

PARLIAMENT OFFICE,
Public Buildings,
Georgetown,
Guyana.

6th August, 1997

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. 24 of 1997

**LOCAL AUTHORITIES (ELECTIONS)
(AMENDMENT) BILL 1997**

ARRANGEMENTS OF SECTIONS

SECTION

- 1. Short title and commencement.**
- 2. Insertion of new section 36A in the Principal Act.**

Intituled

AN ACT to amend the Local Authorities (Elections) Act to provide for the postponement of elections of councillors of a local democratic organ.

A.D. 1997

Enacted by the Parliament of Guyana:-

Short title and commencement. Cap. 28:03.

1. This Act, which amends the Local Authorities (Elections) Act, may be cited as the Local Authorities (Elections) (Amendment) Act 1997, and shall come into operation on the 1st August, 1997.

Insertion of new section 36A in the Principal Act.

2. The Principal Act is hereby amended by the insertion immediately after section 36 of the following as section 36A -

" Power to postpone election; validation. No. 10 of 1990

36.A(1) Where the Minister is satisfied, on the advice of the Elections Commission, that it is impracticable to comply with the provisions of this Act or the Local Authorities (Elections) (Amendment) Act 1990 regarding the date for the holding of an election to elect members of a local democratic organ, he may, at any time by order, postpone such date to a date specified in the said order or to a date to be specified in a subsequent order, the postponed date being not later than ten months from the date on which the election should be held, and every person who is a councillor, including the Mayor, Deputy Mayor, the Chairman or the Deputy Chairman, on the date on which the election should be held shall continue in, and discharge the functions of his office until his successor enters upon the duties of his office.

(2) All acts done or purported to be done by such local democratic organ and the members, including the Mayor, the Deputy Mayor, the Chairman and the Deputy Chairman thereof, who continue in office in consequence of the provisions of an order made under this section shall be deemed to be lawfully and validly done and every such local democratic organ and members thereof, including the Mayor, the Deputy Mayor, the Chairman and Deputy Chairman, shall be discharged and indemnified against all persons from all legal proceedings in respect of or consequent on such acts."

EXPLANATORY MEMORANDUM

This Bill provides for the amendment of the Local Authorities (Elections) Act, Cap.28:03, by the insertion of a new section 36A. The new section empowers the Minister, on the advice of the Elections Commission, where it is impracticable to comply with the provisions of the Local Authorities (Elections) Act, Cap. 28:03, or the Local Authorities (Elections) (Amendment) Act 1990, No. 10 of 1990, regarding the date for the holding of elections to elect members of a local democratic organ, to postpone by order the elections to a date specified in the order or to a later date to be specified by a subsequent order, and the persons in office (the councillors, Mayors, Deputy Mayors, Chairmen and Deputy Chairmen) shall continue to discharge the functions of their office.

Subsection (2) provides for validation of acts done by such local democratic organs, their members and the Mayors, the Deputy Mayors, the Chairmen and the Deputy Chairmen during their continued tenure.

Harripersaud Nokta,
Minister of Local Government.

