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The following Bill which has been introduced in the National Assembly is published for general information.

*F. A. NARAIN,*  
*Clerk of the National Assembly.*



**GUYANA**

BILL No. 23 of 1974

THE NATIONAL SCIENCE RESEARCH COUNCIL BILL, 1974

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### A BILL

#### Intituled

A ACT to provide for the establishment and incorporation of the National Science Research Council and for purpose connected therewith.

A.D. 1974 Enacted by the Parliament of Guyana:—

Short  
title  
and com-  
mencement.

1. This Act may be cited as the National Science Research Council Act, 1974, and shall come into force on such day as the Minister may appoint by order.

Inter-  
pretation.

2. In this Act unless the context otherwise require —

“Chairman” means the Chairman of the Council and includes any person performing the functions of Chairman of the Council;

“Council” means the National Science Research Council established by section 3;

“invention” includes any new process or new technique, whether or not a patent could be granted in relation thereto;

“member” means a member of the Council and includes the Chairman;

“Minister” means the Minister assigned responsibility for economic planning and development;

“Secretary-General” means the Secretary-General of the Council appointed under section 10.

3. There is hereby established a body to be called the National Science Research Council which shall be a body corporate.

Estab-  
lishment  
and incor-  
poration  
of the  
Council.

4. (1) It shall be the function of the Council —

Functions  
of the  
Council.

- (a) to assist in the formulation of, and to advise the Government on, a National Science Policy;
- (b) to determine priorities for scientific and technological activities in Guyana; and
- (c) to promote research and to ensure the application of the results of scientific and technological activities to the development of agriculture, industry and social welfare in Guyana.

(2) In particular and without prejudice to the generality of the provisions of subsection (1), it shall be the function of the Council —

- (a) to advise the Government on the application of science and scientific research to problems of national importance;
- (b) to advise the Government on priorities in the national research programme;
- (c) to advise on the allocation of funds for scientific research and on the recruitment and use of research staff.
- (d) to advise upon, and encourage the training of, research personnel by the provision of scholarships, fellowship, bursaries and other forms of assistance;
- (e) to advise on the action to be taken to maintain an adequate supply of scientific and technical personnel having regard to the need of Guyana from time to time for such personnel;
- (f) to advise on suitable arrangements for planning, managing and co-ordinating scientific activities at various levels, including the establishment of Research Institutes;
- (g) to review generally and advise on the programmes and budgets of Research Institutes;
- (h) to collect and disseminate information relating to scientific and technical matters, and to publish reports and papers and hold conferences on scientific and technical matters;

(i) to do such other things as may be necessary for the advancement of scientific and technological research in Guyana for the purposes of national development.

(3) Subject to the provisions of this Act, the Council shall have power to do anything which in its opinion is necessary to ensure the proper discharge of its functions under this Act.

Members  
of the  
Council.

5. (1) Subject to section 7 (3), the Council shall consist of not more than thirty members who shall be appointed by the Minister by instrument in writing from amongst persons appearing to him to be qualified and experienced in matters relating to science, technology, industry, finance or administration, or having such other qualification or experience which the Minister considers to be relevant to the development of Guyana.

(2) At least six members representing between them the various sciences and technology shall be appointed by the Minister after consultation with the University of Guyana.

(3) A member, other than the Chairman, may at any time resign his office by instrument in writing addressed to the Chairman, who shall forthwith cause the same to be forwarded to the Minister and upon the date of the receipt by the Chairman of such instrument such member shall cease to be a member.

(4) The Chairman may at any time resign his office by instrument in writing addressed to the Minister and such resignation shall take effect as from the date of the receipt of such instrument.

(5) The Minister may terminate the appointment of a member who absents himself from three consecutive meetings of the Council without leave from the Council.

(6) The names of the members of the Council as first constituted and every change in the membership thereof shall be published in the *Gazette*.

Affixing  
of the  
seal of  
the  
Council.

6. (1) The seal of the Council shall be kept in the custody of the Chairman or the Deputy Chairman or the Secretary-General or such other officer of the Council as the Council may approve, and may be affixed to instruments pursuant to a resolution of the Council and in the presence of the Chairman, or Deputy Chairman, and the Secretary-General.

(2) The seal of the Council shall be authenticated by the signature of the Chairman, or Deputy Chairman, and the Secretary-General, and shall be officially and judicially noticed.

(3) All documents, other than those required by law to be under seal, made by, and all decisions of, the Council may be signified under the hand of the Chairman, or Deputy Chairman, or the Secretary-General.

7. (1) The Council shall meet at such times as may be necessary or expedient for the transaction of business and meetings of the Council shall be held at least twice in every year and at such places and times and on such days as the Council may determine.

Meetings  
of the  
Council  
and pro-  
cedure.

(2) The Chairman may at any time call a special meeting of the Council and shall call a special meeting within seven days of a requisition for that purpose addressed to him in writing by any four members.

(3) Ten members of the Council shall form a quorum for the transaction of business at a meeting.

(4) Minutes in proper form of each meeting shall be recorded and shall be confirmed by the Council at a subsequent meeting.

(5) Subject to the provisions of this Act, the Council shall have the power to regulate its own proceedings.

8. (1) The Council may appoint such committees as it may think fit to advise the Council in the exercise of any of its functions under this Act.

Committees.

(2) Every committee appointed under this section shall consist of at least two members of the Council, of whom one shall be appointed to be chairman of the committee, and such other persons, whether members of the Council or not, as the Council may think fit.

9. Subject to the provisions of this Act, the Council may delegate to any member or committee or officer of the Council the power and authority to carry out on its behalf such functions as the Council may determine.

Power to  
delegate  
functions

10. (1) The Council may appoint and employ at such remuneration and on such terms and conditions as it thinks fit, a Secretary-General (who shall be the Chief Executive Officer of the Council) and such other officers, other employees and agents as it thinks necessary for the proper carrying out of its functions under this Act:

Power to  
appoint  
officers  
and other  
employees  
and agents

Provided that —

(a) no salary in excess of seven thousand two hundred dollars per annum shall be assigned to any office without the prior approval of the Minister;

(b) no appointment shall be made to any office to which a salary in excess of seven thousand two hundred dollars per annum is assigned without the prior approval of the Minister.

11. (1) No action, suit, prosecution or other proceedings shall be brought or instituted personally against any member in respect of any

Protection  
of members

act done *bona fide* in pursuance of the execution or intended execution of this Act.

(2) Where any member is exempt from liability by reason only of the provisions of this section the Council shall be liable to the extent that it would be if such member were an officer or other employee, or agent, of the Council.

Remuner-  
ation of  
members.

12. There shall be paid to the Chairman and other members such remuneration (if any) (whether by way of salaries or travelling or other allowances) as the Minister may determine.

Funds and  
resources  
of the  
Council.

13. (1) The funds and resources of the Council shall consist of —

- (a) such sums as may be provided by Parliament; and
- (b) all other sums or property which may in any manner become payable to or vested in the Council for the general purposes of the Council or in respect of any matter incidental thereto.

(2) The expenses of the Council (including any remuneration of the members, officers, other employees and agents thereof) shall be paid out of the funds and resources of the Council.

Accounts  
and audit.

14. (1) The Council shall keep proper accounts and other records in respect of its operations and such accounts shall be audited annually by an auditor appointed by the Council with the approval of the Minister.

(2) The members, the Secretary-General, officers and other employees of the Council shall grant to the auditor appointed to audit the accounts of the Council under this section, access to all books, documents, cash and securities of the Council and shall give to him on request all such information as may be within their knowledge in relation to the functions of the Council.

(3) Any person who fails or refuses or neglects to comply with any request made by the auditor under this section or otherwise obstructs him in the performance of the functions conferred upon him by this section shall be liable on summary conviction to a fine of fifty dollars or, in default of payment, to imprisonment for one month.

Report  
and  
accounts  
to be  
submitted  
to the  
Minister.

15. (1) The Council shall not later than the 30th June in each year prepare and submit to the Minister a report on its activities during the last preceding calendar year, including a statement of its accounts audited in accordance with the provisions of section 14.

(2) The Minister shall cause a copy of the report together with the audited statement of accounts and the report of the auditor thereon to be laid before the National Assembly.

(3) The Council shall submit to the Minister for approval not later than 30th September in each year, its estimates of revenue and expenditure for the next ensuing calendar year and shall during the last-mentioned year submit to the Minister for his approval any estimates of further expenditure as may become necessary.

16. (1) All discoveries and inventions made by the Council or by any of its officers or other employees or agents in the performance of its functions under this Act, shall be vested in the Council and the Council may make any such discovery or invention available to the public on such conditions and subject to the payment of such fees or royalties as the Council may think fit.

Discoveries  
and  
inventions.

(2) The Council may, with the approval of the Minister —

- (a) pay such bonuses or royalties as it may think fit to any person who makes any discovery or invention in the course of any research undertaken by or carried out under the direction of the Council, whether such person is a member, officer or other employee of the Council or not;
- (b) where any discovery or invention is made available to the public subject to the payment of fees or royalties, exempt any person from the requirement to pay such fees or royalties or any portion thereof.

17. The Minister may, after consultation with the Chairman, give to the Council directions of a general character as to the policy to be followed by the Council in the performance of its functions and the Council shall give effect to any such directions.

Policy  
directions.

18. The Council shall be exempt from the payment of customs duty, capital gains tax, corporation tax, income tax, property tax, and purchase tax.

Exemption  
from taxes.

19. Any person who —

Offences.

- (a) being a member, officer or other employee or agent of the Council without the authority of the Council publishes or communicates to any person otherwise than in the course of his duties as a member, officer, or other employee or agent of the Council, any information acquired by him in the course of such duties; or
- (b) being in possession of any information which to his knowledge has been disclosed in contravention of this Act, publishes or communicates such information to any person, shall be liable on summary conviction to a fine of one thousand dollars and to imprisonment for a term of two years.

Regulations. 20. The Minister may, after consultation with the Council, make regulations for the carrying out of the provisions of this Act.

#### EXPLANATORY MEMORANDUM

This Bill seeks to establish a National Science Research Council with the responsibility for assisting in the formulation of, and advising the Government on, a National Science Policy for Guyana.

The Council shall be a body corporate whose members will be appointed by the Minister responsible for economic planning and development. The funds and resources of the Council will consist of monies provided by Parliament together with monies and other property donated to or vested in the Council.

Clauses 8 and 9 of the Bill seek to empower the Council to appoint Committees and to delegate its functions to any member or committee of the Council.

Clause 18 of the Bill seeks to exempt the Council from the payment of capital gains tax, corporation tax, customs duty, income tax, property tax, and purchase tax.

Clause 19 seeks to make it an offence for any person to publish without the Council's authority information acquired in the course of performing his duties with the Council, or to disseminate information in contravention of the provisions of the legislation.

*K. F. S. King,*  
Minister of Economic Development.

(Bill No. 23/1974).

