1964 No. 492

CARIBBEAN AND NORTH ATLANTIC TERRITORIES

The British Guiana (Registration) Order 1964

Laid before Parliament in draft

Made - - - - 26th March 1964

At the Court at Buckingham Palace, the 26th day of March 1964

Present,

The Queen's Most Excellent Majesty in Council

Whereas a copy of the draft of the following Order was laid before each House of Parliament on the thirteenth day of February 1964;

And Whereas during a period of forty days beginning with that day and reckoned for the purposes of section 6 of the Statutory Instruments Act 1946(a), neither House has resolved that the draft be not submitted to Her Majesty in Council;

And Whereas it is proposed in due course to introduce a system of election for British Guiana under which British Guiana will no longer be divided into electoral districts for the purpose of returning members to the Legislative Assembly and it is desirable to make provision for the preparation, in anticipation of the introduction of the new system of election, of electoral registers for the purposes of the new system:

Now, therefore, Her Majesty, by virtue and in exercise of Her powers under the British Guiana Act 1928(b), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation and interpretation.

1.—(1) This Order may be cited as the British Guiana (Registration) Order 1964.

(2) The provisions of article 115 of the Constitution of British Guiana set out in the British Guiana (Constitution) Order in Council 1961(c) (hereinafter called "the Constitution") shall apply for the purpose of interpreting this Order as they apply for the purpose of interpreting the Constitution.

(3) The powers of the Governor under this Order shall be exercised by him in his discretion.

Governor's regulations.

2. The Governor may by regulation published in the Gazette make provision for the registration of persons possessing the qualifications prescribed in section 3 of this Order and for any matter that appears to him to be incidental thereto or consequential thereon.

(a) 9 & 10 Geo. 6. c. 36. (b) 18 & 19 Geo. 5. c. 5. (c) S.I. 1961/1188 (1961 II, p. 2152).

Qualifications for registration.

3.—(1) Subject to the provisions of subsection (2) of this section, a person shall be qualified to be registered if, and shall not be so qualified unless, on the qualifying date, he—

(*a*) is a British subject of the age of twenty-one years or upwards; and

(*b*) is resident in British Guiana and either has been so resident for a period of two years immediately before the qualifying date or is domiciled in British Guiana.

(2) No person shall be qualified to be registered who on the qualifying date—

(*a*) is under sentence of death imposed on him by a court in any part of the Commonwealth, or is serving a sentence of imprisonment (by whatever name called) exceeding six months imposed on him by such a court or substituted by competent authority for some other sentence imposed on him by such a court, or is under such a sentence of imprisonment the execution of which has been suspended;

(*b*) is a person certified to be insane or otherwise adjudged to be of unsound mind under any law in force in British Guiana; or

(*c*) is disqualified for such registration by any regulation made under this Order by reason of his having committed any offence against any such regulation or any offence against any other law in force in British Guiana relating to offences connected with elections.

(3) In this section "qualifying date" means such date as may be appointed by or under any regulation made under this Order as the date with reference to which a register shall be compiled or revised.

Application of article 96 of Constitution.

4. Save as otherwise provided in any regulations made under this Order, the provisions of article 96 of the Constitution (which relates to the appointment, dismissal and disciplinary control of public officers) shall not apply in relation to any office created by or under any such regulation.

Financial powers of Governor.

5. If the Governor certifies by warrant under his hand that any sum of money is required for the purpose of meeting any expenditure that, in the opinion of the Governor, is necessary or expedient for the purposes of any regulation made under this Order, that sum of money shall be a charge on the revenues of British Guiana and accordingly shall be statutory expenditure for the purposes of Part VII of the Constitution.

W. G. Agnew.

EXPLANATORY NOTE

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

This Order enables the Governor of British Guiana to make provision under which fresh electoral registers may be prepared in British Guiana in anticipation of the introduction of a new system of election.