

Section 13.

For "section 14" substitute "sections 14 and 14A".

Section 14(3).

After "whatsoever" insert "and the Minister has not authorised the Supernumerary Deputy Governor to act for the Deputy Governor".

Section 14A.

After section 14 insert the following section as section 14A —

"Super-
numerary
Deputy
Governor.

14A.(1) If the Minister thinks fit he may appoint a Supernumerary Deputy Governor of the Bank and the Supernumerary Deputy Governor so appointed shall perform such functions as the Minister may assign to him from time to time.

(2) The term of office, salary and allowances of the Supernumerary Deputy Governor shall be such as may be specified by the Minister from time to time:

Provided that the Minister may terminate the appointment of a Supernumerary Deputy Governor before the expiry of the term so specified on the occurrence of any of the events specified in any of the paragraphs of section 15(2).

(3) The Supernumerary Deputy Governor shall, in case he is so authorised by the Minister, act for the Deputy Governor whenever the Deputy Governor is unable to perform the functions of his office whether by reason of illness

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or any other cause whatsoever and for the Governor whenever the Governor is unable to perform the functions of his office, and the Deputy Governor is unable to act for the Governor, for any such reason or cause.

(4) During the period when the Supernumerary Deputy Governor acts for the Deputy Governor or Governor, the Supernumerary Deputy Governor shall, if so directed by the Minister, act as the Deputy Chairman or Chairman, as the case may be, of the Board.”.

Section 16.

For “the Deputy Governor”, wherever the expression occurs, substitute “the Deputy Governor, the Supernumerary Deputy Governor”.

**Housing of Labour
Workers on Sugar
Estates Act,
Cap. 99:04.**

Section 2.

In the definition of “labour worker” substitute for paragraph (g) the following paragraphs —

“(g) any person employed by the Demerara Sugar Terminals Limited, not being a person who is —

(i) a director or manager, or such other person (by whatever name called) who, in the opinion of the Committee referred to in section 4, exercises managerial functions;

(ii) employed in a professional or administrative capacity or a combination of both of those capacities;

(h) any person belonging to such class of persons engaged in the loading of sugar for export as the Minister may, from time to time, approve for the purpose by directions in writing;”.

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Mahaica,
Mahaicony-Abary
Agricultural
Development
Authority Act 1977,
No. 27 of 1977.

Second Schedule.

Paragraph 1(1).

- (a) Substitute in sub-subparagraph (b) for the words "Regional Minister for the Ministerial Region" the words "chairman of the regional democratic council for the region".
- (b) Delete sub-subparagraph (k).
- (c) Substitute for sub-subparagraph (n) the following —
“(n) a person (other than the person mentioned in sub-subparagraph (b)) representing the interest of the local democratic organs in the area, appointed by the Minister responsible for regional development after consultation with the chairman of the National Congress of Local Democratic Organs; and”.
- (d) Substitute in sub-subparagraph (o) for the word "five" the word "eight".

Local Democratic
Organs Act, No. 12
of 1980.

Section 5(0).

After "means" insert ", the procedure to be followed by it in matters relating to finance, and the auditing of its accounts and the powers and duties of the auditor or of any other person in connection therewith".

Section 9(1)(b).

After "council" insert ", unless the Minister, where he considers it justifiable, having regard to the time which such chairman or vice-chairman is required to devote for the discharge of the functions of his office, in any case has by written notice to the chairman or vice-chairman, as the case may be, directed that he should not be a full-time officer of the council".

Section 17.

Insert after subsection (2) the following subsection as subsection (3) —

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“(3) Notwithstanding anything in subsection (2) (a), a person who holds or acts in any office of emolument in a civil capacity in the service of the Government of Guyana or of any other Commonwealth territory, not being the holder of any such office specified in any paragraphs of subsection (2), shall be qualified for election as a councillor and if so elected, to hold or continue in office as a councillor.”.

Section 20.

Insert after subsection (6) the following subsection as subsection (7) —

“(7) Where the chairman or vice-chairman is a full-time officer of the council and is the holder of, or is acting in, any office of emolument in a civil capacity in the service of the Government of Guyana or of any other Commonwealth territory, he shall, unless he is granted leave of absence from his office in such service by the authority competent to grant such leave for the period for which he functions as such full-time officer of the council, resign from the office in such service before he takes the oath prescribed for his office as chairman or vice-chairman under section 24.”.

Section 22(1).

Substitute a semicolon for the full stop at the end of paragraph (d) and thereafter insert the following paragraphs as paragraphs (e) and (f) —

“(e) being a full-time officer of the council and the holder of, or acting in, any office of emolument in a civil capacity in the service of the Government of Guyana or of any other Commonwealth territory, does not, unless he is granted leave of absence from his office in such service by the authority competent to grant such leave, resign from his office in such service before he takes the oath prescribed for his office by section 24;

(f) being a full-time officer of the council, becomes the holder of, or acts in, any office of emolument referred to in paragraph (e) after he takes the oath prescribed for his office by section 24.”.

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Section 47. For the full stop substitute a colon and thereafter insert the following proviso —

“Provided that, where the Minister makes an order under section 50 prescribing the remuneration payable to the chairman or vice-chairman of the Congress, such remuneration shall be paid out of the funds of the Congress and the Congress shall not, so long as the order is in force, exercise its power, under section 28 (2) of determining the sum payable as remuneration to the chairman or vice-chairman, as the case may be.”.

Section 50. After “functions of the Congress” insert “including the payment of remuneration to the chairman and vice-chairman of the Congress,”.

EXPLANATORY MEMORANDUM

This Bill seeks to make certain amendments to miscellaneous laws. The following are the more important amendments.

Section 2 (a) of the National Assembly (Disqualification) Act, Cap. 1:06, is sought to be amended so as to enable a teacher in public service to become a member of the National Assembly and to allow any other civil servant who is a candidate for election to the National Assembly to resign his civil service appointment only before taking the oath of membership of the Assembly.

Section 6 of the Minister, Members of the National Assembly and Special Offices (Emoluments) Act, Cap. 1:07, is sought to be amended so as to enable an elected member of the National Assembly to be paid the emoluments of a member as from the time he is declared elected instead of as at present, from the time he takes the oath of membership of the Assembly and to suspend the payment of emoluments where he fails to take the oath on the first sitting of the National Assembly after his election. Also by the insertion of a proviso to paragraph 1 of the Schedule to the Act it is sought to provide for an increase in the emoluments of a member of the National Assembly who has served as a legislator for twelve years.

Section 5(1) of the Interpretation and General Clauses Act, Cap. 2:01, is sought to be amended so as to insert a definition of “local democratic organ”, this being the constitutional expression used in reference to local government authorities.

Section 12 of the Pensions Act, Cap. 27:02, is sought to be amended so as to enable a civil servant who at the request of the Government continues to serve after the age of fifty-five years to be given pension in respect of the entirety of his service regardless of whether or not the resulting quantum exceeds the existing maximum pension limit of two-thirds of the highest pensionable emoluments drawn by him at any time in the course of his service in Guyana, provided that the pension granted him shall not exceed the highest annual rate of salary payable to him at any time in such pensionable office. Such an officer will also be eligible to draw gratuity at the age of fifty-five. It is sought to provide similarly in respect of the Judges by way of an amendment proposed to regulation 7 of the Pensions Regulations and for teachers by way of an amendment to the Teachers' Pensions Act, Cap. 39:05.

Regulation 6 of the Pensions Regulations is sought to be amended so as to enable a public officer who resigned to contest an election to a regional democratic council and was re-employed within twelve months to have the intervening period treated for pension purposes as leave without pay. A similar amendment is proposed to the Teachers' Pensions Act, Cap. 39:05.

The Pensions (President, Parliamentary and Special Offices) Act, Cap. 27:03, is sought to be amended by the insertion of sections 6A and 15A containing a principle (similar in some respects to that applicable to civil servants) whereby, if a person pensionable under that Act dies while serving and leaves no eligible beneficiaries, limited pension benefits may be paid to his legal personal representative for the benefit of his estate. Also by the insertion of a new sub-section (8) in section 9 it is sought to enable a person, who continues as a legislator after completing the maximum period of service as a legislator for the purposes of pension, to receive an amount not exceeding the gratuity payable to him had he ceased to be a legislator on his completing that period of service, if he has attained the age of fifty years.

Section 6 of the Promissory Oaths Act, Cap. 27:05, is sought to be amended so as to remove any doubt as to the operation of sub-section (3) and the categories of oaths to which it applies.

The Dependants' Pension Act, Cap. 27:08, is sought to be amended so as to provide that officers and soldiers of the Guyana Defence Force shall become contributors of the Fund as from July, 1981. The Act is also sought to be amended so as to increase the membership of the Board of Directors from five to seven. All the directors, except the chairman who is an ex-officio member of the Board, are to be appointed by the Minister -- three being selected from trade unions and one from the Police Association. By a further amendment it is sought to reduce the rate of contribution from four hundred and eighty dollars per year to three hundred dollars.

Section 19 (1) (a) (iv) of the National Insurance and Social Security Act, Cap. 36:01 is sought to be amended so as to empower the Minister to

make regulations providing for sickness benefit medical care. Section 44 of the Act is sought to be amended so as to remove the three-year limitation period within which proceedings may be brought for the recovery of sums due to the Fund. Similarly section 45 of the Act is sought to be amended so as to remove the period of limitation within which proceedings may be brought by an employee against an employer for the recovery of a benefit lost due to the neglect of the employer.

Section 11(4) of the Poor Relief Act, Cap. 36:02, is sought to be amended so as to increase the membership of a local board in a district from six to nine and to remove the necessity for the chairman to be a public officer.

Section 3(3) of the Rent Restriction Act, Cap. 36:23, is sought to be amended by removing any limit to the standard rent of premises now subject to the protection of the Act.

The definitions of "officer" and "public moneys" in section 2 of the Financial Administration and Audit Act, Cap. 73:01, are sought to be amended so as to enable an officer of a local democratic organ to be appointed under that Act as an accounting officer in relation to expenditure incurred by the Government through that organ on any service in respect of which moneys have been appropriated by Parliament or as a principal receiver of revenue charged with the duty of collecting public moneys on behalf of the Government and accounting for it and to clarify that the amendments do not seek to extend the scope of the Act to the funds of a local democratic organ. A consequential amendment is sought to be made in section 11 of that Act to enable an officer of a local democratic organ dissatisfied with any surcharge made against him under section 8 of the Act to appeal to the Minister responsible for regional development.

A new section 14A is sought to be inserted in the Bank of Guyana Act, Cap. 85:02 so as to enable the appointment of a Supernumerary Deputy Governor of the Bank of Guyana.

Section 2 of the Housing of Labour Workers on Sugar Estates Act, Cap. 99:04, is sought to be amended so as to provide an extended definition of the expression "labour worker" to enable the benefits under the Act to be applicable to a larger section of the labour force.

The Second Schedule to the Mahaica-Mahaicony-Abary Agricultural Development Authority Act is sought to be amended so as to give the Minister the power to make certain appointments to the membership of the Authority in keeping with our new system of local government established by the Local Democratic Organs Act, 1980.

Section 5(o) of the Local Democratic Organs Act, 1980 is sought to be amended so as to empower the Minister by order to prescribe the pro-

cedure to be followed in matters relating to finance and auditing of accounts. Section 9(1) of the Act is sought to be amended so as to empower the Minister to direct by written notice that an officer of a local democratic organ shall not be a full time officer.

Section 17 of the Act is sought to be amended so as to enable a civil servant to stand for election to a regional democratic council and if so elected to hold or continue as a councillor without resigning his civil service appointment. Section 20 of the Act is sought to be amended to require a chairman or vice-chairman of a council who is a civil servant to resign the civil service appointment if such chairman or vice-chairman is a full-time officer of the council and a consequential amendment for vacation of seat is sought to be made in section 22(1).

Section 50 of the Act is sought to be amended so as to enable the Minister to fix the remuneration of certain office holders of the National Congress of Local Democratic Organs.

(Bill No. 6/1981)

P. A. Reid,
Prime Minister.