

## Chapter IX The President

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Establishment  
of office of  
President.

89. There shall be a President of the Co-operative Republic of Guyana, who shall be Head of State, the supreme executive authority, and Commander-in-Chief of the armed forces of the Republic.

Qualifications  
For election.  
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90. (1) A person shall be qualified for election as President and shall not be so qualified unless he or she -

(a) is a citizen of Guyana and is Guyanese by birth or parentage as defined in articles 43 and 44;

(b) is residing in Guyana on the date of nomination for election and was continuously residing therein for a period of seven years immediately before that date; and

(c) is otherwise qualified to be elected as a member of the National Assembly.

- (2) A person elected as President after the year 2000 is eligible for re-election only once.
- (3) A person who acceded to the Presidency after the year 2000 and served therein on a single occasion for not less than such period as may be determined by the National Assembly is eligible for election as President only once.
- (4) In determining continuity of residence absence from Guyana to -
  - (a) seek medical help;
  - (b) study at a university or an institution of higher learning for not more than four years;
  - (c) work for the Government,

shall be disregarded.

91. The President shall be elected by the people in the manner prescribed by article 177.

Tenure of  
office of  
President.

92. A person assuming the office of President in accordance with the provisions of this Constitution shall, unless his office sooner becomes vacant under article 178, continue in office until the person elected to the office of President at the next election held under article 91 assumes office.

Removal of  
President on  
grounds of  
incapacity.

93. The President may be removed from office if he becomes physically or mentally incapable of discharging the functions of his office. The

procedure for removing him and for ensuring the continued discharge of the functions of his office is prescribed by article 179.

94. The President may be removed from office if he commits any violation of this Constitution or any gross misconduct. The procedure for removing him is prescribed by article 180.

Vacancy in  
office of  
President.

95. (1) During any period when the office of President is vacant the office shall be assumed by -

(a) the Prime Minister:

Provided that if the vacancy occurs while the Prime Minister is absent from Guyana or while he is by reason of physical or mental infirmity unable to perform the functions of his office, the functions of the office of President shall, until the Prime Minister returns or until he is again able to perform the functions of his office, as the case may be, be discharged by such other Minister, being an elected member of the National Assembly, as the Cabinet shall elect; or

(b) if there is no Prime Minister, by such Minister being an

elected member of the National Assembly, as the Cabinet shall elect; or

(c) if there is no Prime Minister and no Cabinet, by the Chancellor.

(2) Any Minister performing the functions of the office of President by virtue of the proviso to paragraph (1)(a) shall cease to perform those functions if he is notified by the Prime Minister that the Prime Minister is about to assume the office of President.

(3) An assumption of the office of President under this article shall terminate, if it has not previously terminated, when a person who has been elected to the office in accordance with the provisions of article 177 assumes the office.

Discharge of  
functions of  
President  
during absence,  
illness, etc.

96. (1) Whenever the President is absent from Guyana or considers it desirable so to do by reason of illness or any other cause he may, by direction in writing authorised any member of the Cabinet, being an elected member of the National Assembly, to perform such of the functions of the office of President as he may specify and the person so authorised shall perform those functions until his authority is revoked by the President or until the functions are resumed by the President.

(2) If the President is incapable by reason of physical or mental infirmity of discharging the functions of his office and the infirmity is of such a nature that the President is unable to authorise another person under this article to perform those functions -

(a) the Prime Minister; or

(b) during any period when there is no Prime Minister

or the Prime Minister is absent from Guyana or is, by reason of physical or mental infirmity, unable to perform the functions of his office, such other Minister, being an elected member of the National Assembly, as the Cabinet shall elect; or

- (c) if there is no Prime Minister and no Cabinet, the Chancellor,

shall perform the functions of the office of President:

Provided that any person performing the functions of the office of President under this paragraph shall not dissolve Parliament nor, save on the advice of the Cabinet, revoke any appointment made by the President.

(3) Any person performing the functions of the office of President by virtue of paragraph (2) shall cease to perform those functions if he is notified by the President that the President is about to resume those functions.

Oath to be taken by President.

97. (1) A person elected as President shall assume the office of President upon being elected but shall, before entering upon the duties of the office, take and subscribe the oath of office, such oath being administered by the Chancellor or such other Judge of the Supreme Court of Judicature as may be designated by the Chancellor.

(2) The provisions of the foregoing paragraph shall apply to any person assuming the office of President or performing the functions thereof under

article 95, 96 or 179, as the case may be, as they apply to a person elected as President.

Remuneration etc., of President. 98. The remuneration and immunities of the President shall be regulated by articles 181, 182 and 222.