

**THE OFFICIAL GAZETTE—15TH MAY, 1985  
LEGAL SUPPLEMENT — C**

PARLIAMENT OFFICE,  
Public Buildings,  
Georgetown,  
Guyana.

1985—05—13.

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. 8 of 1985**

**NATIONAL SECURITY (MISCELLANEOUS PROVISIONS)**

**(AMENDMENT) BILL 1985**

**ARRANGEMENT OF SECTIONS**

**SECTION**

1. Short title.
2. Re-enactment of Part II of the Principal Act with modifications.
3. Amendment of section 15 of the Principal Act.
4. Insertion of new section 30A in the Principal Act.

A BILL

Intituled

AN ACT to amend the National Security (Miscellaneous Provisions) Act for the purpose of re-enacting Part II thereof with modifications and for certain other purposes.

A.D. 1985 Enacted by the Parliament of Guyana:—

Short title. 1. This Act, which amends the National Security (Miscellaneous Provisions) Act, may be cited as the National Security (Miscellaneous Provisions) (Amendment) Act 1985.

Re-enactment of Part II of the Principal Act with modifications. No. 2 of 1985. 2. The provisions of Part II of the Principal Act, as last re-enacted by the National Security (Miscellaneous Provisions) (Amendment) Act 1982, which expired before the enactment of this Act, are hereby re-enacted subject to the following modifications, that is to say, —

- (a) in section 3, in the definition of “legal adviser” or “legal representative” the substitution, for the words “advocate or solicitor”, of the word “attorney-at-law”;
- (b) in section 4 (1), the insertion, after the words “defence of Guyana,”, of the words “or for the purpose of preventing him from acting in any manner likely to cause the subversion of democratic institutions in Guyana,”;
- (c) in section 12 (1), the insertion, after the words “defence of Guyana,”, of the words “or for the purpose of preventing him from acting in any manner likely to cause the subversion of democratic institutions in Guyana,”;
- (d) in section 13 —
  - (i) in the marginal note, the insertion, after the word “tribunal”, of the words “for purposes of article 148 of the Constitution”;
  - (ii) the deletion of subsection (1) and the substitution of the following subsection therefor —

“(1) For the purposes of article 148 of the Constitution, there shall be and there is hereby established an advisory tribunal consisting of —

- (a) a chairman appointed by the Chancellor from among persons entitled to practise in Guyana as attorneys-at-law; and
  - (b) two other members appointed by the Chancellor from among persons who hold or have held judicial office in Guyana.”;
- (e) the deletion of section 14.

3. Section 15 (1) of the Principal Act is hereby amended by the insertion, after the words “defence of Guyana”, of the words “, or for the purpose of preventing the subversion of democratic institutions in Guyana,”. Amendment of section 15 of the Principal Act.

4. The Principal Act is hereby amended by the insertion, after section 30, of the following section as section 30A — Insertion of new section 30A in the Principal Act.

30A. (1) For the purposes of article 151 of the Constitution, there shall be and there is hereby established an advisory tribunal consisting of — “Advisory tribunal for purposes of article 151 of the Constitution.”

- (a) a chairman appointed by the Chancellor from among persons entitled to practise in Guyana as attorneys-at-law; and
- (b) two other members appointed by the Chancellor from among persons who hold or have held judicial office in Guyana.

(2) The advisory tribunal referred to in subsection (1) may, with the approval of the Chancellor, make rules for the purpose of the discharge of its functions and, subject thereto, may regulate its own procedure.

(3) Rules made pursuant to the preceding subsection shall be laid in the National Assembly at its next sitting following their publication.”.

### EXPLANATORY MEMORANDUM

The Bill seeks to re-enact Part II of the National Security (Miscellaneous Provisions) Act, Cap. 16:02, which expired on 21st May, 1984, with certain modifications. The modifications mainly are the following —

- (1) in sections 4(1) and 12(1) the need to prevent the subversion of democratic institutions in Guyana is sought to be included as a ground for taking action under those provisions;

- (2) the constitution of the advisory tribunal established by section 13 is sought to be modified by giving the power to appoint all the members to the Chancellor and by providing that the two members, other than the chairman, shall be persons who hold or have held judicial office in Guyana;
- (3) section 14 is sought to be deleted.

2. An amendment, similar to the amendments proposed in sections 4(1) and 12(1), is sought to be made also in section 15(1) of Part III of the Act.

3. A new section 30A is sought to be inserted in Part V of the above Act for establishing an advisory tribunal for the purposes of article 151 of the Constitution.

*Jeffrey R. Thomas,*  
Minister of Home Affairs.

(Bill No. 8/1985).