

PARLIAMENT OFFICE,
Public Buildings,
Georgetown,
Guyana.
8th May, 1978.

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. 12 of 1978

REFERENDUM (AMENDMENT OF THE CONSTITUTION) BILL 1978

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Interpretation.
3. Holding of referendum.
4. Question to be put to the electors.
5. Application of Representation of the People Act and other laws.
6. Regulations.
7. Expenses of referendum charged on the Consolidated Fund.

A BILL

Intituled

AN ACT to provide for the submission of the Constitution (Amendment) Bill 1978 to the vote of the electors qualified to vote in an election of members of the National Assembly, in accordance with article 73 of the Constitution.

WHEREAS the Constitution (Amendment) Bill 1978, being a Bill for an Act of Parliament to effect certain alterations to the Constitution in accordance with Article 73 thereof, was passed by the National Assembly on 10th April, 1978;

AND WHEREAS it is necessary in accordance with the said article 73 that the Bill be submitted to the vote of the electors qualified to vote in an election of members of the National Assembly in a manner prescribed by Parliament:

NOW, THEREFORE, BE IT ENACTED AS FOLLOWS:—

1. This Act may be cited as the Referendum (Amendment ^{Short} of the Constitution) Act 1978. ^{title.}

2. In this Act —

Interpre-
tation.

“the Bill” means the Constitution (Amendment) Bill 1978 passed by the National Assembly on 10th April, 1978;

“the referendum” means the submitting of the Bill in accordance with article 73(3) of the Constitution to the vote of the electors qualified to vote in an election of members of the National Assembly for the purpose of ascertaining whether the Bill has been approved by a majority of the electors who vote on the Bill.

Holding of referendum:

3. The referendum shall be held on such day as the President, acting in accordance with the advice of the Prime Minister, shall appoint by proclamation, being a day not earlier than two nor later than six months after the passage of the Bill through the National Assembly:

Provided that no balloting performed before the day so appointed but after the expiry of the period of two months aforesaid, and pursuant to which the votes of any persons registered as electors are cast at the referendum, shall be deemed contrary to the requirements of this section by reason only that such balloting has been so performed.

Question to be put to the electors

4. (1) The electors shall be asked to answer either "Yes" or "No" to the following question —

"Do you approve of the Constitution (Amendment) Bill 1978 which was passed by the National Assembly on 10th April, 1978?"

Application of Representation of the People Act and other laws.

(2) The said question shall be set out on a ballot paper in the prescribed form.

Cap. 1:03

Cap. 1:04

5. For the purposes of the referendum, the votes of the electors shall be cast and the proceedings shall be conducted so far as may be as if the referendum were an election of members of the National Assembly and, subject to any regulations which may be made in relation to the referendum by the Minister pursuant to section 6, the Representation of the People Act and any other law relating to elections of members of the National Assembly (other than the National Assembly (Validity or Elections Act) shall, accordingly, apply *mutatis mutandis*:

Regulations.

6. Regulations may be made for the purposes of this Act by the Minister assigned responsibility for the conduct of elections of members of the National Assembly, and, without prejudice to the generality of the foregoing provisions of this section, such regulations may make provision for —

(a) the manner in which the referendum is to be conducted;

- (b) the modification of any such law as is referred to in section 5 (including omissions from, additions to and amendments of, any such law);
- (c) the application of any law then in force in relation to offences at or in connection with elections;
- (d) any other matter appearing to the Minister to be necessary or expedient for the purposes of this Act.

Expenses of referendum charged on the Consolidated Fund.

7. Any expenditure incurred in carrying out the provisions of this Act shall be charged on the Consolidated Fund.

EXPLANATORY MEMORANDUM

On 10th April, 1978, the National Assembly passed the Constitution (Amendment) Bill 1978. Under article 73 of the Constitution, that Bill must be submitted to a referendum in accordance with a procedure to be prescribed by Parliament. This Bill accordingly seeks to prescribe the procedures applicable to the holding of elections of members of the National Assembly provided for by the Representation of the People Act, Cap. 1:03, as the procedures to be applied for the purposes of the holding of the referendum.

C. V. Mingo,
Minister of Home Affairs.