

GUYANA
BILL NO. 2 OF 2015
FORMER PRESIDENTS (BENEFITS AND OTHER FACILITIES) BILL 2015
ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
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A BILL

Intituled

AN ACT to provide certain benefits and other facilities for former Presidents.

A.D. 2015 Enacted by the Parliament of Guyana:-

Short title. **1.** This Act may be cited as the Former Presidents (Benefits and other Facilities) Act 2015.

Interpretation. **2.** In this Act –

“child” means a child of a person whether born in or out of wedlock and a child born out of wedlock enjoys equality of status and entitlement to equal rights in accordance with article 149E (1) of the Constitution;

“former President” means any person who has held the office of President substantively;

“spouse” means –

- (a) the lawfully married wife or husband of a person;
- (b) a single woman living together with a single man in a common law union for a period of five years; or
- (c) a single man living together with a single woman in a common law union for a period of five years.

Certain benefits and other facilities for former Presidents.

3. Every person who has held the office of President substantively shall be entitled to the following benefits and facilities –

(a) payment in respect of expenses incurred for the provision and use of –

(i) water, twenty five thousand dollars each month;

(ii) electricity, twenty five thousand dollars each month;

(iii) telephone, twenty five thousand dollars each month,

at that person's habitual place of residence in Guyana.

(b) services of personal and household staff, including a gardener, provided that the total number of such staff shall not exceed three persons, including any member of the staff who may be on earned vacation or sick leave;

(c) services of clerical and technical staff not exceeding three, if requested, retained for non-political purposes related to the status of former President or to any State related task or assignment to the former President officially and for which no additional remuneration is payable;

(d) subject to a financial limit of two hundred thousand dollars per annum, free medical attention and treatment or reimbursement of medical expenses incurred by –

(i) a former President for himself and his children below the age of eighteen years;

(ii) the spouse of the former President:

Provided that the reimbursement shall not be given where any attention and treatment obtained abroad or at private health facilities in Guyana were available in Guyana at government institutions;

(e) full time personal security, not exceeding two persons including the services of the President Guard Service at the place of residence of the former President;

(f) the provision of not more than two motor vehicles owned and maintained by the State;

(g) toll free transportation; and

(h) an annual vacation allowance equivalent to the cost of two first class return airfares provided on the same conditions applicable to judges of the Supreme Court of Judicature.

No tax exemption on benefits and facilities.

4. The benefits and facilities granted under section 3 shall not be the subject of any tax exemptions, concessions or privileges.

Cessation of certain benefits and other facilities of former Presidents.

5. A former President shall cease to be entitled to the benefits and other facilities provided under section 3, if the former President engages in business, trade or paid employment or is convicted of a criminal offence for which a term of imprisonment is imposed.

Repeal.

Cap. 27:17
[Act 12 of 2009]

6. The Former President (Benefits and Other Facilities) Act is repealed.

Regulations.

7. The Minister may, subject to affirmative resolution of the National Assembly, make regulations for the due administration of this Act.

EXPLANATORY MEMORANDUM

The purpose of this Bill is to repeal the Former Presidents (Benefits and Other Facilities) Act, Cap. 27:17, Act 12 of 2009, and to replace it with this Act, to provide greater specificity; especially if account is taken of the fact that the former President is eligible for a pension which is 7/8's that of the President in office. In keeping with Resolution No. 22 passed by the National Assembly on the 2nd August, 2012 this Bill seeks to render the conditions acceptable and predictable and to place a limit on the benefits including tax free concessions, to which former Presidents are now entitled. The Bill also specifies some conditions under which the benefits may be enjoyed.

Winston Jordan
Minister of Finance.