
STATUTE LAW REVISION.

ORDINANCE No. 7 OF 1904.

AN ORDINANCE to make provision for the preparation and publication of a new and revised edition of the laws of this Colony.

A.D. 1904.

[4th May, 1904.]

WHEREAS it would be for the public advantage that a new and revised edition of the Statute Laws of this Colony should be prepared and published without delay;

And whereas it is expedient that a Commissioner should be appointed and other proceedings should be taken as hereinafter mentioned for this purpose:

Be it therefore enacted by the Governor of British Guiana, with the advice and consent of the Court of Policy thereof, as follows:—

Short title.

1. This Ordinance may be cited as the Statute Laws (Revised Edition) Ordinance, 1904.

Interpretation of terms.

2. In this Ordinance,—

“Ordinance” includes any Order of the King-in-Council, and any Act, Publication, Proclamation, or other instrument bearing date prior to the 21st day of July, 1831, and respectively recognized as having the force of law in this Colony.

“The new edition” means the new and revised edition of the Statute Laws of the Colony to be prepared under the authority of this Ordinance.

Appointment of Commissioner for preparation of new edition of Statute Laws.

3.—(1) The Honourable Sir Thomas Crossley Rayner, Knight, K.C., Attorney General of the Colony, is hereby appointed a Commissioner for the purpose of preparing a new and revised edition of the Statute Laws of this Colony, and making arrangements for the printing and publication thereof.

(2) In case the said Sir Thomas Crossley Rayner is unable from any cause to fully discharge his commission under this Ordinance, the Governor may appoint some other fit and proper person or other fit and proper persons to be a Commissioner or Commissioners in his stead.

(3) If in such case more Commissioners than one are appointed, the term “the Commissioner” as hereinafter used shall apply to such Commissioners.

Powers of revision as to form of enactments vested in the Commissioner.

4. In the preparation of the new edition, the Commissioner shall have the following powers, that is to say,—

(1) To omit

(a) All Ordinances or parts of Ordinances which have been expressly or specifically repealed, or which have expired, or have become spent, or have had their effect;

(b) All repealing enactments contained in Ordinances, and also all tables or lists of repealed enactments, whether contained in schedules or otherwise;

(c) All preambles to Ordinances, where such omission can, in the opinion of the Commissioner, be conveniently made;

(d) All introductory words of enactment in any section of an Ordinance where such Ordinance consists of more sections than one;

(e) All enactments prescribing the date when an Ordinance or part of an Ordinance is to come into force, where such omission can, in the opinion of the Commissioner, be conveniently made; and

(f) All amending Ordinances or parts of Ordinances where the amendments effected by such Ordinances or parts of Ordinances have been embodied by the Commissioner in the Ordinances to which they relate:

No. 14 of 1891.
See under
“Interpretation.”

Provided that the provisions of section 28 of the Interpretation Ordinance, 1891, shall apply to such omissions in the same way as if the Ordinance or enactments omitted had been repealed.

- (2) To consolidate into one Ordinance any two or more Ordinances *in pari materiâ*, making the alterations thereby rendered necessary in the consolidated Ordinance, and affixing such date thereto as may seem most convenient;
- (3) To alter the order of sections in any Ordinance; and, in all cases where it is necessary to do so, to re-number the sections of any Ordinance;
- (4) To alter the form or arrangement of any section of an Ordinance, either by combining it in whole or in part with another section or other sections or by dividing it into two or more sub-sections;
- (5) To divide any Ordinance, whether consolidated or not, into parts or other divisions;
- (6) To add a short title to any Ordinance which may require it, and, if necessary, to alter the short title of any Ordinance;
- (7) To correct grammatical and typographical mistakes in the existing copies of Ordinances, and for that purpose to make verbal additions, omissions or alterations not affecting the meaning of any enactment; and
- (8) To do all other things relating to form and method which may be necessary for the perfecting of the new edition.

5. There shall be attached to each Ordinance contained in the new edition a number showing its place among the Ordinances of the year to which it belongs.

Numbering
of Ordinances.

6.—(1) The power conferred upon the Commissioner in section 4 shall not be taken to imply any power in him to make any alteration or amendment in the matter or substance of any Ordinance or part of an Ordinance.

Mode of
dealing with
alterations of
substance.

(2) Subject to the provisions of sub-section (4) of this section, in every case where any such alteration or amendment is, in the opinion of the Commissioner, desirable, the Commissioner shall draft a Bill setting forth such alterations and amendments, and authorizing them to be made in the said new and revised edition, and every such Bill shall, subject to the sanction of the Governor, be submitted to the Court of Policy and be dealt with in the ordinary way.

(3) Any such Bill may have reference to more Ordinances than one, although such Ordinances may not be *in pari materiâ*.

(4) In any case where an Ordinance, whether consolidated or not, requires such considerable alterations and amendments as to involve its entire recasting, the Commissioner shall draft a Bill accordingly, and such Bill shall be submitted to the Court of Policy and be dealt with in the ordinary way.

7. The Commissioner shall prepare and cause to be printed together in a separate volume a chronological table of all the Statute Laws of the Colony and a full and complete index to the Ordinances contained in the new edition.

Chronological
table and index
to new edition.

8.—(1) The Commissioner shall, with the approval of the Governor, make such arrangements as he may think expedient for the printing and binding of the new edition.

Printing, etc.,
of new edition.

(2) The Governor shall give such directions as he may think fit with respect to the number of copies to be printed and the manner in which they shall be bound.

Bringing into force of new edition.

9. The Governor may by Proclamation approve the edition prepared under this Ordinance, and order that it shall come into force from such date as he thinks fit.

Validity and operation of new edition.

10.—(1) The new edition shall be in all Courts of Justice and for all purposes whatsoever the sole and only proper Statute Book of the Colony with regard to the Ordinances inserted therein.

(2) Any Ordinance or any part thereof passed before the coming into operation of the new edition but not inserted therein may be in any Court or on any occasion referred to for the purpose of construing or interpreting any contract or agreement or other document or any rule or regulation in which such Ordinance or any part thereof is cited or referred to or incorporated by reference ⁽¹⁾; or

(a) For the purpose of construing or interpreting any Ordinance contained in the new edition; or

(b) If it has not been repealed or its provisions have not been incorporated in any Ordinance contained in the new edition then for the purpose of showing what the law is on the subject with which it deals: Provided always that where any provision of any Ordinance contained in the new edition is inconsistent with any enactment passed as aforesaid but not contained therein such enactment shall be deemed to have been repealed.

(3) The repeal or omission from the Revised Edition of the Statute Laws of this Colony of any enactment repealed or omitted during and for the purpose of the preparation of such Revised Edition, shall not affect the validity of any such existing Resolutions, or Orders of the Governor and Court of Policy or Combined Court, Orders or Decisions or Proclamations of the Governor-in-Council or statements prepared by any Officer of the Government, or Rules, Regulations, or Bye-Laws, as have been made under any enactment so repealed or omitted, but such Resolutions, Orders, Decisions, Proclamations, Statements, Rules, Regulations, or Bye-laws so far as they are not inconsistent with any Statute Law of this Colony for the time being in force, shall continue in force until otherwise provided.

Construction of reference to repealed, etc., enactment.

11. Where, in any enactment or in any document of whatever kind, reference is made to any enactment repealed or otherwise affected by or under the operation of this Ordinance, such reference shall, where necessary and practicable, be deemed to extend and apply to the corresponding enactment in the new edition.

Disposal of copies of new edition.

12.—(1) Copies of the new edition shall be distributed amongst such persons, Officers, and departments as the Governor may direct.

(2) Such number of copies and at such price as the Governor may direct shall be offered for sale to the general public.

Payment of expenses.

13. The expenses of carrying out the provisions of this Ordinance shall be paid from such moneys as may be provided by the Combined Court for that purpose.

¹ Limited by Section 11 of Ordinance No. 15 of 1906.