

I assent.

D. J. G. ROSE

Governor-General.

15th September, 1969.

ACT NO. 20 OF 1969.

RICE MARKETING (AMENDMENT) ACT, 1969.

Arrangement of Sections.

Section

1. Short title and commencement.
2. Amendment of section 2 of Chapter 249.
3. Amendment of section 4 of Chapter 249.
4. Amendment of section 10 of Chapter 249.
5. Amendment of section 11 of Chapter 249.
6. Amendment of section 12 of Chapter 249.
7. Amendment of section 15 of Chapter 249.
8. Amendment of section 16 of Chapter 249.
9. Insertion of section 16A in Chapter 249.
10. Amendment of section 18 of Chapter 249.
11. Amendment of section 23A of Chapter 249.
12. Amendment of section 27 of Chapter 249.
13. Amendment of section 29 of Chapter 249.
14. Amendment of section 30 of Chapter 249.
15. Amendment of section 32 of Chapter 249.
16. Amendment of section 34 of Chapter 249.
17. Amendment of section 38 of Chapter 249.
18. Dissolution of the Guyana Rice Development Company, Limited.
19. Amendment of Chapter 250.

AN ACT to amend the Rice Marketing Ordinance, to dissolve the Guyana Rice Development Company, Limited, and to make minor amendments to the Guyana Rice Producers Association Ordinance.

15th September. 1969

A.D. 1969

Enacted by the Parliament of Guyana:—

Short title
and com-
mencement.

1. (1) This Act may be cited as the Rice Marketing (Amendment) Act, 1969, and shall be constituted and read as one with the Rice Marketing Ordinance hereinafter referred to as the Principal Ordinance, and all amendments thereto.

(2) This Act shall come into operation on such day (hereinafter referred to as "the appointed day") as the Minister responsible for finance may, by order, appoint.

Amendment of
section 2 of
Chapter 249.

2. Section 2 of the Principal Ordinance is hereby amended by the addition of the following definition immediately after the definition of the expression "the Association"—

' "the Corporation" means the Guyana Rice Corporation established by the Guyana Rice Corporation Order, 1969;'

Amendment of
section 4 of
Chapter 249.

3. Section 4 of the Principal Ordinance is hereby amended in the following respects —

(a) by the repeal of subsection (1) and the substitution therefor of the following subsection —

"(1) The Board shall consist of eleven members who shall be appointed by the Minister as follows—

(a) two public officers;

(b) one person representing the interests of consumers of rice; and

(c) eight other persons appearing to the Minister to be qualified as having had experience in matters relating to the production, manufacture or marketing of rice or to agriculture, industry or commerce generally;";

(b) by the repeal of subsection (2);

(c) by renumbering subsections (3) to (11) as subsections (2) to (10), respectively; and

(d) by the substitution of "subsection (1)" for "subsections (1) and (2)" appearing in the renumbered subsections (5) and (9).

Amendment of
section 10 of
Chapter 249.

4. Section 10 of the Principal Ordinance is hereby amended in the following respects —

(a) by renumbering the section as subsection (1); and

(b) by inserting the following subsection as subsection (2) thereof —

“(2) Nothing in subsection (1) of this section shall affect the Corporation in the exercise of the functions conferred on them under the Public Corporations Ordinance, 1962.”.

5. Subsection (2) of section 11 of the Principal Ordinance is hereby amended in the following respects —

Amendment of section 11 of Chapter 249.

(a) by the substitution of a colon for the full stop at the end thereof; and

(b) by the addition thereto of the following proviso —

“Provided that the Corporation shall not require the permission of the Board to export any padi or any by-product of padi.”.

6. Subsection (1) of section 12 of the Principal Ordinance is hereby amended by the insertion of the words “other than the Corporation, and any manufacturer when he manufactures rice for and on behalf of the Corporation” between the words “manufacturer” and “shall”.

Amendment of section 12 of Chapter 249.

7. Section 15 of the Principal Ordinance is hereby amended in the following respects —

Amendment of section 15 of Chapter 249.

(a) by the insertion of the words “by the Board” between the words “purchased” and “from” in subsection (1);

(b) by the insertion of the words “by the Board” immediately after the word “exported” in subsection (1); and

(c) by the insertion of the words “otherwise than by the Corporation” between the words “purchased” and “from” in paragraph (a) of subsection (2).

8. Section 16 of the Principal Ordinance is hereby amended in the following respects —

Amendment of section 16 of Chapter 249.

(a) by the substitution of the word “Minister” for the word “Board” in subsection (1);

(b) by the insertion of the words “by the Board and by the Corporation, respectively” immediately after the word “export” in subsection (1);

(c) by the insertion of the words “by the Board” immediately after the words “for export” in subsection (2); and

(d) by the substitution of a colon for the full stop at the end of subsection (3) and the addition thereto of the following proviso—

“Provided that the Corporation shall not require the permission of the Board to export any rice.”

Insertion of
section 16A in
Chapter 249.

9. The following section is hereby inserted in the Principal Ordinance immediately after section 16 under the heading “GENERAL POWERS AND DUTIES OF THE BOARD”—

“Power of
Minister to
give directions
to the Board.

16A. (1) The Minister may, after consultation with the Board, give to the Board such directions of a general character as to the exercise and performance by the Board of its functions under this Ordinance as appear to the Minister to be requisite in the public interest, and the Board shall give effect to any such directions.

(2) The Board shall afford to the Minister facilities for obtaining information with respect to the property and activities of the Board, and furnish him with returns, accounts and other information with respect thereto, in such manner and at such times as he may require.”

Amendment of
section 18 of
Chapter 249.

10. Section 18 of the Principal Ordinance is hereby amended in the following respects —

- (a) by the repeal of subsection (2); and
- (b) by renumbering subsections (3) and (4) as subsections (2) and (3), respectively.

Amendment of
section 23A of
Chapter 249.

11. Section 23A of the Principal Ordinance is hereby amended by the substitution of a colon for the full stop at the end thereof and the addition thereto of the following proviso —

“Provided that it shall not be necessary for any permission to be granted under this section for the removal of any padi from any factory owned by or under the control of the Corporation or from any other factory for delivery to the Corporation.”

Amendment of
section 27 of
Chapter 249.

12. Section 27 of the Principal Ordinance is hereby amended by the addition thereto of the following subsection as subsection (5)—

“(5) This section shall not apply to the Corporation, or to any other manufacturer in respect of padi in his factory to be manufactured into rice for sale or delivery to the Corporation.”

Amendment of
section 29 of
Chapter 249.

13. Subsection (1) of section 29 of the Principal Ordinance is hereby repealed and the following subsection substituted therefor—

“(1) Every manufacturer (other than the Corporation) shall, within seven days after the expiration of each month, make and send to the Board a true and correct return of the quantities of padi received into his factory (other than padi received from the Corpor-

ation) and the quantities of rice manufactured for, and delivered by him to, the Board during the preceding month.”.

14. Section 30 of the Principal Ordinance is hereby amended in the following respects — Amendment of section 30 of Chapter 249.

- (a) by the insertion of the words and brackets “(other than the premises of the Corporation)” between the words “premises” and “in” in paragraph (a); and
- (b) by the insertion of the words and brackets “(other than the Corporation)” immediately after the word “manufacturer” where it first appears in paragraph (b).

15. Section 32 of the Principal Ordinance is hereby amended in the following respects — Amendment of section 32 of Chapter 249.

- (a) by the insertion of the words “by the Board” between the words “export,” and “the” in subsection (1); and
- (b) by the insertion of the words “for sale to the Board” between the words “manufactured” and “either” in subsection (3).

16. Section 34 of the Principal Ordinance is hereby amended in the following respects — Amendment of section 34 of Chapter 249.

- (a) by the deletion of the word “Any” where it appears at the commencement of subsection (2) thereof and the substitution therefor of the words “Except as otherwise provided by this Ordinance, any”;
- (b) by the insertion of the words “or the Corporation” immediately after the word “Board” in subsection (3);
- (c) by the deletion of paragraph (a) of subsection (4) and the re-lettering of paragraphs (b), (c), (d) and (e) as paragraphs (a), (b), (c) and (d) respectively; and
- (d) by renumbering subsection (5) as subsection (6) and by inserting the following subsection as subsection (5) —

“(5) Any person, not being the Corporation, who purchases any padi from the grower thereof at a price which is less than the minimum price fixed under paragraph (a) of subsection (2) of section 15 shall be guilty of an offence against this Ordinance.”.

17. Section 38 of the Principal Ordinance is hereby amended in the following respects — Amendment of section 38 of Chapter 249.

- (a) by renumbering the section as subsection (1); and
- (b) by the addition thereto of the following subsection as subsection (2)—

“(2) Regulations made under subsection (1) of this section shall not apply to the Corporation.”.

Dissolution
of the Guyana
Rice Develop-
ment Com-
pany, Limited.

18. (1) The Guyana Rice Development Company, Limited, established by virtue of section 22 of the Principal Ordinance (hereinafter referred to as “the company”) is hereby dissolved.

(2) The assets of the company (including rights and interests) shall be transferred to and vested in the Guyana Rice Corporation (hereinafter referred to as “the Corporation”) on the appointed day.

(3) Liabilities incurred by the company prior to, and subsisting immediately before, the appointed day shall, be discharged by, and be enforceable against, the Corporation as if the said liabilities had been incurred by the Corporation.

(4) Nothing in subsection (2) or (3) of this section shall apply to rights or liabilities under any contract of service.

(5) All deeds, bonds, instruments or other documents which were subsisting immediately before the appointed day and affected the company, shall in so far as they relate to the undertaking of the company, be of as full force and effect against or in favour of the Corporation, and enforceable as fully and effectually as if, instead of the company, the Corporation had been named therein or had been a party thereto and where immovable property has, by virtue of this section, vested in the Corporation the Registrar of Deeds shall take due notice thereof and shall make such annotations on the records as may be necessary.

(6) All proceedings commenced prior to the appointed day for the enforcement of any rights or liabilities which are transferred or attached to the Corporation by virtue of this section may be continued by or against the Corporation, and any such proceeding may be amended accordingly.

(7) The Corporation may, as from the appointed day, continue to employ, on such terms and conditions as may be agreed on between the Corporation and him, any person employed with the company immediately before the appointed day, and in respect of any person so employed the Corporation shall be the successor of the company with regard to leave or superannuation rights or benefits whether accrued, earned, inchoate or contingent.

(8) To such extent, if any, as may be required by the provisions of article 8 of the Constitution, provision is hereby made in terms of subparagraphs (a) and (b) of paragraph (1) of that article in relation to any property, including any interest in or right over such property, acquired by the Corporation under this section.

(9) Section 22 of the Principal Ordinance is hereby repealed.

19. The Guyana Rice Producers Association Ordinance is hereby amended in the following respects —

- (a) by the deletion of paragraph (c) from section 4;
- (b) by re-lettering paragraphs (d) and (e) of section 4 as paragraphs (c) and (d) respectively;
- (c) by the deletion of paragraph (a) from subsection (2) of section 5;
- (d) by re-lettering paragraphs (b) and (c) of subsection (2) of section 5 as paragraphs (a) and (b) respectively;
- (e) by the deletion from subsection (5) of section 5, of all the words following after the word "Council" where it appears for the second time;
- (f) by the deletion of the words and commas ", other than the Chief Agricultural Officer," from subsection (6) of section 5;
- (g) by the deletion of the words "other than the Chief Agricultural Officer" from subsection (8) of section 5;
- (h) by the repeal of subsection (11) of section 5;
- (i) by the deletion of "paragraph (c) of section 4," from subsection (2) of section 5A;
- (j) by the substitution of the symbol "(c)" for the symbol "(d)" wherever it appears in section 7;
- (k) by the deletion from section 9 of all the words following after the word "regulations" in subsection (1);
- (l) by the repeal of subsection (3) of section 9;
- (m) by renumbering subsections (4) to (8) of section 9 as subsections (3) to (7) respectively; and
- (n) by the repeal of the renumbered subsection (7) of section 9 and the substitution therefor of the following subsection —

"(7) The Council shall keep such books and accounts as may be necessary to record its receipts and payments and shall, on or before the 31st March in each year, cause its books and accounts in so far as they relate to its transactions to the 31st December in the preceding year to be audited by an auditor qualified under subsection (8) of section 109 of the Companies Ordinance and published in at least one newspaper."

Passed by the National Assembly on the 5th of September, 1969.

M. B. HENRY,
Acting Clerk of the National Assembly.