

GUYANA

BILL No. 13 of 1985

LOCAL DEMOCRATIC ORGANS (AMENDMENT) BILL 1985

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Amendment of section 22 of the Principal Act.
3. Insertion of new section 31A in the Principal Act.

A BILL

Intituled

AN ACT to amend the Local Democratic Organs Act 1980.

Enacted by the Parliament of Guyana :—

A.D. 1985

1. This Act, which amends the Local Democratic Organs Act 1980, may be cited as the Local Democratic Organs (Amendment) Act 1985.

Short title.
No. 12 of
1985

2. Section 22 of the Principal Act is hereby amended —

Amendment
of section
22 of the
Principal Act.

(a) by the substitution, in subsection (1), for the words “A vacancy”, of the words “Subject to the other provisions of this Act, a vacancy”;

(b) by the insertion, after subsection (2), of the following subsection —

“(3) Where a person who holds the office of chairman or vice-chairman of a council ceases to be a member thereof by virtue of a dissolution of that council under article 73 (2) of the Constitution, he shall not by reason thereof vacate the office of chairman or vice-chairman, as the case may be, until a chairman or vice-chairman, as the case may be, of the council is elected under this Act after the election, following such dissolution, of the members of the council.”.

3. The Principal Act is hereby amended by the insertion, after section 31, of the following section as section 31A —

Insertion of
new section
31A in the
Principal Act.

“Perform-
ance of
functions of
council by
chairman or
vice-chair-
man in
certain
circum-
stances.

31A. During the period commencing on the date on which a council is dissolved under article 73 (2) of the Constitution and ending with the date on which the first meeting of the members of the council, elected at an election following such dissolution, is held, the functions conferred on the council by this Act or any other written law shall be performed —

(a) by the chairman of the council; or

(b) in the event of a vacancy arising in the office of the chairman on account of his death or resignation, or during any period when the chairman is unable to perform the functions of his office, by the vice-chairman.”.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Local Democratic Organs Act (Act No. 12 of 1980) so as to provide that where a council is dissolved under article 73 (2) of the Constitution the chairman and vice-chairman shall continue in office until a chairman or vice-chairman is elected after the election following the dissolution of the council. It also seeks to provide for the functions of the council to be performed by the chairman or, where the office of chairman is vacant or the chairman is unable to perform the functions of his office, such functions shall be performed by the vice-chairman.

R. H. O. Corbin,
Minister of National Mobilisation.

(Bill No. 13/1985).