

Bill No. 13 of 1973

DATED 28TH JULY, 1973

PARLIAMENT OFFICE,
Public Buildings,
Georgetown,
Guyana.
27. 7. 1973.

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

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



GUYANA

BILL NO. 13 OF 1973

CONSTITUTION (AMENDMENT) BILL 1973

Arrangement of Sections

Section

1. Short title.
2. Alteration of articles 5, 8, 11, 22, 59 and 65 of the Constitution.
3. Alteration of article 71 of the Constitution.
4. Alteration of article 90 of the Constitution.
5. Alteration of article 92 of the Constitution.
6. Alteration of article 125 of the Constitution.
7. Consequential alteration of the Constitution
8. Saving.

A BILL

Intituled

AN Act to alter the Constitution in accordance with Article 73 thereof for the purpose of reducing the age of majority for electoral and other purposes, and for abolishing appeals and references to the Judicial Committee of the Privy Council.

A.D. 1973 Enacted by the Parliament of Guyana:—

- Short title** 1. This Act may be cited as the Constitution (Amendment) Act 1973.
- Alteration of articles 5, 8, 11, 22, 59 and 65 of the Constitution** 2. Articles 5(1) (f), 8(2) (b) (iii), 11(4), 22(5), 59 and 65(2), of the Constitution are hereby altered by the substitution of the word "eighteen" for the word "twenty-one" wherever it appears therein.
- Alteration of article 71 of the Constitution** 3. Article 71 of the Constitution is hereby altered in the following respects —
- (a) by the deletion of paragraph (4); and
 - (b) by renumbering paragraph (5) as paragraph (4).
- Alteration of article 90 of the Constitution** 4. Article 90 of the Constitution is hereby altered in the following respects —
- (a) by the substitution of the words "a tribunal, and the tribunal" for the words "the Judicial Committee, and the Judicial Committee" in paragraph (4);
 - (b) by the addition of the word "and" immediately after the semicolon at the end of paragraph (5) (a);
 - (c) by the deletion of subparagraphs (b) and (c) of paragraph (5) and the substitution therefor of the following subparagraph as subparagraph (b) —
 - "(b) the tribunal shall enquire into the matter and advise the President whether or not the Judge ought to be removed from office."; and
 - (d) by the deletion from paragraph (7) of all the words following after the word "have" and the substitution therefor of the words "effect if the tribunal advises the President that the Judge ought not to be removed from office."

5. Article 92 of the Constitution is hereby altered in the following respects — Alteration
of article
92 of the
Constitution

- (a) by the substitution of a full stop for the semicolon at the end of subparagraph (c) of paragraph (1) and the deletion of all the words following thereafter in the said paragraph;
- (b) by the deletion of paragraphs (2) to (7) (both paragraphs inclusive) and the insertion of the following paragraph as paragraph (2) —

“(2) Nothing in paragraph (1) shall apply to the matters for which provision is made by article 71 of this Constitution.”:

6. Article 125 (1) of the Constitution is hereby altered by the deletion therefrom of the definition of the expression “the Judicial Committee”. Alteration
of article
125 of the
Constitution

7. Without prejudice to the alteration of the Constitution by sections 3 to 6 (both sections inclusive) the Constitution shall be construed and have effect as if other references thereon to the Judicial Committee had been deleted therefrom. Consequen-
tial alteration
of the
Constitution

8. (1) Nothing in this Act shall affect any appeal to the Judicial Committee from a decision of the Court of Appeal, being an appeal that was pending immediately before 26th July, 1973, and is one in which the records were registered in the Office of the Privy Council before that day. Saving.

(2) For the purposes of any such appeal the Constitution shall, notwithstanding the provisions of section 5, be construed and have effect as if paragraphs (6) and (7) of article 92 had not been deleted by section 5 (b).

(3) In this section —

“the Judicial Committee” means the Judicial Committee of the Privy Council established by the Judicial Committee Act 1833 as from time to time amended by any Act of the Parliament of the United Kingdom.”

1833
c. 41

EXPLANATORY MEMORANDUM

Clause 2 of this Bill seeks to alter the Constitution to reduce the age of majority from twenty-one years to eighteen years for electoral and other purposes. In particular, clause 2 seeks to make the age of eighteen years

the qualifying age for an elector and for a member of the National Assembly.

Clauses 4, 5, and 6 seek to alter the Constitution to abolish appeals to the Judicial Committee of the Privy Council in constitutional matters and references to the Committee in relation to the removal of Judges of the Supreme Court of Judicature from office for inability to perform their functions or for misbehaviour.

H. O. Jack,
Minister of Energy and Natural Resources.

(Bill No. 13/1972)