

## ORDER

MADE UNDER

THE REPUBLIC ACT, 1970.

(No. 9 of 1970).

UNDER SECTION 3(2) OF THE REPUBLIC ACT, 1970, AND BY VIRTUE AND IN EXERCISE OF ALL OTHER POWERS ENABLING HIM IN THAT BEHALF IT IS HEREBY ORDERED BY THE PRESIDENT AS FOLLOWS:—

1. This Order may be cited as the Republic (Adaptation and Modification of Laws) Order, 1970, and shall come into operation forthwith.

2. The laws referred to in the first column of the schedule to this Order are hereby amended in the manner specified in the second column of that schedule.

3. Any reference to Her Majesty's Forces in any of the provisions of the Defence Ordinance, 1966, shall, save as otherwise provided in this Order, at any time commencing after 23rd February, 1970, be read and construed as if it were a reference to the Commonwealth Forces as defined in that Ordinance.

## SCHEDULE

Section 2

Laws	Amendments
1. The Criminal Law (Offences) Ordinance, Chapter 10.	<p>(a) Substitute the words "citizens of Guyana" for the words "whole of Her Majesty's subjects" in the definition of the expression "the public" in section 2.</p> <p>(b) (i) Substitute the words "the Guyana Defence Force" for the words "Her Majesty's naval or military forces" in the proviso to subsection (2) of section 5;</p> <p>(ii) substitute the words "the Guyana Defence Force" for the words "Her Majesty's naval or military forces" in the proviso to section 29.</p> <p>(c) Substitute the words "citizens of Guyana" for the words "subject of</p>

## Laws

## Amendments

Her Majesty” in paragraph (a) of the proviso to section 82 and wherever they appear in section 102.

(d) Substitute —

(i) the following definition for the definition of the expression “current gold or silver coin”—

“current gold or silver coin” includes any gold or silver coin coined in any mint belonging to the Government or the Bank of Guyana, or for or on behalf of the Government or the Bank of Guyana, or lawfully current by virtue of any law in force in Guyana or in any other part of the Commonwealth, or lawfully current in any foreign country;;

(ii) the following definition for the definition of the expression “copper coin”—

“copper coin” includes any coin of any metal or mixed metal (not being a gold or silver coin) coined in any mint belonging to the Government or the Bank of Guyana or for or on behalf of the Government or the Bank of Guyana, or lawfully current by virtue of any law in force in Guyana or in any other part of the Commonwealth, or lawfully current in any foreign country;;

(iii) the following definition for the definition of the expression “current coin”—

“current coin” includes any coin coined in any mint belonging to the Government or the Bank of Guyana or for or on behalf of the Government or the Bank of Guyana, or lawfully current by virtue of any law in force in Guyana or in any other part of the Common-

## Laws

## Amendments

wealth, or lawfully current in any foreign country?.

in subsection (1) of section 286.

- e) Substitute the words "the coins of Guyana" for the words "Her Majesty's coin" in section 287.
- (f) Substitute—
- (i) the words "His Excellency the President, charges and commands" for the words "Our Sovereign Lady the Queen chargeth and commandeth";
- (ii) the words "BY COMMAND OF THE PRESIDENT" for the words "GOD SAVE THE QUEEN",
- in subsection (1) of section 310.
- (g) Substitute the following section for section 316—
- "Treason. 316. Any person who forms felony.
- an intention to effect any of the following purposes, that is to say—
- (a) to levy war within Guyana in order by force to depose from his office the President or any member of the Cabinet or in order by force or constraint to compel the Government of Guyana to change its measures or counsels or in order to put any force or constraint upon or in order to intimidate or to overawe the National Assembly;
- (b) to induce any alien with force to invade Guyana, and manifests such intention by any overt act shall be guilty of felony and liable to imprisonment for life".
- (h) Substitute the following section for section 319—
- "Treason. 319. Any person owing allegiance to the State

## Laws

## Amendments

who, whether in Guyana or elsewhere—

(a) forms an intention to levy war against the State or to overthrow the Government or the Constitution of Guyana by force and manifests such intention by any overt act;

(b) adheres to the enemies of the State by giving them aid or comfort,

shall be guilty of treason and liable to suffer death by hanging”.

(i) Substitute the following section for section 320—

“Validity of indictment in certain cases.

320, Where the facts alleged in an indictment or proved at a trial for a felony under section 316 amount in law to treason, the indictment shall not be deemed by reason thereof to be defective and the accused shall not be entitled to an acquittal on that account, but a person acquitted or convicted on an indictment for a felony under section 316 shall not be prosecuted for treason upon the same facts.”

(j) Substitute the following paragraph for paragraph (iv) of subsection (1) of section 334—

“(iv) every officer of the Guyana Defence Force;”.

2. The Criminal Law (Procedure) Ordinance Chapter 11.

(a) Substitute the word “murder” for the words like *murder* for the time being in force in England in section 22j.

## Laws

## Amendments

- (b) Substitute the words "Members of any military forces raised in any Commonwealth territory by the government of such territory" for the words "Officers of Her Majesty's navy, army or air force on the active list" in the first schedule.
- (c) (i) Delete the words and figures "Elizabeth II, by the Grace of God of the United Kingdom of Great Britain and Northern Ireland, and of Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith";
- (ii) substitute the words "You are hereby commanded" for the words "We command you";
- (iii) substitute the words "the said Court" for the words "Our said Court" wherever they appear, in form 14 in Part IV of the Fourth Schedule.
3. The Summary Jurisdiction (Offences) Ordinance, Chapter 14.
- (a) Substitute the words "citizens of Guyana" for the words "whole of Her Majesty's subjects" in the definition of the expression "the public" in section 2.
- (b) Substitute—
- (i) the following definition for the definition of the expression "current gold or silver coin"—
- "current gold or silver coin" includes any gold or silver coin coined in any mint belonging to the Government or the Bank of Guyana or for or on behalf of the Government or the Bank of Guyana, or lawfully current by virtue of any law in force in Guyana or in any other part of the Commonwealth, or lawfully current in any foreign country; ;
- (ii) the following definition for the definition of the expression "copper coin"—
- "copper coin" includes any coin of any metal or mixed

## Laws

## Amendments

metal (not being a gold or silver coin) coined in any mint belonging to the Government or the Bank of Guyana or for or on behalf of the Government or the Bank of Guyana, or lawfully current by virtue of any law in force in Guyana or in any other part of the Commonwealth, or lawfully current in any foreign country;”

- (iii) the following definition for the definition of the expression “current coin”—

“current coin” includes any coin coined in any mint belonging to the Government or the Bank of Guyana or for or on behalf of the Government or the Bank of Guyana, or lawfully current by virtue of any law in force in Guyana or in any other part of the Commonwealth, or lawfully current in any foreign country.”

in subsection (1) of section 114.

- (c) Substitute the words “the coins of Guyana” for the words “Her Majesty’s coin” in subsection (2) of section 114.
- (d) Substitute the following subsection for subsection (1) of section 118—

“(1) When any coin of Guyana is below the current weight or is withdrawn, as provided by the Bank of Guyana Ordinance, 1965, everyone shall, by himself or others, cut, break, or deface any such coin tendered to him in payment, and the person tendering it shall bear the loss”.

No. 23 of  
1965.

4. The Summary Jurisdiction (Procedure) Ordinance, Chapter 15.
5. The Evidence Ordinance, Chapter 25.

Delete the words “towards Her Majesty and all her liege people” in form 17 in Part IV and form 36 in Part VII of the Second Schedule.

- (a) Substitute the words “any Act of Parliament or proclamation” for the words “any public Act of Parliament, or in any proclamation

Parliament, or in any address to the Crown of either House of Parliament, or in any Ordinance, or in any proclamation of the Governor” in section 7.

(b) In section 24—

(i) Substitute the following paragraph for paragraph (iii)—  
“(iii) all applied Acts;”;

(ii) substitute the following paragraph for paragraph (iv)—  
“(iv) all publications and Acts of Parliament unless the contrary is expressly provided in any of the publications or Acts of Parliament;”;

(iii) substitute the following paragraph for paragraph (v)—“(v) all orders in council of the United Kingdom having effect in Guyana, and all proclamations rules, regulations, orders or by-laws made under any Act of Parliament;”;

(iv) delete paragraph (viii);

(v) substitute the following paragraph for paragraph (x)—  
“(x) the public seal of Guyana and the seals of the Supreme Court of Judicature, the seals of the superior courts of justice in the United Kingdom, and in respect of documents made prior to the 23rd February, 1970, the Great Seal of the United Kingdom and the Privy Seal;”;

(vi) substitute the following words for all the words (except the proviso) in paragraph (xii)—  
“the signature and seal of the President, Governor-General, Governor, Lieutenant Governor or other person administering the Government, or of the Chief or Senior Judge of any court of record of any Commonwealth territory; the signature and seal of any principal representative, consul general,

## Laws

## Amendments

consul, vice-consul or consular officer of Guyana in any foreign country”;

(vii) substitute the words “the Commonwealth” for the words “the United Kingdom, or any British colony or possession” in paragraph (xiii);

(viii) substitute the words “any Commonwealth territory” for the words “the United Kingdom” and substitute the words “any law in force in any such territory for the words and figures “the Statutory Declarations Act, 1835, of the Imperial Parliament”, in paragraph (xiv);

(x) substitute the following paragraph for paragraph (xv)—

“(xv) the Government Gazette of any Commonwealth territory;”;

(x) substitute the following paragraph for paragraph (xvi)—

“(xvi) the extent of the territory of Guyana; the divisions for any public purposes of Guyana, but not their geographical position or the situation of particular places; the commencement, continuance and termination of war between Guyana and any other country; and all other public matters directly concerning the general government of any Commonwealth territory;”.

6. The Legal Practitioners Ordinance, Chapter 30

(a) Substitute the words “citizens of Guyana” for the words “Queen’s subjects” in section 15.

(b) Insert the words and figures “or Senior Counsel after 22nd February, 1970,” immediately after the figures “1937” in section 47.

(c) (i) Delete the words and figures “Elizabeth II by the Grace of God of the United Kingdom of Great Britain and Northern



## Laws

## Amendments

- Ireland and of Her other  
Realms and Territories Queen,  
Head of the Commonwealth,  
Defender of the Faith"; and
- (ii) substitute the words "You are  
hereby commanded" for the  
words "We command you", in  
form 5 in the schedule.
7. The Promissory  
Oaths Ordinance,  
Chapter 70.
- (a) Delete sections 2, 4, 5, 7, 9, 11  
and 13.
- (b) Substitute the following section for  
section 3—
- "Oath of  
Office. 3. The oath herein re-  
ferred to as the oath  
of office shall be in the  
form set out in the  
Fourth Schedule to  
the Constitution."
- (c) (i) Substitute the words "oath of  
office" for the words "oath of  
allegiance and the official oath";  
(ii) delete the words "the first part"  
wherever they appear,  
in section 8.
- (d) Substitute the following section for  
section 12—
- "Form of  
oath to be  
taken by  
Secretary  
to the  
Cabinet. 12. The Secretary to  
the Cabinet shall take  
the oath of office be-  
fore entering upon the  
duties of his office."
- (e) Delete the words "First Part",  
"Second Part", "The Chief Justice"  
and "The Puisne Judges" in the  
Schedule.
- (f) Renumber sections 3, 6, 8, 9A, 9B,  
10, 12 and 14 as sections 2, 3, 4,  
5, 6, 7, 8 and 9, respectively.
8. The Police Ordi-  
nance, 1957.
- Substitute—
- (i) the words "the Guyana Defence  
Force" for the words "Her  
Majesty's armed forces";  
(ii) the word "Guyana" for the  
words "Her Majesty",  
in section 56.
9. The Defence Ordi-  
nance, 1966.
- (a) (i) Insert the following definition  
immediately after the definition  
of the expression "command-

ing officer"—“Commonwealth Forces” means any military forces raised in any territory within the Commonwealth by the government of such territory, but does not include the Force;;

- (i) delete the definition of the expression “ Her Majesty’s forces”,
- (iii) substitute a comma for the semi-colon at the end of the definition of the word “service” and insert the following words thereafter—  
“or belonging to or connected with the Force or any part thereof;”,

in section 2.

- (b) Substitute the words “Guyana a force” for the words “British Guiana a body of Her Majesty’s military forces” in section 4.
- (c) Substitute the words “the Force” for the words “Her Majesty’s Service” in subsection (2) of section 37.
- (d) Substitute the words “the Force” for the words “Her Majesty’s service” in paragraph (d) of subsection (2) of section 77.
- (e) Substitute the words “the Force” for the words “Her Majesty’s service” in paragraph (c) and (d) of subsection (2) of section 78.
- (f) Insert the words “therein or” immediately after the word “officer” where it appears for the second time in subsection (2) of section 93.
- (g) Substitute the words “the armed forces of any Commonwealth territory” for the words “Her Majesty’s Forces raised in any territory outside British Guiana” in subsection (2) of section 168.
- (h) Substitute the words “the Force” for the words “Her Majesty’s Forces” in section 169.

- (i) Insert the words “the Force or” immediately after the words “members of” in section 170.
  - (j) (i) Insert the words “the Force or” immediately after the words “members of” in paragraph (a) of subsection (1) of section 176.
  - (ii) Insert the words “the Force or” immediately after the words “purposes of” and the word “accompanying”, respectively, in subsection (2) of section 176.
  - (k) Substitute the words “the armed forces of any Commonwealth territory” for the words “Her Majesty’s forces raised in any territory outside British Guiana” in subsection (2) of section 177.
  - (l) (i) Insert the words “the Force or” immediately after the words “service in” in subsection (1) of section 188;
  - (ii) Insert the words “the Force or” immediately after the words “demobilization of” in subsection (2) of section 188.
  - (m) Insert the words “the Force or” immediately after the words “serving in” in paragraph (a) of subsection (1) of section 189
  - (n) Delete the words “other than in the Force” in paragraph (b) of section 212.
10. The Guyana Citizenship Act, 1967.
- (a) Substitute the following definition for the definition of the expression “oath of allegiance” in subsection (1) of section 2—
    - \* “oath of allegiance” means the oath of allegiance set out in the first schedule to this Act’.
  - (b) Renumber the First and Second Schedules to the Act as the Second and Third Schedule respectively.

- (c) Insert the following schedule as the First Schedule to the Act—  
 “First Schedule (Section 2(1))  
 I.....do swear [solemnly affirm] that I will be faithful and bear true allegiance to Guyana and will honour, uphold and preserve the Constitution of Guyana.  
 So help me God [to be omitted in affirmation].”
- (d) Substitute the word “second” for the word “first” in section 9.
- (e) Substitute the word “third” for the word “second” in section 15.
11. The Parcel Post Regulations, Chapter 132. Delete items (2) and (3) of paragraph (a) of regulation 4, and renumber item (4) of that paragraph as item (2).
12. The Wireless Telegraphy Regulations, Chapter 132. Substitute the words “the Government” for the words “Her Majesty’s Government”—  
 (i) wherever they appear in paragraph (1) of regulation 25; and  
 (ii) in paragraph 14 of Schedule C.
13. The Bauxite Mining Regulations, Chapter 196. Delete the words “and in the . . . . . Year of Her Majesty’s Reign” in form No. 2 in the First Schedule.
14. The Harbours Regulations, Chapter 261. Substitute the words “Naval Officer of any Commonwealth territory” for the words “Officer of the Royal Navy” in subparagraph (b) of paragraph (4) of regulation 11.
15. The Companies (Fees and Forms) Order, Chapter 328. Substitute the words “any Commonwealth territory or in the Republic of Ireland” for the words “Great Britain, Northern Ireland, the Republic of Ireland or in any British Dominion or British colony or possession or in any place under Her Majesty’s protection or where Her Majesty has jurisdiction” in paragraph (1) of article 6 and paragraph (b) of article 7, respectively.
16. The Patents Regulations, Chapter 342. Delete the words and figures “Elizabeth II. by the Grace of God of the United

## Laws

## Amendments

- Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith, To all to whom these presents shall come greeting" in forms 58 and 59 in the Second Schedule.
17. The Official Inland Correspondence Regulations, 1955. Substitute—
- (i) the words "Guyana Government Service" for words "Her Majesty's Service" wherever they appear in the Regulations;
  - (ii) the words "On Guyana Government Service" for the words "On Her Majesty's Service" in regulation 11;
  - (iii) the letters "O.G.G.S." for the letters "O.H.M.S." in regulation 11.
18. The Income Tax Exit Regulations, 1963. Substitute the words "the armed forces of any Commonwealth territory" for the words "a Force, being a Military, Naval or Air Force of Her Majesty" and "the Military, Naval or Air Forces of Her Majesty" in paragraph (1) and (2), respectively, of regulation 9.
19. The Election Regulations, 1964.
- (a) Substitute the words "the Guyana Defence Force" for the words "Her Majesty's forces" in subparagraph (e) of paragraph (1) of regulation 43Q.
  - (b) Substitute the words "the Guyana Defence Force" for the words "Her Majesty's forces" in regulation 56(1) (b) (v).

Ordered this 23rd day of February, 1970.

EDWARD V. LUCKHOO,  
Acting President.