

PARLIAMENT OFFICE,  
Public Buildings,  
Georgetown.

1st October, 1969.

The following Bill which will be introduced in the National Assembly is published for general information.

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

No. 369

BILL NO. 25 OF 1969

LOCAL AUTHORITIES (VALIDATION OF APPOINTMENT  
AND ACTS OF MEMBERS) BILL, 1969.

Arrangement of Sections.

Section

1. Short title.
2. Interpretation.
3. Amendment of section 3 of the Local Government (Postponement of Elections) Ordinance, 1961.
4. Amendment of section 72 of Chapter 150.
5. Validation of acts.

A BILL

intituled

AN ACT to amend certain enactments relating to Local Authorities and to validate the appointment and acts of certain persons who purported to exercise the functions of members of those authorities.

A.D. 1969. Enacted by the Parliament of Guyana:—

Short title. 1. This Act may be cited as the Local Authorities (Validation of Appointment and Acts of Members) Act, 1969.

Interpretation. 2. In this Act, unless the context otherwise requires "Board" means the Local Government Board;

No. 41 of 1961. "the Ordinance" means the Local Government (Postponement of Elections) Ordinance, 1961;

Cap 150. "the Principal Ordinance" means the Local Government Ordinance.

Amendment of section 3 of the Local Government (Postponement of Elections) Ordinance, 1961. 3. Section 3 of the Ordinance is hereby amended by the insertion immediately after the word "Board" of the brackets and word "(although he does not possess all of the qualifications prescribed by section 32 of the Principal Ordinance)".

No. 41 of 1961.

Amendment of section 72 of Chapter 150. 4. Section 72 of the Principal Ordinance is hereby amended in the following respects —

- (a) by the deletion of the words "and shall vacate office two years thereafter" from subsection (4) and the substitution therefor of the words "or on such other date as the Board may direct; they shall vacate office on 31st December in the year next ensuing the year in which they were appointed"; and
- (b) by the substitution of a comma for the full stop after the word "district" in subsection (6) and the addition thereafter of the words "and any person becoming a member of a country authority by virtue of an increase in the membership thereof under this sub-

section shall vacate office at the same time as those members of the country authority who assumed office in accordance with the provisions of subsection (4) of this section."

5. (1) The amendment effected by section 3 of this Act shall be deemed to have come into operation at the commencement of the Ordinance: Validation  
of acts

Provided that no proceedings shall be instituted against —

- (a) the Board or a village council for having declared the office of a member of a village council to be vacant between the commencement of the Ordinance and this Act and which declaration would, but for the aforesaid amendment, have been lawfully made;
- (b) the Board for having filled the office so declared vacant;
- (c) any person for having assumed and performed the functions of the office of a member of a village council on the nomination of the Board.

(2) All acts done in good faith as a member of a village council by a person referred to in paragraph (c) of the proviso to subsection (1) of this section are hereby declared in all respects to have been validly, properly and lawfully done.

(3) Any member of a country authority who, prior to the enactment of this Act, assumed office as such member on a date other than the 1st January after his appointment shall, notwithstanding that section 4 of this Act had not been in force be deemed to have validly assumed office.

#### EXPLANATORY MEMORANDUM

In 1961, elections to membership of village councils were suspended by the Local Government (Postponement of Elections) Ordinance, 1961, in preparation for the introduction of local government reform. Section 3 of the Ordinance continued in office those village councillors who were then in office but empowered the Local Government Board to fill any vacancy by nomination and the person so nominated was deemed to have been elected to membership of the village council under the Local Government Ordinance. The operation of the provisions of the Local Government Ordinance providing for the vacation of office by village councillors was not, however, suspended. There have been instances where persons who were not qualified to be village councillors in accordance with section 32 of the Local Government Ordinance (which *inter alia* requires a councillor to be a registered voter) were nominated to fill vacancies on village councils. However, the provisions of section 32 of the Local Government Ordinance could not have been complied with because the registers of voters in village districts have not been revised since 1961 and no such registers are in force.

It is the Government's policy that local government elections should be based on adult suffrage and that for such time as elections to membership of village councils remain suspended, vacancies on those councils could also be filled by persons who under the existing law do not possess all of the qualifications for election to membership of village councils, for example, the requirement of being a proprietor. Clause 3 of the Bill, therefore, seeks to amend section 3 of the Local Government (Postponement of Elections) Ordinance, 1961, to provide that a person may be nominated by the Local Government Board to fill a vacancy on a village council although he may not possess all of the qualification required by section 32 of the Local Government Ordinance.

Section 72 of the Local Government Ordinance (Chapter 150) provides for country authorities to be constituted. Section 72(4) provides for the members constituting the authority to assume office on the 1st January after appointment and to vacate office two years thereafter. It has occurred that some persons who were appointed as members of country authorities assumed office otherwise than in accordance with section 72(4) of the Local Government Ordinance. Clause 4 of the Bill therefore seeks to authorise the Local Government

Board to direct that a person who has been appointed as a member of a country authority shall assume office on a date other than the 1st January after his appointment. This provision will enable the Board to increase the number of members of a country authority at any time if it is considered desirable.

Clause 5 of the Bill seeks to provide validating provisions consequent on the amendments contained in clauses 3 and 4.

C. M. L. JOHN,  
Minister of Local Government.

(Bill No. 25/1969)  
(LG: 1/2)

No. 370

## GOVERNMENT NOTICES

### APPOINTMENTS

#### District Probation Committees

The following persons have been appointed members of the undermentioned District Probation Committees for a period of two years as from 1st October, 1969.

#### Georgetown District:

Dr. J. A. Gomes, M.B.E., Mrs Ruth Thom, Miss Edna Cadogan, Mrs Rona Maraj, Mr. E. O. Caleb, Juvenile Employment Officer, Mr. Aubrey Bishop, Mr. Eric . Dublin.

#### East Demerara District:

Miss Flora Agard, Mr Soosingh, Mrs C. P. Melbourne, Mr Harold Ramotar, Mr Sydney Worrell, Mrs Mu Grant, Mr S. K. Joseph, Mr Lionel Lucas.

#### West Demerara District:

Miss Cita Wilkins, Miss Cynthia Daly, Mr C. A. Khan, Mr Deo at Persaud, Mr Balgit Ramdin, The Education Officer, West Demerara, Mr Ivan Smith — Greene, Miss Pauline Lawrence.

#### Berbice District:

Moulvie J. Sheik, Mr H. A. Martindale, Mrs Lilian Hughes, Mrs C. Barran, Mr Abdul Rahaman, The Senior Labour Officer, Berbice, Mr H. C. Scarder, Mr C. M. Spencer.

#### Corentyne District:

Miss Vesta Lowe, B.Sc., Mr A. R. Khan, Mr B. P. A. Branco, M.B.E., Mr B. C. Nathoo, Rev. W. Jagnandan, J.P., Mr H. McGowan J.P., Carran D. H. Goodrich, Mr C. V. Richmond-Patterson.

#### Essequibo District:

Mr Charles Augustus, J.P., Mr William Dainty, M.B.E., Mrs Celeste Elias, Mr Yacoob Mazharally, Rudolph Mendeo, Mr Muntaz Ali Shah, Mrs Alice Singh, Mrs Eloise Tellas.

Ministry of Home Affairs.

D. Shepherd  
Permanent Secretary.