

**AMENDED  
NATIONAL ASSEMBLY OF THE FIRST SESSION OF THE  
TENTH PARLIAMENT OF GUYANA (2012-2013)**

**REPORT OF**

**THE SPECIAL SELECT COMMITTEE OF THE  
NATIONAL ASSEMBLY**

**ON THE**

**LOCAL GOVERNMENT (AMENDMENT) BILL 2012 –  
BILL NO. 12/2012**

**PRESENTED TO THE NATIONAL ASSEMBLY**

**BY**

**MR. BASIL WILLIAMS, M.P.  
CHAIRMAN OF THE COMMITTEE**

**ON**

**18<sup>TH</sup> JULY, 2013**

**REPORT OF THE SPECIAL SELECT COMMITTEE OF THE NATIONAL ASSEMBLY  
ON THE LOCAL GOVERNMENT (AMENDMENT) BILL 2012 -  
BILL NO. 12/2012**

**Publication**

1. The Local Government (Amendment) Bill 2012 – Bill No. 12/2012 seeks to amend the Local Government Act. This Bill was published on 31<sup>st</sup> July, 2012.

**Introduction and First Reading**

2. The Bill was introduced in the National Assembly and read for a first time on 30<sup>th</sup> July, 2012.

**Committal to Select Committee**

3. Following its first reading, the Bill was committed to a Special Select Committee by the National Assembly for consideration.

**Members of the Committee**

4. At a meeting held on 18<sup>th</sup> October, 2012 the Committee of Selection nominated the following Members to comprise the Special Select Committee to consider the Local Government (Amendment) Bill 2012 – Bill No. 12/2012.

**Members of the People’s Progressive Party/Civic (PPP/C) (4)**

Hon. Ganga Persaud, M.P.,  
Minister of Local Government and Regional Development

Ms. Gail Teixeira, M.P., Chief Whip

Bibi S. Shadick, M.P.

Mr. Neendkumar, J.P, M.P.

### **Members A Partnership for National Unity (APNU) (4)**

Ms. Amna Ally, M.P., Chief Whip

Mr. Basil Williams, M.P.

Lt. Col. (Ret'd) Joseph Harmon, M.S.M., M.P.

Mr. Ronald Bulkan, M.P.

### **Member of the Alliance For Change (AFC) (1)**

Dr. Veerasammy Ramayya, M.P.

### **First and Second Meetings of the Committee - Election of Chairman**

5. At the first meeting held on 28<sup>th</sup> November, 2012, both the Hon. Ganga Persaud, M.P., Minister of Local Government and Regional Development and Mr. Basil Williams, M.P., were nominated as Chairperson for the Committee.

6. Since there were two nominations, a division was sought and carried with an equality of votes. The Presiding Member did not have an original or casting vote, hence, the election for the Chairmanship was deferred to another date.

7. At the second meeting held on 20<sup>th</sup> December, 2012, Mr. Basil Williams was elected as Chairman of the Committee by a majority vote.

### **Other Meetings of the Committee**

8. The Committee met on sixteen other occasions. However, the Local Government (Amendment) Bill 2012 – Bill No. 12/2012 was considered at the following Meetings:

11<sup>th</sup> Meeting held on 15<sup>th</sup> March, 2013;

12<sup>th</sup> Meeting held on 21<sup>st</sup> March, 2013;

14<sup>th</sup> Meeting held on 17<sup>th</sup> May, 2013;

15<sup>th</sup> Meeting held on 31<sup>st</sup> May;

17<sup>th</sup> Meeting held on 28<sup>th</sup> June, 2013; and

18<sup>th</sup> Meeting held on 5<sup>th</sup> July, 2013.

9. The attendance record is at Appendix I.

### **Procedure of the Committee**

10. At its 3<sup>rd</sup> Meeting held on 16<sup>th</sup> January, 2013, the Committee agreed to the following:

- (i) that it would commence its work on the Local Government Commission Bill 2012 - Bill No. 13/2012;
- (ii) that it would consider the Bill, Clause by Clause;
- (iii) that the Clerk of the Committee would circulate the Reports and any relevant information with regard to the previous Local Government Bills 2009 in the 9<sup>th</sup> Parliament; and
- (iv) that the Clerk of the Committee provide Members with a schedule of meetings.

### **Consideration of the Bill**

11. The Committee commenced consideration of the Bill on 15<sup>th</sup> March, 2013.

12. The following Clause/Sections were accepted as presented: 2, Schedule: 15, 20, 22(5), 29(6),(7)(b) and (8), 35, 36 including marginal note, 38, 40(1), 41(1) and (2), 42, 43(1), 44, 45, 46, 47, 48, 50, 51, 53, 56, 57(1), 58(1), 59, 64, 66(2), 67, 68, 70, 71(1), (2), (3) and (5), 72(1) and (2), 73, 74, 75(1) and (3), 76, 80, 81, 84(1) and (2), 86 (1) and (2), 88 (1), 99, 100, 109, 114, 115, 120, 121, 122, 125, 126 A, 128 including marginal note, 129, 130(2), 131, 135, 137, 140 (1), 141(1), 146 (A), 147 (c),(e),(f), (g), (k), (i) and closing lines to section 147, 150, 151, 152, 156, 170 A, 170 B, Long Title, Part IV Heading, Part V Heading, Part VIII, Part IX Heading, Part XI Heading, First Schedule Forms 1, 2, 3 and 4, Second and Third Schedules.

13. The following Clause/Sections were accepted as amended: 1, Schedule: 2, 6, 9, 10 (1), 12, 13, 14, 26 (1) and (2), 37(1), 39, 49(1), 52, 54(6), 55, 66 (1)(a), 69, 82, 83, 87(2), 89(2), 96(6), 102(1), 132, 133, 134(1) and (2), 136(1), 138, 139 (1), and (2) , 143, 144 (2) and (3), 145, 146, 147(b), 169, 170, the Enactment and the Principal Act (the whole).

14. In addition to consideration of the Bill as presented to the National Assembly, the following new sections were examined and amended:

12, 13, 14, 43(3), 82, 83 and 139 (3).

15. There was no consensus on Sections: 2(4), 6(1) and (2), 12(1), 13, 14, and the Principal Act (the whole). Hence, the amendments were agreed upon by a majority vote.

16. The details of the amendments made to the Bill by the Committee are reflected in the matrix attached at Appendix II.

**Amended Bill**

17. Appendix III is the amended Bill which reflects the changes detailed and outlined in Appendix II.

**Report of the Special Select Committee**

18. At its meeting held on 5<sup>th</sup> Meeting, 2013 the Special Select Committee on the Local Government (Amendment) Bill 2012 – Bill No. 12/2012 agreed that this Report, on its consideration of the Bill, should be presented to the National Assembly.

19. The Report is hereby submitted.

**Minutes and Verbatim Records**

20. The Minutes and the Verbatim Records have been prepared and will be available at the Parliament Office.

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Basil Williams, M.P.  
Chairman of the  
Special Select Committee on  
Local Government (Amendment) Bill 2012 – Bill No. 12/2012

*Committees Division  
Parliament Office  
Public Buildings  
Brickdam  
Georgetown*

*5<sup>th</sup> July, 2013.*

**SPECIAL SELECT COMMITTEE ON THE**  
**- LOCAL GOVERNMENT (AMENDMENT) BILL 2012 – BILL NO. 12/2012;**  
**- THE LOCAL GOVERNMENT COMMISSION BILL 2012 – BILL NO. 13/2012;**  
**- MUNICIPAL AND DISCTRICT COUNCILS (AMENDMENT) BILL 2012 – BILL NO. 19/2012; AND**  
**- THE FISCAL TRANSFERS BILL 2012 BILL 2012 – BILL NO. 20/2012**  
**ATTENDANCE RECORD (2012-2013)**

NAME	Nov.	Dec.	Jan			Feb.			March				May			June		July
	28 <sup>th</sup>	20 <sup>th</sup>	16 <sup>th</sup>	23 <sup>rd</sup>	30 <sup>th</sup>	8 <sup>th</sup>	13 <sup>th</sup>	20 <sup>th</sup>	1 <sup>st</sup>	7 <sup>th</sup>	15 <sup>th</sup>	21 <sup>st</sup>	10 <sup>th</sup>	17 <sup>th</sup>	31 <sup>st</sup>	14 <sup>th</sup>	28 <sup>th</sup>	5 <sup>th</sup>
Hon. Ganga Persaud, M.P., Minister of Local Government and Regional Development	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Ex.	Pr.	Ex.	Pr.	Ex.	Pr.	Pr.	Ex.
Ms Gail Teixeira, M.P., Chief Whip.	Pr.	Pr.	Ex.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.
Bibi Safora Shadick, M.P.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Ex.	Pr.	Pr.	Ex.	Pr.
Mr. Neendkumar, J.P., M.P.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Ex.	Ex.	Pr.
Ms Amna Ally, M.P., Chief Whip	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Ex.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.
Mr. Basil Williams, M.P. (Chairman)	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.
Lt. Col. (Ret'd) Joseph Harmon, M.S.M., M.P.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Ex.	Pr.	Pr.	Ex.	Pr.	Pr.	Pr.	Pr.
Mr. Ronald Bulkan, M.P.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Ex.	Pr.	Pr.	Pr.	Pr.
Dr. Veerasammy Ramayya, M.P.	Ex.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Ex.	Pr.	Abs	Pr.	Pr.	Ex.	Pr.	Pr.	Pr.

**Pr.** - **Present**  
**Abs.** - **Absent**  
**Ex.** - **Excused**

*Committees Division*  
*Parliament Office*  
*Public Buildings*  
*Georgetown*  
*31<sup>st</sup> March, 2014.*

## APPENDIX II

### MATRIX SHOWING AMENDMENTS APPROVED BY THE COMMITTEE ON THE LOCAL GOVERNMENT (AMENDMENT) BILL 2012 – BILL NO. 12/2012

<b>THE BILL</b>	<b>AMENDMENTS</b>
<b>Long title</b>	Unaltered
<b>The Enactment</b> A.D. <u>2012</u> Enacted by the Parliament of Guyana:-	Substitute - A.D. <u>2013</u> Enacted by the Parliament of Guyana:-
<b>Clause 1</b>  This Act, which amends the Local Government Act, may be cited as the Local Government (Amendment) Act 2012.  <b>Clause 2</b>	Substitute -  This Act, which amends the Local Government Act, may be cited as the Local Government (Amendment) Act <u>2013</u> .  Unaltered

<b>SCHEDULE</b>	
<p><b>Long title</b></p> <p>Insert immediately before the word “village” the words “neighbourhood,”.</p> <p><b>Section 2</b></p> <p>1. In the definition of “district”, insert immediately before the word “village” the words “neighbourhood (constituted by the Local Democratic Organs (Areas) Order 1990),”.</p> <p>No. 47 of 1990</p>	<p>Substitute -</p> <p>Insert immediately before the word “village” the words <b><u>“neighbourhoods,”</u></b>.</p> <p>Substitute –</p> <p><b><u>1. Immediately after the definition of “by-laws” insert the following definition -</u></b></p> <p style="text-align: center;"><b><u>“Commission” means the</u></b></p> <p style="text-align: center;"><b><u>Local Government</u></b></p> <p style="text-align: center;"><b><u>Commission established</u></b></p> <p style="text-align: center;"><b><u>under section 3 of the</u></b></p> <p style="text-align: center;"><b><u>Local Government</u></b></p> <p style="text-align: center;"><b><u>Commission Act 2013;’</u></b></p> <p>Act No. of 2013</p> <p><b><u>2.</u></b> In the definition of “district”, insert immediately before the word “village” the words “neighbourhood (constituted by the Local Democratic Organs (Areas) Order 1990),”.</p> <p>No. 47 of 1990</p>



<p>2. Delete the definition of “district commissioner”.</p> <p>3. In the definition of “local authority” insert immediately before the the word “village”, the words “neighbourhood democratic council (constituted under the Local Democratic Organs (Neighbourhood Democratic Councils Order 1990),” .</p> <p>4. Insert immediately before the definition of “street” the following definition –</p> <p>“Regional Executive officer” means the clerk or Chief Executive Officer of a Regional Democratic Council;”.</p>	<p><b><u>3.</u></b> Delete the definition of “district commissioner”.</p> <p><b><u>4.</u></b> <b><u>Substitute the following for the definition of local authority:</u></b></p> <p><b><u>“local authority” means a municipal council, a neighbourhood democratic council, a village council, a community council, and any other similar organ;</u></b></p> <p><b>Deleted</b></p>

<p><b>Section 6</b></p> <p>1. For the word “it” substitute the words “the Minister”.</p> <p>2. For the word “their” substitute the word “the” and insert immediately after the word “approval” the words “of the Minister”.</p>	<p>Substitute -</p> <p><b><u>Substitute the following section for section 6</u></b></p> <p>=</p> <p><b><u>“Power in Commission to make enquires</u></b> <b><u>6. The Commission may from time to time, cause to be made any inquiries directed by this Act and any inquiries the Commission sees fit in relation to any matters with respect to which the consent, sanction or approval of the Commission is required by this Act.”</u></b></p>
<p><b><u>Immediately after the amendment to section 6 insert the following amendments to sections 12, 13 and 14 -</u></b></p> <p><b><u>“Section 12 (New Section)</u></b></p> <p><b><u>Section 13 (New Section)</u></b></p>	<p>1. <b><u>Delete subsection (1).</u></b></p> <p>2. <b><u>Renumber subsection (2) as section 12.</u></b></p> <p>3. <b><u>Substitute the following marginal note</u></b></p> <p>=</p> <p><b><u>“Non-application of time limitation on monetary claims.”</u></b></p> <p>Substitute –</p>

<p><b><u>Section 14 (New Section)</u></b></p>	<p><b><u>Substitute the following section for section 13 -</u></b></p> <p>“Power of <b><u>13. The Commission shall have</u></b>  the Minister  to act as <b><u>and may exercise in any</u></b>  local <b><u>village or country district</u></b>  authority <b><u>any or all of the powers of a</u></b>  <b><u>local authority whenever it</u></b>  <b><u>appears to the Commission</u></b>  <b><u>expedient to do so.”</u></b></p> <p><b><u>(1) For the word “Minister”</u></b>  <b><u>wherever the word appears</u></b>  <b><u>substitute the word</u></b>  <b><u>“Commission”.</u></b></p> <p><b><u>(2) For the words “he deems” in</u></b>  <b><u>subsection (2)(a) substitute the</u></b>  <b><u>words “the Commission deems”.</u></b></p>
<p><b>Section 15</b></p> <p><b>subsection (1)(a)</b></p> <p><b>subsection (1)(b)</b></p>	<p>Unaltered</p> <p>Unaltered</p>

<p><b>subsection (1)(c)</b></p>	Unaltered
<p><b>subsection (1)(d)</b></p>	Unaltered
<p><b>subsection (2)</b></p>	Unaltered
<p><b>PART II Heading</b></p>	Unaltered
<p><b>Section 20</b></p>	Unaltered
<p><b>Section 22(5)</b></p>	Unaltered
<p><b>Section 26</b></p>	
<p><b>Subsection (1)</b></p> <p>For the words “ten dollars” substitute the words “three thousand dollars”.</p>	<b>Deleted</b>
<p><b>Subsection (2)</b></p> <p>For the words “twenty dollars” substitute the words “six thousand dollars”.</p>	<b>Deleted</b>

<p><b>Section 29(6),(7)(b) and (8)</b></p>	<p>Unaltered</p>
<p><b>Section 35</b></p>	<p>Unaltered</p>
<p><b>Section 36 including the marginal note</b></p>	<p>Unaltered</p>
<p><b>Section 37 (1)</b></p> <p>1. Insert immediately before the word “village”, where the word appears for the first time, the words “neighbourhood,”.</p> <p>2. Insert immediately before the word “village”, where the word appears for the second time, the words “neighbourhood democratic council,”.</p>	<p>Substitute –</p> <p>1. Unaltered</p> <p>2. Insert immediately before the word “village”, where the word appears for the second time, the words <b><u>“neighbourhood democratic council or a”</u></b>.</p>
<p><b>Section 38</b></p>	<p>Unaltered</p>
<p><b>The Principal Act (the whole)</b></p> <p>For the words “district commissioner”, wherever the words appear, substitute the words “regional executive officer”.</p>	<p><b>Deleted</b></p>

<p><b>Section 39</b></p> <p>Insert immediately before the word “village” the words “neighbourhood democratic council,”.</p>	<p>Substitute -</p> <p><b><u>Delete section 39.</u></b></p>
<p><b>Section 40(1)</b></p> <p><b>Section 41</b></p> <p><b>Subsection (1)</b></p> <p><b>Subsection (2)</b></p> <p><b>PART IV Heading</b></p> <p><b>Section 42</b></p> <p><b>Section 43(1)</b></p> <p><b>Section 43(3) (New subsection)</b></p>	<p>Unaltered</p> <p>Unaltered</p> <p>Unaltered</p> <p>Unaltered</p> <p>Unaltered</p> <p>Unaltered</p> <p><b><u>Delete subsection (3).</u></b></p>

<b>PART V Heading</b>	Unaltered
<b>Section 44, 45, 46 and 47</b>	Unaltered
<b>Section 48</b>	Unaltered
<p><b>Section 49(1)</b></p> <p>1. Insert immediately before the word “village” the words “neighbourhood,”.</p> <p>2. Insert immediately before the words “Village Council” the words “Neighbourhood Democratic Council,”.</p>	<p>Unaltered</p> <p>2. Insert immediately before the words “Village Council” the words “Neighbourhood Democratic Council <b>or the</b>”.</p>
<b>Section 50</b>	Unaltered
<b>Section 51</b>	Unaltered
<p><b>Section 52</b></p> <p>1. Insert immediately before the word “village”, wherever the word appears, the words “neighbourhood,”.</p>	<p>Substitute -</p> <p>1. Insert immediately before the word “village”, where the word appears <b>for the first time</b>, the words</p>

	<p>“neighbourhood,”.</p> <p><u>Insert the following as a new amendment to</u></p> <p><u>Section 52</u></p> <p><b>2. <u>Insert immediately before the word</u></b></p> <p><b><u>“village” where the word appears</u></b></p> <p><b><u>for the second time, the words</u></b></p> <p><b><u>“neighbourhood or”.</u></b></p>
<p>2. Delete the words “, but no toll shall be charged until the tariff has been approved by the Minister”.</p>	<p><b>Deleted</b></p>
<p><b>Section 53</b></p>	<p>Unaltered</p>
<p><b>Section 54</b></p>	<p>Unaltered</p>
<p><b>Section 55</b></p> <p><b>the opening part, paragraphs (e), (f) and (g)</b></p> <p>Insert immediately before the word “village” the words “neighbourhood,”.</p>	<p>Unaltered</p>



<p><b>paragraph (c)</b></p> <p>Delete the words “or to the body known as the Guyana Village Chairman’s Conference”.</p> <p>proviso</p> <p>Delete.</p> <p><b>Sections 56, 57(1), 58(1) and 59</b></p> <p><b>Section 64</b></p> <p><b>Section 66</b></p> <p><b>Subsection (1)(a)</b></p> <p><b>subsection (2)</b></p> <p><b>Section 67</b></p> <p><b>Subsections (1) and (2)</b></p>	<p>Unaltered</p> <p><b><u>paragraph (g)</u></b></p> <p><b><u>For the colon at the end of paragraph (g), substitute a full stop.</u></b></p> <p>Unaltered</p> <p>Unaltered</p> <p>Unaltered</p> <p>Unaltered</p> <p>Unaltered</p> <p>Unaltered</p>
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<p><b>Subsection (4)(b)</b></p> <p>For the words “five per cent per annum shall thereupon become due and payable” substitute the words “not less than one per cent above the lending rate at a commercial bank where the Council would have borrowed the said sum payable”.</p>	<p>Substitute -</p> <p>For the words “five per cent per annum shall thereupon become due and payable” substitute the words “<b><u>not more than one per cent</u></b> above the lending rate at a commercial bank where the Council would have borrowed the said sum payable”.</p>
<p><b>Section 68</b></p>	<p>Unaltered</p>
<p><b>Section 69</b></p> <p>For the words “The local authority of a village or country district may, with the approval of the Minister,” substitute the words “The Minister or local authority of a neighbourhood, village or country district may”.</p>	<p>Substitute –</p> <p><b><u>Substitute the following section for section 69 -</u></b></p> <p>“Power to exempt property from payment of rates on the ground of poverty of proprietor. <b><u>“69. The local authority of a neighbourhood, village or country district may, with the approval of the Minister, exempt, on the ground of the poverty of the proprietor any</u></b></p>

<p>Sections 70, 71(1), (2), (3) and (5), 72(1) and (2), 73, 74, 75(1) and (3)</p> <p>Section 79</p> <p>Section 80 and 81</p> <p><u>Immediately after the amendment to sections 80 and 81 insert the following new amendments.</u></p> <p><u>“Sections 82 and 83</u></p>	<p><u>lot or building from the payment of any rates under this Act.”</u></p> <p>Unaltered</p> <p>Unaltered</p> <p>Unaltered</p> <p><u>Delete the words “or the district commissioner” wherever they appear.”</u></p>
<p>Section 84(1) and (2)</p> <p>Section 86(1) and (2)</p>	<p>Unaltered</p> <p>Unaltered</p>

<p><b><u>Section 87</u></b></p> <p>Delete.</p>	<p>Substitute –</p> <p><b><u>Delete subsection (2) and renumber subsection (1) as section 87.</u></b></p>
<p><b>Section 88(1)</b></p>	<p>Unaltered</p>
<p><b>Section 89(2)</b></p> <p>For the words “the sum of one dollar” substitute the words “a sum of money as the Minister may by order prescribe”.</p>	<p><b>Deleted</b></p>
<p><b>Section 96(6)</b></p> <p>For the words “one thousand dollars” substitute the words “forty thousand dollars”.</p>	<p><b>Deleted</b></p>
<p><b>Section 99</b></p>	<p>Unaltered</p>
<p><b>Section 100</b></p>	<p>Unaltered</p>
<p><b>Section 102(1)</b></p>	<p></p>

For the words “ten dollars” substitute the words “to a fine of not less than twenty thousand dollars nor more than forty thousand dollars”.	<b>Deleted</b>
<b>Section 109</b>	Unaltered
<b>PART VIII</b>	
<b><u>Heading</u></b>	Unaltered
<b>Section 114</b>	Unaltered
<b>Section 115(1)</b>	Unaltered
<b>Section 120</b>	Unaltered
<b>Section 121</b>	Unaltered
<b>PART IX Heading</b>	Unaltered
<b>Sections 122 and 125</b>	Unaltered

<p><b>Section 126A</b></p> <p><b>Section 128 including the marginal note</b></p> <p><b>Section 129</b></p> <p><b>Section 130(2)</b></p> <p><b>Part XI Heading</b></p> <p><b>Section 131</b></p>	<p>Unaltered</p> <p>Unaltered</p> <p>Unaltered</p> <p>Unaltered</p> <p>Unaltered</p> <p>Unaltered</p>
<p><b>Section 132</b></p> <p>Insert immediately before the word “village”, wherever the word appears, the words “neighbourhood,”.</p>	<p>Substitute -</p> <p><b><u>Insert immediately before the word “village”, the words “neighbourhood,”.</u></b></p>
<p><b>Section 133</b></p> <p>Insert immediately before the word “village”, wherever the word appears, the words “neighbourhood,”.</p>	<p>Substitute -</p> <p><b><u>1. Insert immediately before the word “village”, the words “neighbourhood,”.</u></b></p>



<p><b>Section 136(1)</b></p> <p>1. Insert immediately before the word “village”, wherever the word appears, the words “neighbourhood,”.</p> <p>2. Delete the words “or in the post office savings bank”.</p>	<p>Unaltered</p> <p>Unaltered</p> <p><b><u>Insert the following as a new amendment to subsection (1)</u></b></p> <p>Substitute -</p> <p><b><u>3. For the words “district commissioner” wherever they appear, substitute the word “council”.</u></b></p>
<p><b>Section 137</b></p> <p><b>Section 138</b></p> <p>Insert immediately before the word “village”, wherever the word appears, the words “neighbourhood,”.</p>	<p>Unaltered</p> <p>Substitute -</p> <p><b><u>1. Insert immediately before the word “village”, the words “neighbourhood,”.</u></b></p> <p><b><u>Insert the following as a new amendment to</u></b></p>



<p><b>Section 139 (1) and (2)</b></p> <p>Insert immediately before the word “village”, wherever the word appears, the words “neighbourhood,”.</p> <p><b>subsection (3) (New subsection)</b></p>	<p><b><u>Section 138</u></b></p> <p><b><u>2. Delete the words “the district commissioner or”.</u></b></p> <p>Unaltered</p> <p><b><u>Insert the following as a new amendment to subsections (1) and (2)</u></b></p> <p>Substitute -</p> <p><b><u>For the words “district commissioner” wherever they appear, substitute the word “council”.</u></b></p> <p>Substitute -</p> <p><b><u>In subsection (3) for the words “he may” substitute the words “the council may”.</u></b></p>
<p><b>Section 140(1)</b></p>	<p>Unaltered</p>
<p><b>Section 141(1)</b></p>	<p>Unaltered</p>

<p><b>Section 143</b></p> <p>For the words “twenty dollars” substitute the words “twenty thousand dollars”.</p>	<p><b>Deleted</b></p>
<p><b>Section 144</b></p> <p><b>subsection (2)</b></p> <p>For the words “fifty dollars” substitute the words “five thousand dollars”.</p> <p><b>subsection (3)</b></p> <p>For the words “fifty dollars” substitute the words “twenty thousand dollars”.</p>	<p><b>Deleted</b></p> <p><b>Deleted</b></p>
<p><b>Section 145 and 146</b></p> <p>For the words “fifty dollars” substitute the words “twenty thousand dollars”.</p>	<p><b>Deleted</b></p>
<p><b>Section 146A</b></p>	<p>Unaltered</p>

<b>Section 147</b>	<b><u>Insert the following as a new amendment to</u></b>
<b>paragraph (b)</b>	<b><u>paragraph (b)</u></b>
	<p style="text-align: center;"><b><u>1. Delete the words “any district commissioner.”.</u></b></p>
<p>1. Insert immediately before the word “village”, where the word appears for the first time, the words “neighbourhood democratic councillor,”.</p>	Unaltered
<p>2. Insert immediately before the word “village”, where the word appears for the second time, the words “neighbourhood democratic council,”.</p>	Unaltered
<b>paragraphs (c), (e), (f) and (g)</b>	Unaltered
<b>paragraph (k)</b>	Unaltered
<b>paragraph (l)</b>	Unaltered

<p><b>closing lines to section 147</b></p>	<p>Unaltered</p>
<p><b>Section 150</b></p>	<p>Unaltered</p>
<p><b>Sections 151</b></p>	<p>Unaltered</p>
<p><b>152 and 156</b></p>	<p>Unaltered</p>
<p><b>Section 169</b></p> <p>Delete the words “, not exceeding twelve cents for each copy,”.</p>	<p><b>Deleted</b></p>
<p><b>Section 170</b></p> <p>For the words “one hundred dollars” substitute the words “five thousand dollars” and for the words “twenty dollars” substitute the words “one thousand dollars”.</p>	<p><b>Deleted</b></p>
<p><b>Section 170A</b></p>	<p>Unaltered</p>
<p><b>Section 170B</b></p>	<p>Unaltered</p>

<b>First Schedule Forms 1, 2, 3 and 4</b>	Unaltered
<b>Second and Third Schedules</b>	Unaltered

**APPENDIX III**

**GUYANA**

**BILL No. 12 of 2012**

**LOCAL GOVERNMENT (AMENDMENT) BILL 2012**

**ARRANGEMENT OF SECTIONS**

**SECTION**

1. Short title.
2. Amendment of the Principal Act.

**SCHEDULE**

**A BILL**

**Intituled**

AN ACT to amend the Local Government Act.

**A.D.2013** Enacted by the Parliament of Guyana:-

Short title. 1. This Act, which amends the Local Government Act, may be cited as  
Cap. 28:02 the Local Government (Amendment) Act **2013**.

Amendment of the Principal Act. 2. The provisions of the Principal Act specified in the first column of the Schedule are amended in the manner specified in the corresponding entry in the second column of the Schedule.

**SCHEDULE**

**s. 2**

<b>PROVISIONS</b>	<b>AMENDMENTS</b>
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<b>Long title</b>	Insert immediately before the word “village” the words <b><u>“neighbourhoods,”</u></b> .
<b>Section 2</b>	<p><b>5. <u>Immediately after the definition of “by-laws” insert the following definition -</u></b></p> <p style="text-align: center;"><b><u>“Commission” means the Local Government Commission established under section 3 of the</u></b></p> <p style="text-align: center;"><b><u>Local Government Commission Act 2013;</u></b></p> <p>No. of 2013</p> <p><b>6. In the definition of “district”, insert immediately before the word “village” the words “neighbourhood (constituted by the Local</b></p> <p>No. 47 of 1990 <b>Democratic Organs (Areas) Order 1990),”.</b></p> <p><b>7. Delete the definition of “district commissioner”.</b></p> <p><b>8. <u>Substitute the following for the definition of local authority -</u></b></p> <p style="text-align: center;"><b><u>“local authority” means a municipal council, a neighbourhood democratic council, a village council, a community council, and any other similar organ;</u></b></p>
<b>Section 6</b>	<p><b><u>Substitute the following section for section 6 -</u></b></p> <p><b><u>6. The Commission may from time to time, cause to be made any inquiries directed by this Act and any inquiries the Commission sees fit in relation to any matters with respect to which the consent, sanction or approval of the Commission is required by this Act.”</u></b></p> <p><b><u>“Power in Commission to make inquiries.</u></b></p>



<p><b><u>Section 12</u></b></p>	<ol style="list-style-type: none"> <li>4. <b><u>Delete subsection (1).</u></b></li> <li>5. <b><u>Renumber subsection (2) as section 12.</u></b></li> <li>6. <b><u>Substitute the following marginal note –</u></b>   <b><u>“Non-application of time limitation on monetary claims.”</u></b></li> </ol>
<p><b><u>Sections 13</u></b></p> <p><b><u>Section 14</u></b></p>	<p><b><u>Substitute the following section for section 13 -</u></b></p> <p>“Power of <b><u>13. The Commission shall have and may exercise in any</u></b> the Minister to act as <b><u>village or country district any or all of the powers of a</u></b> local <b><u>local authority whenever it appears to the Commission</u></b> authority <b><u>expedient to do so.”</u></b></p> <ol style="list-style-type: none"> <li>1. <b><u>For the word “Minister” wherever the word appears substitute the word “Commission”.</u></b></li> <li>2. <b><u>For the words “he deems” in subsection (2)(a) substitute the words “the Commission deems”.</u></b></li> </ol>
<p><b>Section 15</b></p> <p><b>subsection (1)(a)</b></p>	<p>Insert immediately before the word “villages” the words “neighbourhoods,”and before the word “village” the words “neighbourhood,”.</p>

<p><b>subsection (1)(b)</b></p> <p><b>subsection (1)(c)</b></p> <p><b>subsection (1)(d)</b></p> <p><b>subsection (2)</b></p>	<p>Insert immediately before the word “village”, wherever the word appears, the words “neighbourhood democratic councils,”.</p> <p>Insert immediately before the word “villages”, the words “neighbourhoods,”.</p> <p>Insert immediately before the word “village” the words “neighbourhood,”.</p> <p>Substitute the following –</p> <p style="padding-left: 40px;">“The Minister may, for any purpose for which a local authority is authorized to make by-laws, cause those by-laws to have effect in any neighbourhood, village or country district, and those by-laws shall have effect in every neighbourhood, village or country district or in any neighbourhood, village or country district, specified in the by-laws.”</p>
<p><b>Part II Heading</b></p>	<p>Insert immediately before the word “VILLAGE” the words “NEIGHBOURHOOD,”.</p>
<p><b>Section 20</b></p> <p><b>subsection (1)</b></p>	<p>1. Insert immediately before the word “Village” the words “Neighbourhoods,”.</p>

<p><b>subsection (2)</b></p>	<p>2. For the word “Village” substitute the word “village”.</p> <p>1. Insert immediately before the words “a village district” the words “a neighbourhood,”.</p> <p>2. Insert immediately before the words “a village council” the words “a neighbourhood democratic council,”.</p>
<p><b>Section 22(5)</b></p>	<p>1. For the words “one hundred dollars” substitute the words “twenty-five thousand dollars”.</p> <p>2. For the words “five hundred dollars” substitute the words “five million dollars”.</p>
<p><b>Section 29(6), (7)(b) and (8)</b></p>	<p>Delete the words “through the commissioner” wherever the words appear.</p>
<p><b>Section 35</b></p>	<p>Insert immediately before the word “village” the words “neighbourhood,”.</p>
<p><b>Section 36 including the</b></p>	

<p><b>marginal note</b></p>	<p>Insert immediately before the word “village” the words “neighbourhood democratic council,”.</p>
<p><b>Section 37(1)</b></p>	<ol style="list-style-type: none"> <li>1. Insert immediately before the word “village”, where the word appears for the first time, the words “neighbourhood,”.</li>   <li>2. Insert immediately before the word “village”, where the word appears for the second time, the words “neighbourhood democratic <b><u>council or a</u></b>”.</li> </ol>
<p><b>Section 38</b></p> <p><b>subsection (1)</b></p> <p><b>subsection (3)</b></p> <p><b>subsection (3)(b)</b></p>	<p>Insert immediately before the word “village” the words “neighbourhood,”.</p> <p>In the opening part, insert immediately before the word “village” the words “neighbourhood democratic council or”.</p> <p>Insert immediately before the word “village” the words “neighbourhood or”.</p>
<p><b><u>Section 39</u></b></p>	<p><b><u>Delete section 39.</u></b></p>

<p><b>Section 40(1)</b></p>	<p>Insert immediately before the word “village”, wherever the word appears, the words “neighbourhood democratic council or”.</p>
<p><b>Section 41</b> <b>subsection (1)</b></p> <p><b>subsection (2)</b></p>	<p>Insert immediately before the word “village” the words “neighbourhood democratic council or”.</p> <p>Insert immediately before the word “village” the words “neighbourhood democratic council,”.</p>
<p><b>PART IV Heading</b></p>	<p>Insert immediately before the word “VILLAGE” the words “NEIGHBOURHOOD DEMOCRATIC COUNCILS,”.</p>
<p><b>Section 42</b> <b>subsection (1)</b></p> <p><b>subsection (2)</b></p> <p><b>subsections (5), (7)</b> <b>and (8)</b></p>	<p>1. Insert immediately before the word “village” the words “neighbourhood,”.</p> <p>2. Delete the words “, subject to the approval of the Minister,”.</p> <p>Delete the words “with the sanction of the Minister”.</p> <p>Insert immediately before the word “village” the words</p>

<p><b>marginal note</b></p>	<p>“neighbourhood,”.</p> <p>Insert immediately before the word “village” the words “neighbourhood democratic councils,”.</p>
<p><b>Section 43</b></p> <p><b>Subsection (1)</b></p> <p><b>Subsection (3)</b></p>	<p>Insert immediately before the word “village” the words “neighbourhood,”.</p> <p><b><u>Delete.</u></b></p>
<p><b>PART V Heading</b></p>	<p>Insert immediately before the word “VILLAGE” the words “NEIGHBOURHOOD DEMOCRATIC COUNCILS,”.</p>
<p><b>Sections 44, 45, 46 and 47</b></p>	<p>Insert immediately before the word “village”, wherever the word appears, the words “neighbourhood,”.</p>
<p><b>Section 48</b></p> <p><b>subsections (1) and (3)</b></p> <p><b>subsection (3)</b></p>	<p>Insert immediately before the word “village” the words “neighbourhood,”.</p> <p>Delete the words “with the approval of the Minister”.</p>
<p><b>Section 49(1)</b></p>	<p>1. Insert immediately before the word “village” the words “neighbourhood,”.</p>

	<p>2. Insert immediately before the words “Village Council” the words “Neighbourhood Democratic Council <u>or the</u>”.</p>
<p><b>Section 50</b> <b>subsections (1)</b> <b>and (4) including</b> <b>the marginal note</b></p> <p><b>subsection (1)</b></p>	<p>Insert immediately before the word “village” the words “neighbourhood,”.</p> <p>Delete the words “, with the approval of the Minister,”.</p>
<p><b>Section 51(1)</b> <b>and (2)</b> <b>including the</b> <b>marginal note</b></p>	<p>Insert immediately before the word “village”, wherever the word appears, the words “neighbourhood,”.</p>
<p><b>Sections 52</b></p>	<p>3. Insert immediately before the word “village”, where the word appears <b><u>for the first time</u></b>, the words “neighbourhood,”.</p> <p>4. <b><u>Insert immediately before the word “village” where the word appears for the second time, the words “neighbourhood or”.</u></b></p>

<p><b>Section 53</b></p>	<p>Insert immediately before the word “village” the words “neighbourhood.”.</p>
<p><b>Section 54</b></p> <p><b>subsection (1)</b></p> <p><b>subsection (2)</b></p> <p><b>subsection (4)</b></p> <p><b>subsection (6)</b></p>	<p>Insert immediately before the word “village” the words “neighbourhood.”.</p> <p>For the words “approval,” substitute the word “notification” and delete the words “and the Minister may approve of them either in their entirety or subject to such changes as he may think fit”.</p> <p>For the word “its” substitute the word “his”.</p> <p>Delete the words “, determined in such manner as may be approved by the Minister”.</p>
<p><b>Section 55</b></p> <p><b>the opening part,</b></p> <p><b>paragraphs (e), (f)</b></p> <p><b>and (g)</b></p> <p><b>paragraph (c)</b></p>	<p>Insert immediately before the word “village” the words “neighbourhood.”.</p> <p>Delete the words “or to the body known as the Guyana Village</p>



<p><b><u>paragraph (g)</u></b></p> <p><b>proviso</b></p>	<p>Chairman’s Conference”.</p> <p><b><u>For the colon at the end of paragraph (g), substitute a full stop.</u></b></p> <p>Delete.</p>
<p><b>Sections 56, 57(1), 58(1) and 59</b></p>	<p>Insert immediately before the word “village” the words “neighbourhood,”.</p>
<p><b>Section 64</b></p>	<p>Delete the words “, without naming him”.</p>
<p><b>Section 66</b></p> <p><b>subsection (1)(a)</b></p> <p><b>subsection (2)</b></p>	<p>For the word “Minister” substitute the word “Council”.</p> <p>Insert immediately before the word “village” the words “neighbourhood,”.</p>
<p><b>Section 67</b></p> <p><b>subsections (1)</b></p> <p><b>and (2)</b></p>	<p>Insert immediately before the word “village” the words “neighbourhood,”.</p>

<p><b>subsection (4)(b)</b></p>	<p>For the words “five per cent <i>per annum</i> shall thereupon become due and payable” substitute the words “<b><u>not more than one per cent</u></b> above the lending rate at a commercial bank where the Council would have borrowed the said sum payable”.</p>
<p><b>Section 68</b></p> <p><b>subsection (1)(b)</b></p> <p><b>subsection (2)</b></p>	<p>Delete.</p> <p>Insert immediately before the word “village” the words “neighbourhood,”.</p>
<p><b>Section 69</b></p>	<p><b><u>Substitute the following section for section 69 -</u></b></p> <p>“Power to exempt property from payment of rates on the ground of poverty of proprietor.</p> <p><b><u>69. The local authority of a neighbourhood, village or country district may, with the approval of the Minister, exempt, on the ground of the poverty of the proprietor any lot or building from the payment of any rates under this Act.”</u></b></p>
<p><b>Sections 70, 71(1), (2), (3) and (5), 72(1) and (2), 73, 74, 75(1) and (3)</b></p>	<p>Insert immediately before the word “village” the words “neighbourhood,”.</p>
<p><b>Section 79</b></p>	<p>Substitute the following section for section 79 –</p> <p>“Fees on 79. (1) The Minister of Legal Affairs shall, by Order prescribe the fees payable for any process of</p>

	<p>distress issued under this Act.</p> <p>(2) Fees shall be paid at the first instance by the party applying for process.</p> <p>(3) Costs shall be awarded in the matter of the distress.”</p>
<b>Sections 80 and 81</b>	Insert immediately before the word “village” the words “neighbourhood,”.
<b><u>Sections 82 and 83</u></b>	<b><u>Delete the words “or the district commissioner” wherever they appear.</u></b>
<b>Section 84(1)</b>  <b>and (2)</b>	<p>Substitute the following section for section 84 –</p> <p>“Fees on 84. (1) The Minister of Legal Affairs shall, by Order, parate or prescribe the fees for the process of parate or summary execution. summary execution.</p> <p>(2) No charge shall be made for traveling expenses, distance money, conditions of sale, copies of documents, printing, or any other matter not prescribed.”</p>
<b>Section 86(1)</b>	

<b>and (2)</b>	Insert immediately before the word “village”, wherever the word appears, the words “neighbourhood,”.
<b>Section 87</b>	<b><u>Delete subsection (2) and renumber subsection (1) as section 87.</u></b>
<b>Section 88(1)</b>	Insert immediately before the word “village”, wherever the word appears, the words “neighbourhood,”.
<b>Section 99</b>	Insert immediately before the word “village” the words “neighbourhood,”.
<b>Section 100</b>	Delete the words “with the prior approval of the Minister”.
<b>Section 109 including the marginal note</b>	For the words “five hundred dollars” substitute the words “twenty thousand dollars”.
<b>PART VIII Heading</b>	Insert immediately before the word “VILLAGE” the words “NEIGHBOURHOOD,”.
<b>Section 114</b>	Insert immediately before the word “village”, wherever the word appears, the words “neighbourhood,”.

<b>Section 115(1)</b>	<ol style="list-style-type: none"> <li>1. Insert immediately before the word “village”, where the word appears for the first and third time, the words “neighbourhood,”.</li> <li>2. Insert immediately before the word “village” where the word appears for the second time, the words “neighbourhood democratic council,”.</li> </ol>
<b>Section 120</b>	For the words “shall be liable to a fine of one hundred dollars” substitute the words “commits an offence and shall be liable to a fine of one hundred thousand dollars and to a further fine of ten thousand dollars for each day the offence continues”.
<b>Section 121</b>	Insert immediately before the word “village” the words “neighbourhood,”.
<b>PART IX Heading</b>	Insert immediately before the word “VILLAGE” the words “NEIGHBOURHOOD,”.
<b>Sections 122 and 125</b>	Insert immediately before the word “village” the words “neighbourhood,”.
<b>Section 126A</b>	Insert immediately after section 126 the following as section 126A

	<p>together with the marginal note “Local Authority to respond to emergency or disaster.</p> <p>126A. (1) Each local authority shall respond to emergencies or disasters in a manner as determined by the local authority whether it is a national or local emergency or disaster within their Neighbourhood Democratic Council or in another Neighbourhood Democratic Council.</p> <p>(2) Each local authority may prescribe general procedures for the handling of emergencies or disasters including the deployment of personnel and equipment necessary.”.</p>
<p><b>Section 128</b> <b>including the</b> <b>marginal note</b></p>	<p>Insert immediately before the word “village” the words “neighbourhood,”.</p>
<p><b>Section 129</b></p>	<p>Insert immediately before the word “village”, wherever the word appears, the words “neighbourhood,”.</p>
<p><b>Section 130(2)</b></p>	<p>Insert immediately before the word “village” the words “neighbourhood democratic council,”.</p>
<p><b>Part XI Heading</b></p>	<p>Insert immediately before the word “VILLAGE” the words</p>

	“NEIGHBOURHOOD,”.
<b>Section 131</b>	<ol style="list-style-type: none"> <li>1. Insert immediately before the word “village”, where the word appears for the first time, the words “neighbourhood,”.</li> <li>2. Insert immediately before the word “village”, where the word appears for the second time, the words “neighbourhood democratic council,”.</li> </ol>
<b>marginal note</b>	Insert immediately before the word “village” the words “neighbourhood,”.
<b>Sections 132</b>	<b><u>Insert immediately before the word “village”, the words “neighbourhood,”.</u></b>
<b>Section 133</b>	<ol style="list-style-type: none"> <li><b><u>4. Insert immediately before the word “village”, the words “neighbourhood,”.</u></b></li> <li><b><u>5. In the opening part substitute for the colon a full stop.</u></b></li> <li><b><u>6. Delete the proviso.</u></b></li> </ol>
<b>Section 134</b> <b>subsection (1)</b>	<ol style="list-style-type: none"> <li><b><u>1. For the words “The Audit-General or district commissioner or any person authorised in writing by either of them,” substitute the words “The Auditor General”.</u></b></li> <li><b><u>2.</u></b> Insert immediately before the word “village” the words</li> </ol>

	“neighbourhood,”.
<b>Section 135</b>	Insert immediately before the word “village”, wherever the word appears, the words “neighbourhood,”.
<b>Section 136(1)</b>	<ol style="list-style-type: none"> <li><b><u>1.</u></b> Insert immediately before the word “village”, wherever the word appears, the words “neighbourhood,”.</li> <li><b><u>2.</u></b> <b><u>For the words “district commissioner” wherever they appear, substitute the word “council”.</u></b></li> <li><b><u>3.</u></b> Delete the words “or in the post office savings bank”.</li> </ol>
<b>Section 137</b>	For the words “to a public officer designated by the Minister or the district commissioner”, substitute the words “as revenue to the local authority”.
<b>Sections 138</b>	<ol style="list-style-type: none"> <li><b><u>3.</u></b> Insert immediately before the word <b><u>“village”, the words</u></b> “neighbourhood,”.</li> <li><b><u>4.</u></b> <b><u>Delete the words “the district commissioner or”</u></b></li> </ol>
<b>Section 139 (1) and (2)</b>	<ol style="list-style-type: none"> <li><b><u>1.</u></b> Insert immediately before the word “village”, wherever the word appears, the words “neighbourhood,”.</li> <li><b><u>2.</u></b> <b><u>For the words “district commissioner” wherever they appear substitute the word “council”.</u></b></li> </ol>



<p><b>subsection 3</b></p>	<p><b><u>3. In subsection (3) for the words “he may” substitute the words “the council may”.</u></b></p>
<p><b>Section 140(1)</b></p>	<ol style="list-style-type: none"> <li>1. Insert immediately before the word “village” the words “neighbourhood,”.</li>   <li>2. For the words “one hundred thousand dollars”, substitute the words “one million dollars”.</li> </ol>
<p><b>Section 146A</b></p>	<p>Insert immediately after section 146 the following as section 146A together with the marginal note “Blockage of drainage or irrigation canal.</p> <p>146A. (1) Notwithstanding anything in this Act, any proprietor or occupier or anyone acting on behalf of a proprietor or occupier who fills in or interrupts the free flow of water in a waterway meant to provide drainage or irrigation in any local authority district, commits an offence and is liable on summary conviction to a fine of not less than three hundred thousand dollars nor more than five hundred thousand dollars; and to a further fine of ten thousand dollars for each day that the offence continues after conviction.</p>

	<p>(2) The Minister or the local authority, acting on the written instructions of the Minister, shall without delay remove the blockage in the waterway referred to in subsection (1) and add any expenditure incurred in the removal of the blockage to the rates payable by the proprietor of the property.”.</p>
<p><b>Section 147</b> <b>paragraph (b)</b></p> <p><b>paragraphs (c),</b> <b>(e), (f) and (g)</b></p> <p><b>paragraph (k)</b></p> <p><b>paragraph (l)</b></p>	<p><b><u>2.</u> Delete the words “any district commissioner.”.</b></p> <p><b><u>3.</u> Insert immediately before the word “village”, where the word appears for the first time, the words “neighbourhood democratic councillor.”.</b></p> <p><b><u>4.</u> Insert immediately before the word “village”, where the word appears for the second time, the words “neighbourhood democratic council.”.</b></p> <p>Insert immediately before the word “village” the words “neighbourhood.”.</p> <p>For the comma at the end of paragraph (k) substitute a semi-colon.</p> <p>Immediately after paragraph (k) insert the following paragraph as paragraph (l)–</p>

<p><b>closing lines to section 147</b></p>	<p>“(1) litters any public street or public road or parapet in a local authority or dumps any domestic or commercial or industrial or hazardous garbage in an area of a local authority not designated as a place for the dumping garbage.”.</p> <p>Delete the closing lines and substitute the following –</p> <p>“shall be liable to a fine of twenty thousand dollars and to a further fine of five thousand dollars for each day that the offence continues after due and proper notice was given.”.</p>
<p><b>Section 150</b></p>	<p>For the words “five hundred dollars” substitute the words “fifty thousand dollars”.</p>
<p><b>Sections 151, 152 and 156</b></p>	<p>Insert immediately before the word “village”, wherever the word appears, the words “neighbourhood,”.</p>
<p><b>Section 169</b></p>	<p>Delete the words <u>“, not exceeding sixty-five dollars for each copy,”</u>.</p>

<p><b>Section 170A</b></p>	<p>Insert immediately after section 170 the following as section 170A together with the marginal note “Subsidiary legislation.</p> <p>170A. Notwithstanding anything in this Act, the Minister may make subsidiary legislation for giving effect to this Act and anything which is to be prescribed in pursuance of this Act.”.</p>
<p><b>Section 170B</b></p>	<p>Insert immediately after section 170A the following as section 170B together with the marginal note “Establishment of a constabulary.</p> <p>170B. (1) The Minister may by regulations provide for the establishment and maintenance of a constabulary for each Neighbourhood Democratic Council (hereinafter referred to as N.D.C.) and the regulations may include provisions that –</p> <ul style="list-style-type: none"> <li>(a) the N.D.C. shall maintain the constabulary out of its own resources;</li> <li>(b) members and ranks of each N.D.C. shall be as determined by the resolution of each N.D.C.;</li> <li>(c) a constabulary established under this section shall not be dissolved or disbanded without prior approval of the Minister;</li> <li>(d) each constabulary regardless of the number of its members and ranks, shall be headed by a Chief</li> </ul>

Constable who shall be a member of the constabulary and who shall be under the command of the overseer of the N.D.C.;

(e) members of each constabulary shall be governed by rules prescribed by the Minister;

(f) members of a constabulary shall make themselves available, and submit themselves whenever required by the N.D.C., for training in their duties by the Guyana Police Force;

(g) members of each constabulary may bear arms in accordance with regulations made by the Minister.

(2) Every member of a constabulary has in relation to –

(a) any offence committed against this Act;

(b) any offence committed in any place vested in, or under the control of, the N.D.C. or in any public place in the council area,

all the powers and is entitled to all the privileges and immunities conferred on a police constable by any law for the time being in force.

(3) Where a constable lays an information or makes a complaint against any person in respect of any offence against this Act, any

	<p>member of a constabulary not below the rank of corporal and serving in the same constabulary as the aforesaid constable may appear before the magistrate exercising jurisdiction in the matter and has the same powers and privileges as to addressing the magistrate and examining the witnesses as the constable who laid the information or made the complaint would have had.”.</p>
<p><b>First Schedule</b> <b>Forms 1, 2, 3 and 4</b></p>	<ol style="list-style-type: none"> <li>1. Insert immediately above the word “village”, wherever the word appears, the word “neighbourhood”.</li> <li>2. For the word “19” substitute the word “20”.</li> </ol>
<p><b>Second and</b> <b>Third Schedules</b></p>	<p>Repeal.</p>

### **EXPLANATORY MEMORANDUM**

The main thrust of this Bill is to include the neighbourhood democratic council in the local government system for all purposes.

The Bill makes some consequential amendments and increases penalties in a number of areas.

The Bill gives the Minister of Legal Affairs the power to prescribe by order fees payable for any process, including the process of parate execution.

**Minister of Local Government and Regional Development**