

**NINTH PARLIAMENT OF GUYNA  
FIRST SESSION (2006-2007)  
NATIONAL ASSEMBLY**

**RESOLUTION NO. 40**

**WHEREAS Article 210 of the 1980 Constitution provided for a Police Service Commission and its composition to be five Members, one of whom would be the Chairman of the Public Service Commission and one appointed by the President “after consultation with such body as appears to him to represent the majority of Members of the Police Force” and not more than three Members exclusive of the Service Commissioners appointed by the President after consultation with the Leader of the Opposition including the chairperson being appointed from among these three by the President after consultation with the Leader of the Opposition;**

**AND WHEREAS Parliament agreed to the establishment of a Constitutional Reform Commission and the said Constitutional Commission presented its report to the National Assembly on July 17, 1999;**

**AND WHEREAS the Report of the Constitution Reform Commission recommended that the Service Commissions should be independent and that Parliament should play a more definitive role in the appointment of the Commissioners;**

**AND WHEREAS the National Assembly appointed an Oversight Committee on Constitutional Reform to examine these recommendations and to ensure that the amendments to the Constitution are drafted and presented to the National Assembly for its approval;**



2.

**AND WHEREAS** the Report of the Oversight Committee on Constitutional Reform on August, 2000, to the National Assembly on pages 285 – 286 attached, provided for amendments to Article 210 in relation to the composition of the Police Service Commission for a maximum of seven Members; four Members to be appointed by the President upon nomination by the National Assembly after it has consulted “such bodies as appear to it to represent the majority of the Members of the Police Force and any such body it deems fit”, and for a Chairman to be appointed by the President after meaningful consultation with the Leader of the Opposition from among the four Parliamentary nominees, the Chairman of the Public Service Commission and not more than three Members exclusive of the Service Commission who shall be appointed by the President after meaningful consultation with the Leader of the Opposition;

**AND WHEREAS** in the process of drafting Constitution (Amendment) (No. 3) Bill No. 6/2001, provision was made for four Members to be appointed by the President upon nomination by the National Assembly and the appointment of the Chairperson by the President acting after meaningful consultation with the Leader of the Opposition from among Members appointed from the Parliamentary nominees, and the Chairman of the Public Service Commission, it omitted to include the clause “not more than three Members exclusive of the Service Commission who shall be appointed by the President after consultation with the Leader of the Opposition”;

**AND WHEREAS** Constitution (Amendment) (No. 3) Bill No. 6/2001 was passed in the National Assembly on May 31, 2001 and assented to by the President on June 1, 2001;

3.

**RESOLVED,**

That the National Assembly recognizes the error made in drafting Constitution (Amendment) (No. 3) Bill No. 6/2001 and approves of steps being taken to rectify this oversight;

**FURTHER RESOLVED,**

That this National Assembly refers this matter to the Parliamentary Standing Committee for Constitutional Reform to examine and make specific recommendations to this House on how to effect rectification.

*Passed by the National Assembly on 8<sup>th</sup> November, 2007.*

*L. Coonjah*  
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**L. COONJAH**

*Deputy Clerk of the National Assembly*

**L. COONJAH  
DEPUTY CLERK OF THE  
NATIONAL ASSEMBLY**



**THE POLICE SERVICE COMMISSION**

**Composition of Commission**

210. (1) The Police Service Commission shall consist of -
- (a) a Chairman appointed by the President acting after consultation with the Minority Leader from among members appointed under subparagraph (d);
  - (b) the Chairman of the Public Service Commission;
  - (c) one person appointed by the President after consultation with such body as appears to him to represent the majority of members of the Police Force; and

**THE POLICE SERVICE COMMISSION**

**Composition of Commission**

210. (1) The Police Service Commission shall consist of -
- (a) a Chairman appointed by the President acting after meaningful consultation with the Leader of the Opposition from among members appointed under subparagraph (c);
  - (b) *(Unaltered)*
  - (c) four members appointed by the President upon nomination by the National Assembly after it has consulted such bodies as appear to it

**9.19 - Commissions**

ARTICLES OF THE PRESENT CONSTITUTION    *CONSTITUTION REVISIONS*    CRC RECOMMENDATIONS    AMENDED ARTICLES/NEWARTICLES, ETC.

represent the majority of the members of the Police Force and any other such body it deems fit.

(d) not more than three members exclusive of the Service Commission (in this article referred to as "appointed members") who shall be appointed by the President acting after consultation with the Minority Leader.

Provided that a person shall be disqualified for appointment as a member of the Commission if he is a public officer.

(d) not more than three members exclusive of the Service Commission (in this article referred to as "appointed members") who shall be appointed by the President acting after meaningful consultation with the Leader of the Opposition.