

**Framework for constitutional reform developed by the Steering
Committee on Constitutional Reform (SCCR)**

30th April 2016.

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INTRODUCTION

1. On September 1, 2015 the Hon. Mr. Moses Nagamootoo, M.P., Prime Minister and First Vice President of the Co-operative Republic of Guyana appointed Mr. C.A. Nigel Hughes Convener of the Steering Committee on Constitutional Reform (“SCCR”). The committee was mandated to submit this written report on the recommendations for the appointment of a Constitutional Reform Commission together with the Terms of Reference and modalities for reform.

2. The Committee members appointed by the Hon. Prime Minister included:
 - (a) Professor Harold Lutchman;
 - (b) Mr. Halsyn Parris (Deceased);
 - (c) Mr. Gino Persaud
 - (d) Mrs. Geeta Chandan Edmond
 - (e) Mr. C.A Nigel Hughes

3. The Terms of Reference (TOR) of the SCCR were as follows
 - (a) The work of the SCCR would commence on the 1st September 2015 and be concluded by the 31st December 2015.
 - (b) The SCCR will NOT be involved in the process of reforming the Constitution of the Co-operative Republic of Guyana
 - (c) The SCCR will develop a framework for constitutional reform.
 - (d) The framework will encompass the following
 - (i) Outline a process and a methodology by which constitutional reform can be achieved, whether the reform process should occur in stages, by sections of the Constitution or a comprehensive reform covering the entire Constitution should be undertaken as one project.

- (ii) Identify the scope of constitutional reform that is necessary to allow for more inclusive, democratic and transparent governance
- (iii) Identify amendments and inclusions that may be required to ensure the executive can be held accountable.
- (iv) Identify the scope of the reform necessary to establish constitutional bodies independent of the executive.
- (v) Identify anomalies, redundancies and other shortcomings of the constitution that need reforming.
- (vi) Make recommendations for the establishment of the Constitutional Reform Commission
- (vii) Advise how the Commission will be established, whether through legislation, presidential appointment or cabinet approval
- (viii) Advise on how the Commission should be constituted and structured viz qualifications, its members, selection process for members etc.
- (ix) Advise on criteria for selection of members of the executive of the Commission
- (x) Advise on a methodology for political parties, civil society and citizens to submit their recommendations for Constitutional Reform.
- (xi) Advise who should be consulted in the reform process.
- (xii) Advise on potential source of funding for the commission
- (xiii) Establish a timeline for the Constitutional Reform Commission to complete its work.
- (xiv) The SCCR will recommend experts from around the Commonwealth who can be consulted during the process of constitutional reform or who can be employed as a member of the Commission
- (xv) Establish how the Commission will report the progress of its work and establishment of milestones for the achievement of its objectives

(xvi) The SCCR will recommend models of Constitutions that may be used in the constitutional reform process as precedent.

4. The Committee received guidance and assistance from The Rt. Hon. Mr. Justice Duke Pollard, retired Judge of the Caribbean Court of Justice, and Mr. Stephen Fraser, Managing Partner, Fraser, Housty & Yearwood. The SCCR was also assisted by Messrs. Savannah Barnwell, Chevy Devonish and Stephen Roberts.
5. The enclosed is the culmination of the SCCR's efforts in collaboration with various stakeholders to determine the Terms of Reference and modalities for reform to be undertaken by the Constitutional Reform Commission. The contributions of the various stakeholders were received by the SCCR during sessions held on:
 - a. September 1, 2015;
 - b. November 20, 2015;
 - c. November 26, 2015;
 - d. December 4, 2015;
 - e. December 5, 2015;
 - f. January 22, 2016;
 - g. January 30, 2016;
 - h. February 12, 2016;
 - i. February 19, 2016; and
 - j. February 26, 2016.
6. On 28 March, 2016 Mr. Haslyn Parris of the SCCR died suddenly and unexpectedly and the Committee received news of his passing with great shock since he never missed a Committee meeting and his contributions on reforming the constitution were enormous. The SCCR paid tribute to him in its recorded minutes and issued a public statement which is attached at the end of this Report.

PROCEDURE OF SCCR

6. The framework within which the SCCR determined to proceed to fulfill its mandate was as follows:

- (a) Adoption of Terms of Reference received from The Hon. Prime Minister on 3rd September 2015.
- (b) Consideration of the proposals and/or recommendations of stakeholders including Sir Fenton Ramsahoye Q.C., Mr. Miles Fitzpatrick S.C., Mr Ralph Ramkarran S.C., Mr. Stephen Fraser, Dr. Arif Bulkan, Professor Duke Pollard, Dr. David Hinds, Mr. Ravi Dev, Ms Karen De Souza, Ms Melinda Janki and Ms. Vanda Radzik among others; and
- (c) Drafting of Final Report.

FRAMEWORK

1. Outline for reform process

7. The reform process should be comprehensive and inclusive. All relevant stakeholders ought to be given an opportunity to provide written and oral submissions to the Constitutional Reform Commission (“CRC”). The CRC should be comprised of a pre-eminent panel of Jurists (maximum complement of eleven) who shall determine the legal changes necessary to achieve constitutional reform in Guyana. These Jurists (CRC) would receive submissions from all ten administrative regions of the Co-operative Republic of Guyana.
8. Upon receiving these recommendations the Jurists (CRC) will be tasked with identifying areas in which constitutional reform is possible, both from a policy and legal perspective. The report of the Jurists shall be laid in the National Assembly for intellectually rigorous debate.
9. The National Assembly will consider the proposed various Amendments to the Constitution identified by the CRC. The recommended methodology for the proposed amendments to the Constitution ought then to be subject to a referendum or such other procedure as recommended by the Jurists. The entrenchment of the changes should be effected at the deepest level of entrenchment consistent with the principles of participatory democracy.
10. The SCCR envisions the completion of this process within an eighteen (18) month timeframe.

Recommendations received and reviewed by the SCCR:

11. The 2003 Recommendations advanced valid areas for reform which the CRC should consider. (See Para 6)
12. The Constitutional Reform Commission’s recommendations and the issues raised as a result of the reform process should go straight to referendum. (See Para 16)
13. The report should be written so that the difficulties with the Constitution are highlighted and described in a way that offers a solution. (See Para 32)

14. The CRC should consider amendments by referendum. Referendum is the deepest level of entrenchment.
15. The separation of powers doctrine is a fundamental element of the constitution and should be expressly set out therein.
16. The following should be highlighted and expressed as core principles of the Constitution :
- a) Separation of Powers.
 - b) The Rule of Law.
 - c) Independence of the Judiciary.
 - d) Constitutional Supremacy.
17. These four fundamental principles need to be given prominence and should be expressly stated in provisions of the Constitution.

2. Scope of reform

While the SCCR has considered the Terms of Reference of the 1999 Constitutional Reform Commission and substantially endorsed the recommendations and views expressed by its predecessor:

18. The SCCR is of the view that the realities of the twenty-first century require a greater reliance on technology in order to make this process effective. Therefore, in addition to ensuring the inclusion of all relevant stakeholders the processes of the CRC, the CRC must embrace and utilize technology as an essential tool of communication. This may require the retention of the services of a Social Media Specialist and/or a Marketing Firm to ensure the widest possible consultation and reception of the views of the citizenry.

A. Scope of the previous reform.

Terms of Reference of the 1999 Constitutional Reform Commission as determined by the 7th Parliament and adopted by the Select Committee

19. The Terms of Reference were based on a draft prepared by the Peoples Progressive Civic (PPP/C) and the Peoples National Congress, and refined after inputs by The United Force (TUF), the Alliance for Guyana (AFG), and six other political parties which contested the December 15, 1997 elections.
20. The Terms of Reference provided for the Commission, in its review of the Constitution, to address:
 - (i) The full protection of the fundamental rights and freedoms of all Guyanese under the CARICOM Charter of Civil Society.
 - (ii) The rights of the Indigenous Peoples of Guyana
 - (iii) The rights of Children
 - (iv) Eliminating discrimination in all its forms
 - (v) Improving race relations and promoting ethnic security and equal opportunity

- (vi) Measures to ensure that the views of minorities in the decision-making process and in the conduct of Government are given due consideration
- (vii) Implementation of reforms relating to elections and the Elections Commission, taking into consideration its composition, the method of electing its chairman and members and its jurisdiction over national registration and the electoral process
- (viii) Measures to secure and protect economic, social and cultural rights of the Guyanese
- (ix) Measures to maintain and strengthen the independence of the judiciary
- (x) Measures aimed at safeguarding public funds and at maintaining and enhancing integrity in public life under the law and by other proper means
- (xi) The functioning of the National Assembly and any measure which can enhance its capacity and effectiveness as a deliberative body.
- (xii) The functioning of the local government system and measures to improve its capacity and effectiveness

On the Question of whether the deliberations of the CRC ought to be in camera, the SCCR considered the following extracts from the celebrated publication “Making of India’s Constitution” by H.R. Khanna, , 2nd Edn, (Eastern Book Company: Lucknow, 2008), pages 1 and 2 :

When the Constitutional Convention to draft the Constitution of the United States met in 1787 behind closed doors, it adopted at a very early stage a rule “that nothing spoken in the house be printed or otherwise published or communicated without leave”. This made it possible for the framers of the U.S. Constitution to speak with greater frankness than one would ordinarily find in public speeches. But it deprived the posterity of a valuable insight into and information about what transpired at the historic gathering charged with the task of preparing the Constitution of a great country. As against that the proceedings of the Constituent Assembly which framed the Constitution of India read like an open book. The Constituent Assembly met for the first time on December 9, 1946 and continued its deliberations till November 26, 1949, when the motion of Dr. Ambedkar that the Constitution as settled by the

Assembly be passed was put to vote and the Constitution was adopted with enthusiastic support. The deliberations provide an interesting insight into the mental processes of those who were entrusted with the task of drafting the Constitution. The deliberations reveal on the whole a very high level of political acumen and excellent standard of speeches.”

On the Sub-Committees Established by the Constituent Assembly (equivalent in substance to our proposed CRC)

Making of India’s Constitution, H.R. Khanna, 2nd Edn, (Eastern Book Company: Lucknow, 2008), page 12:

The Assembly had eight major Committees - Rules, Steering, Advisory, Drafting, Union Subjects, Union Constitution, Provincial Constitution and States.

The objectives of the Indian Constituent Assembly:

Making of India’s Constitution, H.R. Khanna, 2nd Edn, (Eastern Book Company: Lucknow, 2008), page 12:

Four days after the Constituent Assembly met on December 13, 1946, Objectives Resolution drafted by Pt. Nehru was moved. The Resolution read:

1. This Constituent Assembly declares its firm and solemn resolve to proclaim India as an Independent Sovereign Republic and to draw up for her future governance a Constitution;
2. Wherein the territories that now comprise British India, the territories that now form the Indian States, and such other parts of India as are outside British India and the States as well as such other territories as are willing to be constituted into the independent sovereign India, shall be a Union of them all; and
3. wherein the said territories, whether with their present boundaries or with such others as may be determined by the constituent Assembly and thereafter according to the

law of the Constitution, shall possess and retain the status of autonomous units, together with residuary powers, and exercise all powers and functions as are vested in or assigned to the union, or as are inherent or implied in the Union or resulting therefrom; and

4. Wherein all power and authority of the Sovereign Independent India, its constituent parts and organs of government, are derived from the people; and

5. Wherein shall be guaranteed and secured to all the people of India justice, social, economic and political; equality of status, of opportunity, and before the law; freedom of thought, expression, belief, faith, worship, vocation, association and action, subject to law and public morality; and

6. Wherein adequate safeguards shall be provided for minorities, backward and tribal areas, and depressed and other backward classes; and

7. Whereby shall be maintained the integrity of the territory of the Republic and its sovereign rights on land, sea, and air according to justice and the law of civilized nations; and

8. This ancient land attains its rightful and honored place in the world and makes its full and willing contribution to the promotion of world peace and the welfare of mankind.”

21. Research should be conducted on the issue of the manner in which other countries treat with Non-executive Presidents, how they are identified, their role and responsibilities.

3. Amendments

Several amendments were received and reviewed by the SCCR. These proposed amendments are set out in full below.

22. Removal or amendment of the Article of the Constitution which provides that Guyana is transitioning from capitalism to socialism.
23. Constitutional redress should be easily accessible and should be extended to each part of the constitution.
24. Consideration should be given to the expressed declaration in the constitution that the Rule of Law is a fundamental premises and principle of the Constitution.
25. The CRC should consider establishing a Court for Parliament without derogating from the principle of Constitutional Supremacy. This Court would be under the purview of parliament.
26. The CRC should consider constitutional provisions defining and delimiting campaign financing.
27. Careful consideration should be given to the introduction of some elements of the constituency-based First Past The Post (“FPTP”) electoral system combined with the Proportional Representation (“PR”) system for election of members of the national assembly given the criticisms of the current PR List System.
28. Consideration should be given to the possibility of the creation of an additional ten seats to the national assembly which seats would represent the ten administrative regions and the representatives of these regions would be elected on the FPTP system. This would have the benefit of adding a directly elected regional member to the house.
29. The current legislation which vests in the leader of the list the power to recall any member of the list is anti-democratic and consideration should be given to its repeal.
30. The new local government system must be tested over at least three to four electoral cycles before it is reviewed and/or amended.
31. Consideration should be given to the creation of an overseas constituency who would directly elect a member to the National Assembly.
32. The Public should have the right to propose legislation directly to the National Assembly.

33. The SCCR is of the view that Article 40, since its revision and expansion in the last constitutional revision process, had become so wide that a consequential effect was that judges sometimes overlooked the full scope and import of **Article 40** when addressing issues of enforcement of the fundamental rights as set out in articles 139 to 151. One of the potential consequences was that where there were no specific enforcement provisions for the expanded rights as set out in Article 40, litigants were denied the recognition, benefit and enforcement of the expanded Article 40. It is proposed that Article 40 and the enforcement provisions be located in the same section of the constitution. It is also proposed that the enforcement provisions be expanded to incorporate the enforcement of all rights under Article 40.
34. Consideration should be given to the removal of the savings provisions and or clauses in the Constitution and the similar provisions in the Constitution of the Cooperative Republic of Guyana Act.
35. Regional initiatives like the CCJ should not have to satisfy the requirements of the entrenchment provision of the Constitution.
36. Parliamentary activities and deliberations should be expressly insulated from the Court.
37. Consideration should be given to the establishment of a Parliamentary Court.
38. The SCCR noted that several government functions had been farmed out over the years to quasi autonomous bodies with the consequential erosion of the protections guaranteed by the Constitution not being made available to citizens affected by the actions of the new autonomous bodies.
39. The SCCR in light of the matters set out at 38 above was of the view that Article 144 should not be limited to civil rights and CRC may wish to consider amendments to expand the scope of Article 144.
40. Declaratory remedies should be sufficient in and of themselves in constitutional matters.
41. A Constitutional Court with a specific jurisdiction should be established as distinct from its current status as a Division of the jurisdiction of the High Court of the Supreme Court of judicature.
42. Integrity in public life should be guaranteed and elevated to constitutional levels.
43. Consideration should be given to the creation of a non-executive president who is above the political fray. Such a President should not be a politician or a member of a political party. The process for the identification and selection of such a President could either be by referendum or the same basis as utilized in the Caribbean.

44. Consideration should be given to vesting the power to appoint the Chancellor and Chief Justice in another body.
45. Consideration should be given to the issue of whether the executive President should be made accountable to the National Assembly or if a non-Executive Presidential system is agreed upon then an Executive Prime Minister should be directly accountable to the National Assembly.
46. Consideration should be given to expansion of the Court of Appeal.
47. Consideration should be given to the expansion of the Judicial Service Commission to include representatives of commerce, agriculture, mining, women organizations, private sector, trade Unions and public administration.
48. Appeals from the constitutional court should go directly to the CCJ.
49. Consideration should be given to the establishment of a senate or second chamber of Parliament or Upper House with special powers. Members of the Senate can either be elected by the people or appointed by a non-Executive President after consultation or upon receipt of nominations.
50. Consideration should be given to the abolition of the List system for the identification of members of parliament.
51. Consideration should be given to the possibility of the establishment of a PR system in which there is a run-off election for the candidate for each constituency.
52. Consideration should be given to the establishment of a Bi-Cameral system with an executive President who is answerable to the National Assembly.
53. Consideration should be given to leap frog provisions to provide for direct appeals to the CCJ with the gate keeping function to be conducted by the CCJ. This procedure should be limited to serious questions of law of great general and public importance.
54. The government of the day should command the confidence of the majority of the members of the National Assembly.
55. Consideration should be given to amending the law to permit post electoral political alliances.
56. Consideration should be given to the establishment of an independent court administration as a separate entity and which entity is not under the jurisdiction of the judiciary.
57. Consideration should be given to the direct election of the President.
58. Consideration should be given to mandatory periodic reporting to the National Assembly on the performance of the judiciary in the disposal of cases.
59. Consideration should be given to the establishment of a requirement for a super majority where proposed legislation may include provisions which create adverse ethnic and cultural consequences.

60. Consideration should be given to the abolition and or further restriction of the death penalty. The SSCR is of the view that particular attention should be made to the test utilized in India of only in the rarest of cases
61. Consideration should be given to the protection of LGBT rights and their expressed inclusion in the Constitution.
62. Consideration should be given to the direct enforcement of treaty rights as set out in Article 154 by the Courts
63. Consideration should be given to an increase in the number of sectoral committees in the National Assembly.
64. Consideration should be given to redistribution of the powers and responsibilities of the President, the Prime Minister and Cabinet.
65. Consideration should be given to whether the National Assembly should ratify the appointment of permanent secretaries, the Head of the army, the Chief Justice and the Chancellor.

Anomalies, redundancies and shortcomings

The following anomalies, redundancies, and other shortcomings of the Constitution that require reform were identified by the SSCR.

Recommendations received and reviewed:

66. The office of the Attorney General and Minister of Legal Affairs should no longer be vested in a single individual who sits on the executive. The Office of Attorney General should be politically neutral and the holder of the office should not sit in the National Assembly.
67. The Minister of Legal Affairs should be replaced by a Minister of Justice who will conduct government's legal policies in the National Assembly.
68. Article 103 (3) and Article 105 should benefit from greater refinement and clarity
69. Article 106 does not allow for a vote of no confidence in a single minister on the Government side of the National Assembly and consideration should be given to amendments to facilitate this circumstance.

SSCR's recommendations:

70. Appointment of Chancellor and Chief Justice - In Guyana the Chancellor and Chief Justice are appointed by the President after obtaining the *agreement* of the Leader of the Opposition.
In Trinidad and Tobago, the Chief Justice is appointed by the President (a non-elected official) after consultation with the Prime Minister and the Leader of the Opposition. (See Section 102 of the Trinidad and Tobago Constitution).
71. The Attorney-General should be excluded from membership of Cabinet in order to allow him to remain unbiased and impartial in his advice to the Government of Guyana. However, the Attorney-General may be invited to attend and participate in Cabinet proceedings. (current England and Wales Practice)
72. Continuation on the bench after retirement age- It is recommended that provision should be made in the Constitution to allow a Judge who has reached the age of retirement to continue to perform the functions of a judge in limited circumstances, e.g. a judge could continue in office to deliver judgments or to do any other thing in relation to proceedings that were commenced before he/she attained the age of retirement. The SSCR recommends that section 136(2), 136(3) and 136(5) of the Constitution of the Republic of Trinidad and Tobago be considered.
73. Article 1 of the Constitution should be amended to remove the word “Co-operative.” The country should be known as the Republic of Guyana.
74. The provisions regarding the president’s powers to prorogue or dissolve parliament should be considered for amendment with particular regard to restricting the exercise of this power in limited defined circumstances.
75. The constitutional immunities of the president should be considered for reduction.
76. Consideration should be given to addressing the effects and consequences of the decision of the Court in the matter of *Attorney General v. Raphael Trotman*. The National Assembly should be expressly vested with the power to amend and vary estimates presented by the Minister of Finance or other competent and authorised members of the National Assembly.

6. Recommendations for the establishment of a Constitutional Reform Commission (CRC)

a. Method of establishment of Commission

Recommendations received and reviewed:

77. The Constitution Reform Commission ought to be established by the enactment of the Constitution Reform Bill contained in Appendix II, upon the terms therein set out.

SCCR's recommendation:

The SCCR has drafted the appended Constitutional Reform Bill 2016 intended to vest the CRC with legislative authority to achieve the State's Constitutional Reform Mandate (See Appendix 2).

b. Constitution and structure of Commission

Advise on how the Commission should be constituted and structured.

Recommendations received and reviewed:

78. It was the view of the SCCR that the previous constitutional commission was too large. The following recommendations are made:
- a) The CRC should not exceed eleven members consisting of the following
 - b) Four or five constitutional law experts
 - c) Two or three retired judges
 - d) Foreign constitutional law experts (Commonwealth)
 - e) Experienced Lawyers.
 - f) Civil Society
 - g) Academia

Structure of the Commission

79. The SCCR is of the opinion that a three-tiered system for the Commission be considered.

The details of said proposals are set out below.

- (i) A set of legal experts (6-11) will prepare a draft base document incorporating some of the recommendations of the SCCR.

- (ii) This document will then be shared wider with stakeholders, including representatives of political parties and civil society.

- (iii) The Commission will be expanded after the draft has been completed and presented to the stakeholders for their consideration. The expanded Commission will include
 - (i) 1 representative from A Party for National Unity (APNU)
 - (ii) 1 representative from the Alliance for Change (AFC)
 - (iii) 1 representative from the Peoples Progressive Party Civic (PPP/C)
 - (iv) 1 representative from the Trade Unions
 - (v) 1 representative from organisations representative of youth in Guyana
 - (vi) 1 representative of the Guyana Bar Association (GBA)
 - (vii) 1 representative from the Indian Arrival Committee (IAC)
 - (viii) 1 representative from the Indigenous Peoples
 - (ix) 1 representative from the African Cultural Development Association (ACDA)
 - (x) 1 representative from organisations representative of the Hindu Community
 - (xi) 1 representative from organisations representative of the Christian Community

(xii)1 representative from organisations representative of the Islamic Community

80. The expanded Commission will deliberate on the submissions from civil society and prepare a report which shall be perfected by its legal experts.

Appointment of Commissioners

81. Representatives from each of the non- party political groups are to be appointed by the respective organizations after a verifiable electoral process determined by the National Assembly or a select committee thereof.

82. Operations of the Constitutional Reform Commission

- (i) Commission will include Chairman and Deputy Chairman
- (ii) A coram should be nine members of the Commission
- (iii) Decisions of the Commission should first be determined by consensus unless a member requests a vote. All questions on which a vote is taken should be determined by a majority of the votes taken in the presence of the full complement of members,
- (iv) The Commission should have at its disposal an administrative team to support its work
- (v) The Commission should have the power and authority to engage experts.
- (vi) The Constitutional Reform select committee of the National Assembly should remain constituted and should, on behalf of the National Assembly, have the power to facilitate the due and efficient functioning of the commission, and to receive the report of the Commission for transmission to the National Assembly.
- (vii) The Commission shall be accommodated in an appropriate building with access to the contemporary technology.
- (viii) Legislation is required to establish the Constitutional Reform Commission.

83. Structure of the Constitution Reform Commission Secretariat

Head Posts

1. Secretary to Commission
2. Confidential Secretary to the Secretary
3. Deputy Secretary

Documentation and Research Department

4. Head, Documentation and Research
5. Supervisor, Research and Analysis
6. Supervisor, Document Preparation
7. Computer Operator
8. Computer Operator
9. Computer Operator

Public Education and Information Department

10. Head, Public Education and Information
11. Supervisor, Media
12. Supervisor, Outreach
13. Assistant Supervisor, Media

Document Replication and Distribution

14. Head, Document Replication and Distribution
15. Assistant Replication and Distribution
16. Procurement Clerk/Office Assistant

Logistics

17. Head, Logistics
18. Confidential Secretary, Head Logistics

19. Administrator, Physical Arrangements
20. Administrator, Recording Proceedings
21. Assistant Administrator, Physical Arrangements
22. Assistant Administrator, Physical Arrangements

Financial Administration and Project Monitoring

23. Head, Financial Administration and Project Monitoring
24. Confidential Secretary, Financial Administration and Project Monitoring
25. Supervisor, Project Monitoring
26. Office Manager
27. Senior Accounts Clerk
28. Accounts Clerk
29. Accounts Clerk
30. Computer Operator
31. File Attendant/Telephonist
32. Office Assistant
33. Maid
34. Cleaner

c. Criteria for selection to the Commission

84. A checklist should be created setting out requirements and experience necessary for appointment to the CRC.
85. Factors to be considered in selection would be:
 - a) Experience
 - b) Knowledge

- c) Constitutional creativity
- d) Commitment
- e) Academic expertise
- f) Practical expertise

d. Methodology for submission of recommendations

86. The CRC should strongly consider the hiring of a public relations team tasked with the responsibility of disseminating to the general public its work, including submissions received and its programme and the reception of submissions by the public.

87. Public hearings and written submissions

88. In addition to the above the CRC should consider

- a. Extracting written and oral submissions from the previous Select Committee
- b. Inviting the public to send in written submissions
- c. Extracting submissions from articles published in newspapers
- d. Establishing Special Public Hearings as a result of special requests from persons and organisations.
- e. Taking individual Commissioners' views and submission
- f. Providing internet information to stimulate responses from Guyanese residing overseas

89. Facilitate public hearings to allow potential contributors from every region of Guyana to make their contribution

e. Consultation

All stakeholder groups should form part of the CRC's process. This includes all the various Commissions created under the current iteration of the Constitution. As far as possible the CRC should ensure that this process is inclusive.

f. Funding

90. Meeting with the Inter-American Development Bank

- a. A delegation from the IADB consisting of Ms. Stacy Ann Wilson and Mr. Lawrence Latchmansingh met with members of the steering committee. The team indicated that the IADB was at the exploratory stage of identifying projects globally which they may elect to assist in funding and Guyana was just one of many countries which were being evaluated.
- b. There were discussions about those aspects of constitutional change which the IADB could possibly fund including education on the constitution and the reform process, especially as different regions of the country are impacted in different ways. Particular reference was made to the difficulty of access to the remote communities of the country.

In addition to the IADB, potential sources of funding include the international financial institutions, foreign governments and their development aid arms, the Caribbean Development Bank, and all donor agencies.

G. Timeline

The SCCR recommends that the CRC should complete its work within eighteen months.

H. Recommendation of experts

A list of experts who enjoy the SCCR's confidence is set out in Appendix 3.

I. Progress reports

It is the view of the SCCR that periodic reports be submitted to the National Assembly on the works of the CRC.

J. Model constitutions to be included in the considerations of the CRC

Proposed model Constitutions include:

- a. The Constitution Acts of Canada (1867-1982) Consolidated as of January 1st 2013;
- b. The Constitution of India, updated up to June 6th, 2004;
- c. Constitution of the Republic of South Africa, 1996 (updated up to the 23rd, August 2013);
- d. Constitution of Fiji; and
- e. Constitution of Singapore.

**PUBLIC STATEMENT ISSUED BY THE SCCR ON THE SUDDEN PASSING OF
WILLIAM HASLYN PARRIS**

The Special Committee on Constitutional Reform convened by the Honourable Prime Minister was plunged into a state of shock and deep mourning when we learnt of the very tragic passing of William Haslyn Parris.

Haslyn was a critical member of the Committee whose contributions and deliberations were always incisive, deep, masterful and invaluable.

The Committee benefitted from his immense institutional knowledge, profound appreciation of the political, social and economic history of our society and keen interest in the future of our country.

Haslyn was possessed of a fine mind.

Our work will be severely curtailed by his absence.

We offer our most profound sympathies to his family on the loss of this great son of the soil.

A book of condolence will be opened in his memory at the Chambers of Hughes Fields and Stoby where the Committee met every Friday.

May his soul soar forever.