

I assent
W. L. HEAPE,

Officer Administering
the Government.

17th June, 1949.

ORDINANCE No. 9 of 1949.

AN ORDINANCE further to amend the Boerasirie Creek Ordinance, by enabling the Boerasirie Commissioners to recover expenses incurred by them under the Ordinance against part proprietors of those plantations to which the Ordinance applies; by conferring on part proprietors the right to vote at meetings of proprietors; and for matters connected therewith.

AD. 1949
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BE IT ENACTED by the Governor of British Guiana with the advice and consent of the Legislative Council thereof as follows:—

4. Section eight of the Principal Ordinance is hereby amended —
- (a) by the substitution for sub-paragraph (iii) of paragraph (d), of the following sub-paragraph —
- “ (iii) assess upon any plantation so supplied or deriving benefit from those works, or upon any portion or part of such plantation as hereinafter provided, or upon the whole area included in this Ordinance, the expenses of the construction, maintenance and control and any further sum which the Commissioners in any case decide to be a fair compensation to the proprietor or part proprietor of any plantation through which the water is so conveyed;”.
- (b) by the substitution for paragraph (g) of the following paragraph —
- “ (g) assess upon the plantations and portions of plantations owned by part proprietors and recover from the proprietors and part proprietors all moneys required or expended by them for the purposes of this Ordinance;”.
- (c) by the substitution for paragraphs (ii) and (iii) of the proviso thereto, of the following paragraphs —
- “ (ii) every assessment shall be at an equal rate per acre over the whole district receiving benefit and for the purpose of fixing the rate of any assessment each plantation shall be treated as a whole;
- (iii) every assessment shall be made on and recovered against each plantation and portion of a plantation owned by a part proprietor as a whole, including any other plantation or portion of a plantation if worked with it;”
- (d) by re-numbering paragraph (iv) of the proviso thereto as paragraph (v); and
- (e) by the insertion of the following paragraph as paragraph (iv) —
- “ (iv) the area of each plantation shall be taken to be the area stated in the second column of the Schedule hereto or as determined by the Governor in Council and the area of a portion of a plantation owned by a part proprietor shall be taken to be the area stated in the book which the Commissioners are required to keep as hereinafter provided, or as determined by the Governor in Council;”.

Amendment of section 8 of Principal Ordinance.

5. Section nine of the Principal Ordinance is hereby amended —
- (a) by the insertion in paragraph (a) after the word “plantation”, of the words “or portion of a plantation owned by any part proprietor”; and

Amendment of section 9 of Principal Ordinance.

- (b) by the substitution for paragraph (c) of the following paragraph —
- “(c) the supply of water permitted to be taken or received by a proprietor or part proprietor shall not be the same per acre for each acre of the area owned by him as that permitted to be taken or received by any other proprietor or part proprietor but may be such quantity per acre as aforesaid as in the circumstances of the particular case, he thinks just and reasonable.”

Amendment of section 12 of Principal Ordinance.

6. Section twelve of the Principal Ordinance is hereby amended by the addition of the following as subsection (3) —

“(3) The assessments shall be due on the first day of January in each year but may be paid in moieties payable on or before the thirtieth day of June and on or before the thirty-first day of December of each year. Interest at the rate of six per centum per annum shall be payable on every assessment or part thereof which has not been paid at the prescribed time until payment of the amount due.”

Amendment of section 15 of Principal Ordinance.

7. Section fifteen of the Principal Ordinance is hereby amended —

- (a) by the insertion after the word “plantations” in subsection (1) of the words “and portions of plantations”;
- (b) by the substitution in subsection (1) of the words “and part proprietors” for the word “thereof”;
- (c) by re-numbering subsection (3) as subsection (5) and by the insertion therein, after the word “proprietor” whenever it occurs, of the words “or part proprietor”;
- (d) by the insertion of the following as subsections (3) and (4) —

“(3) The Commissioners shall as soon as possible after the commencement of this subsection, by notice published on two successive Saturdays in the *Gazette* and one daily newspaper circulating in the Colony, require all part proprietors to register their names and addresses and to produce their transports or other documents of title to the Commissioners for the purpose of registration.

(4) If subsequent to the publication of such notices, any part proprietor or any person who becomes a part proprietor fails to register his name and address and to produce his transport or other document of title as aforesaid, he shall not for the purposes of this Ordinance be treated as a part proprietor until he does so:

Provided that if any assessment has already been made or parate execution has already been issued, the Commissioners may proceed with the assessment or parate execution as made or issued.”; and

- (e) by the addition thereto of the following subsection—
- “(Penalty. (6) Any part proprietor who fails to comply

with any notice published under the provisions of subsection (3) of this section shall be liable to a penalty not exceeding fifty dollars.”

8. The Schedule to the Principal Ordinance is hereby repealed and the following Schedule substituted therefor —

Substitution of new Schedule to Principal Ordinance.

SCHEDULE.				Section 8
PLANTATIONS				ACREAGE
Versailles cum annexis	**	**	**	2,255
Vreed-en-Hoop cum annexis	**	**	**	1,135
L'Union and Nouvelle Flanders				328
Rotterdam	**	**	**	197
Haarlem and Mary	**	**	**	243
Wallers Delight	**	**	**	549
Ruimzigt	**	**	**	661
Windsor Forest	**	**	**	937
La Jalousie	**	**	**	1,178
Blankenburg	**	**	**	1,257
Hague	**	**	**	1,622
Den Amstel	**	**	**	599
Fellowship	**	**	**	289
Leonora cum annexis	**	**	**	7,202
Uitvlugt cum annexis	**	**	**	11,022
Vergencegen cum annexis	**	**	**	2,494”