The Official Gazette

(EXTRAORDINARY)

OF GUYANA

Published by the Authority of the Government

GEORGETOWN, TUESDAY 13TH SEPTEMBER, 2022

TABLE OF CONTENTS **PAGE**

FIRST SUPPLEMENT

LEGAL SUPPLEMENT

A. ACTS — NIL

B. SUBSIDIARY LEGISLATION —
Seal No. 225 of 2022 – To Inquire into and Report on certain events connected with and being part of the Regional and General Elections held on the 2nd day of March, 2020 1015

C. BILLS — NIL

GEORGETOWN, Demerara – Printed and Published every Saturday and on such Extraordinary Days as may be directed by the Government by Guyana National Printers Limited, 1 Public Road, La Penitence, Greater Georgetown.

THE OFFICIAL GAZETTE 13TH SEPTEMBER, 2022
LEGAL SUPPLEMENT — B

GUYANA

Seal No. 225 of 2022

COMMISSION OF INQUIRY

To Inquire into and Report on certain events connected with and being part of the Regional and General Elections held on the 2nd day of March, 2020

LS

By the President of the Co-operative Republic of Guyana

President

WHEREAS, it is provided by section 2 of the Commissions of Inquiry Act, Chap. 19:03 that the President may issue a Commission appointing one or more Commissioners and authorising such Commissioner or Commissioners to inquire into any matter in which an inquiry would, in the opinion of the President, be for the public welfare;

AND WHEREAS, the President is of the opinion that such an inquiry into certain events connected with and being part of the Regional and General Elections held in Guyana on the 2nd day of March 2020 would be for the public welfare;

NOW THEREFORE, by virtue of the powers conferred on me by the said Act and all other powers enabling me in that behalf, I do hereby issue this Commission and appoint –

(i) Retired Justice of Appeal Stanley John;
(ii) Retired Chancellor Carl Ashok Singh, OR; and
(iii) Justice Godfrey Smith, SC

to be Commissioners under the said Act to inquire into the matters set out hereinunder and to make such findings, observations and recommendations arising out of its deliberations, as appropriate, and in keeping with its Terms of Reference, to report to the President, in writing, the result of such inquiry, viz.:

1) inquire into and report upon the relevant circumstances and events leading up to, and the procedures following, the Regional and General Elections held in Guyana on the 2nd day of March 2020, not limited to but including that which are more specifically set out hereunder:

(i) the counting, ascertainment and tabulation of votes polled and the public declaration of those results by the Returning Officer of Electoral District No. 4 and other election officers, as prescribed by sections 84 to 89 of the Representation of the People Act, Chap. 1:03;

(ii) what attempts, if any, were made to obstruct, frustrate, subvert and prevent the counting, ascertainment and tabulation of votes polled and a declaration of the true results of Electoral District No. 4 as prescribed by sections 84 to 89 of the Representation of the People Act, Chap. 1:03, and by whom;

(iii) what attempts, if any, were made to obstruct, frustrate, subvert and prevent a decision of the Guyana Elections Commission made on the 14th day of March 2020, to conduct a national recount of the votes polled at the General and Regional Elections held in Guyana on 2nd March 2020, from being executed and implemented, and by whom;

(iv) the conduct of the Chief Election Officer, other Election Officers, and others, in respect of the discharge and execution of the statutory duties of the Chief Election Officer prescribed by section 96 and 97 of the Representation of the People Act, Chap. 1:03.

2) Make such recommendations as the Commission deems fit and necessary to permit the Guyana Elections Commission to discharge its statutory functions as prescribed by sections 84-89, 96-97 of the Representation of the People Act, Chap. 1:03 in a manner which is impartial, fair and compliant with the Constitution and relevant legislation and to make any other recommendations which the Commission deems appropriate having regard to the law and to any evidence which may be presented.

I DIRECT that you, Retired Justice of Appeal Stanley John, shall be the Chairman of the Commission;

AND I DIRECT that the Chairman and one other Commissioner shall constitute a quorum;

AND I DIRECT that the Commission shall render its report, findings and recommendations to the President, in writing, within seven months or within such other time as may be directed by the President;

AND I DIRECT that the Inquiry shall be conducted continually at Georgetown and in such other places as the Commission may determine;

AND I DIRECT that the Inquiry shall be held in public with reservation nonetheless to the Commissioners to exclude any person or persons as they deem fit, for the due conduct of the Inquiry, the preservation of order or for any other reason;

AND I DIRECT that the Commission shall commence its work at a time to be determined by the Chairman; and the Chairman shall take appropriate steps to ensure that the Commission completes its work and submits its report within the aforesaid timeframe;

AND I DIRECT that subject to the above, the Commission shall establish and regulate its own procedure for the conduct of the Inquiry and shall be governed by the provisions of the Constitution, the Commissions of Inquiry Act, the High Court Act and any other relevant law.

AND I FURTHER DIRECT the Commissioner of Police to detail Officers to attend upon the Commissioners to keep them safe and to preserve order during the proceedings of the Commission, to serve summonses on Witnesses and to perform such duties as the Commissioners shall direct.

Given under my hand and the Seal of the Co-operative Republic of Guyana at the Office of the President, Georgetown, Guyana this *Thirteenth* day of September, Two Thousand and Twenty-Two in the Fifty-Third year of the Republic.

By the President's Command

Minister of Parliamentary Affairs and Governance