

I assent,  
**ALFRED SAVAGE,**  
 Governor.  
 9th July, 1954.

ORDINANCE No. 19 OF 1954.

AN ORDINANCE to provide for the inspection of certain premises in the city of Georgetown, the town of New Amsterdam, Kitty and Alexanderville Village District and certain other areas in the Colony; to provide for the elimination of fire hazards in connection with such buildings; and for purposes connected with the matters aforesaid.

[10th July, 1954].

ENACTED by the Legislature of British Guiana:—

A.D. 1954.

1. (1) This Ordinance may be cited as the Fire Prevention Ordinance, 1954, and shall apply to such areas of the city of Georgetown, the town of New Amsterdam, the Kitty and Alexanderville Village District and to such other areas of the Colony as the Governor in Council may, from time to time, by Order published in the Gazette, prescribe.

Short title and application.

(2) Any Order made under this section may be altered, varied or revoked by any subsequent Order.

2. In this Ordinance—

“inspector” means a sub-officer within the meaning of the Constabulary Ordinance;

Interpretation.

“the Superintendent” means the Superintendent of the Georgetown Fire Brigade, the Deputy Superintendent of the Georgetown Fire Brigade and the Officer for the time being in charge of the New Amsterdam Fire Brigade.

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3. (1) There shall be constituted a Board to be called the Fire Advisory Board (hereinafter referred to as “the Board”) vested with the powers, duties and functions in this Ordinance mentioned.

Fire Advisory Board.

(2) The Board shall consist of nine members who shall be appointed by the Governor acting in his discretion.

(3) The Chairman and the Deputy Chairman of the Board shall be appointed by the Governor acting in his discretion.

(4) The Chairman shall preside at all meetings of the Board which he attends, and in his absence the Deputy Chairman shall preside. In the absence of both the Chairman and the Deputy Chairman from the meeting, the members present shall elect one of their number to preside at the meeting.

(5) The Chairman, the Deputy Chairman or other member presiding at any meeting of the Board shall have an original and a casting vote.

(6) At any meeting of the Board, five members, including the presiding member, shall form a quorum.

(7) The Governor may grant leave of absence to any member of the Board, and may appoint another person to be a member of the Board during the former member's absence on leave.

(8) The Board may act notwithstanding any vacancy among the members thereof.

(9) The Board may appoint a Secretary, at such salary, if any, as the Governor may, in his discretion, approve.

Duties of Board.

4. It shall be the duty of the Board —

(a) to advise the Governor on all questions pertaining to the prevention of fires and matters incidental thereto; and

(b) to perform the duties and exercise the functions mentioned in this Ordinance.

Entry and inspection of premises.

5. The Superintendent or any inspector authorised in writing by the Superintendent may, on any week-day between the hours of eight of the clock in the forenoon and four of the clock in the afternoon, enter and inspect any premises for the purpose of ascertaining whether, by reason of the condition or construction of such premises, or by reason of the storage of inflammable material on or near to such premises, or by reason of any other conditions existing on such premises (including any manufacturing or other process carried on in such premises), there is a danger of an outbreak of fire.

Power of Superintendent to require alterations to be made, etc.

6. (1) Where the Superintendent considers it desirable so to do, he may serve a notice in writing by post on the owner of the premises requiring him to carry out such structural alterations as may be specified in such notice within the time stated in such notice which, in the opinion of the Superintendent, would reduce the risk of fire, arrest the progress of any fire, or provide adequate means of escape from fire.

(2) The Superintendent may serve a notice in writing by post on the occupier of any premises requiring him to take such precautionary measures against the outbreak or spread of fire

as may be specified in such notice within the time stated in such notice.

(3) The time specified in any notice served under the provisions of subsection (1) or subsection (2) of this section shall not commence to run until the expiration of seven clear days after the service of such notice on the owner or occupier of the premises as the case may be.

7. (1) Any owner or occupier may, within fourteen days of Appeals. the service of any notice served on him under the provisions of section 6 of this Ordinance, appeal to the Board from the requirements of such notice.

(2) Upon the hearing of any such appeal the Board may confirm, revoke, or vary the requirements of the notice.

(3) Any person aggrieved by the decision of the Board on any appeal under the provisions of subsection (1) of this section may within fourteen days appeal to the Governor in Council whose decision shall be final.

8. (1) Any person who fails to comply with the requirements of any notice served on him under the provisions of subsection (1) or subsection (2) of section 6 of this Ordinance shall be liable on summary conviction to a penalty not exceeding twenty-five dollars for every day during which he continues to make default, and where such premises are used for the purposes of any trade or business, the court shall, in addition to any penalty imposed, order that such premises shall be closed for the purposes of such trade or business until the court is satisfied that the owner or occupier as the case may be, has complied with the requirements of the notice. Offences

(2) Any person who uses or permits to be used any premises in contravention of any closing order made by the court under subsection (1) of this section shall be liable to a penalty of not less than twenty-five dollars and not exceeding one hundred and fifty dollars for every day during which he uses or permits to be used such premises in contravention of the terms of the order and the court may, in addition to any other penalty, order that any trade licence held by the occupier shall be deemed to be cancelled or suspended as the case may be.

(3) Any person who —

- (a) assaults, resists, obstructs or wilfully delays the Superintendent or any inspector in the performance of his duty under this Ordinance; or
- (b) conceals or attempts to conceal from the Superintendent or any inspector any explosive, inflammable or dangerous substance on any premises, or being the occupier of any premises refuses to give the name and address of the owner of such premises when requested by the Superintendent or an inspector so to do,—

shall be liable on summary conviction to a penalty not exceeding one hundred dollars.

Re-opening  
of pre-  
mises  
closed by  
court.

9. (1) Where any closing order has been made under the provisions of subsection (1) of section 8 of this Ordinance, the owner or occupier as the case may be, may, upon complying with the requirements of the notice served on him under the provisions of section 4 of this Ordinance, make application to the court in a summary manner that the order be discharged, and shall serve a copy of such application on the Superintendent.

(2) Upon the hearing of any such application as aforesaid, the court shall not discharge the order unless the applicant produces a certificate signed by the Chairman of the Board that the requirements of the notice have been complied with to the satisfaction of the Board.

Regula-  
tions.

10. (1) The Governor in Council may make Regulations for the carrying out of the purposes and objects of this Ordinance.

(2) There may be annexed to any regulation for the breach thereof a penalty not exceeding one hundred dollars and without prejudice to the generality of the foregoing, the Governor in Council may make Regulations —

- (a) providing for the registration of any premises in respect of which, by reason of any process carried on therein, there is in the opinion of the Governor in Council, a danger of an outbreak of fire;
- (b) prescribing the specifications to which any premises mentioned in paragraph (a) of this subsection shall conform; and
- (c) prescribing the precautionary measures to be taken by the occupier of any premises against the outbreak or spread of fire.