STATUTORY INSTRUMENTS

1964 No. 1970

CARIBBEAN AND NORTH ATLANTIC TERRITORIES

The British Guiana (Constitution) (No. 2) Order 1964

Made - - - - 14th December 1964

At the Court at Buckingham Palace, the 14th day of December 1964

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the power reserved to Her in pursuance of the British Guiana Act 1928(a) by section 22 of the British Guiana (Constitution) Order in Council 1961(b) (hereinafter called "the principal Order") is pleased, by and with the advice of Her Privy Council to order, and it is hereby ordered, as follows:—

Citation and construction.

1.—(1) This Order may be cited as the British Guiana (Constitution) (No. 2) Order 1964.

(2) This Order shall be construed as one with the British Guiana (Constitution) Orders 1961 and 1964(c) and this Order and those Orders may be cited together as the British Guiana (Constitution) Orders 1961 to 1964.

Amendment of Constitution of British Guiana.

2. The provisions of the Constitution set out in the Annex to the principal Order which are specified in the first column of the Schedule to this Order are amended in the manner specified in the second column of the Schedule.

Transitional provision.

3. If at any time before the House of Assembly first meets after the commencement of this Order, the Governor informs the person holding office as Premier that the Governor is about to re-appoint him as Premier or to appoint another person as Premier, then the provisions of section 3(2) of the British Guiana (Constitution) Order 1964(d) shall cease to have effect and all persons then holding office as Ministers or Parliamentary Secretaries shall forthwith vacate their respective offices.

W. G. Agnew.

(a) 18 & 19 Geo. 5. c. 5. (b) S.I. 1961/1188 (1961 II, p. 2152).
(c) S.I. 1961/1188, 1964/921 (1961 II, p. 2152; 1964 II, p. 2050).
(d) S.I. 1964/921 (1964 II, p. 2050).

SCHEDULE Section 2

Provision	How amended
Article 14(1)(*c*)	Substitute the following:— "(*c*) there is in force a resolution of the House of Assembly, in favour of which there were cast the votes of not fewer than thirty-six members, declaring that democratic institutions in British Guiana are threatened by subversion;".
Article 14(3)(*a*)	Substitute the following:— "(*a*) Where any proclamation of emergency has been made, copies thereof shall as soon as practicable be laid before the House of Assembly and if by reason of adjournment or prorogation the House is not due to meet within five days the Governor shall, by proclamation published in the Gazette, summon the House to meet within five days and the House shall accordingly meet and sit upon the day appointed by the proclamation and shall continue to sit and act as if it had stood adjourned or prorogued to that day.".
Article 14(3)(*c*)	Substitute "the House of Assembly" for "each chamber of the Legislature".
Article 14(4)	Substitute "the House of Assembly" for "the chamber by which it was passed"; substitute "the House" for "that chamber".
Article 29(1)	Substitute "the House of Assembly" for "the Legislative Assembly".
Article 30	Substitute "the House of Assembly" for "the Legislative Assembly" in paragraph (1). Insert the following paragraph immediately after paragraph (1):— "(1A) The Premier shall vacate his office when, following upon any election to the House of Assembly, he is informed by the Governor that the Governor is about to re-appoint him as Premier or to appoint another person as Premier."
Article 33(3)	Substitute "the House of Assembly" for "any chamber of the Legislature".

Provision	How amended
Article 113(1)	Substitute "the office of the Clerk of the House of Assembly" for "the offices of the Clerk of the Senate and the Clerk of the Legislative Assembly".
Article 115(6) as set out in Schedule 2 to the British Guiana (Constitution) Order 1964	Substitute "paragraph (4)" for "paragraph (2)".

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order amends the Constitution of British Guiana by substituting references to the House of Assembly established by the British Guiana (Constitution) Order 1964 for certain references to the former bicameral legislature, or a chamber thereof, constituted by the principal Order of 1961. It also amends the provisions of the Consitution relating to the tenure of office of Ministers.