

THE OFFICIAL GAZETTE 31ST JANUARY, 2007
LEGAL SUPPLEMENT — A



ACT No. 2 of 2007

OLD METAL DEALERS (AMENDMENT) ACT 2007

I assent.

Bharrat Jagdeo,
President.

31st January, 2007.

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Amendment of section 2 of Principal Act.
3. Amendment of section 4 of Principal Act.
4. Amendment of section 6 of Principal Act.

5. Amendment of section 6B of Principal Act.
6. Amendment of section 7 of Principal Act.
7. Amendment of section 11 of Principal Act.
8. Insertion of new sections 11B and 11C in Principal Act.
 - 11B. Minister may suspend export of old metal.
 - 11C. Offence to export in breach of sections 11A or 11B.
9. Amendment of section 12 of Principal Act.
10. Insertion of new section 14 in Principal Act.
 14. Regulations.

AN ACT to amend the Old Metal Dealers Act (Cap. 91:08).

A.D. 2006 Enacted by the Parliament of Guyana:-

Short title. 1. This Act, which amends the Old Metal Dealers Act, may be
Cap. 91:08 cited as the Old Metal Dealers (Amendment) Act 2006.

Amendment of section 2 of Principal Act. 2. Section 2 of the Principal Act is amended by substituting, for the definition of "old metal", the following definition -

"old metal" -

- (a) means articles referred to in the definition of "dealer" in this section; and
- (b) includes any kind or description of metal declared by regulation to be old metal."

Amendment of section 4 of Principal Act. 3. Section 4 (2) of the Principal Act is amended by substituting, for the words "twenty-five" and "fifteen hundred", the words "one hundred" and "six thousand" respectively.

Amendment of section 6 of Principal Act. 4. Section 6 of the Principal Act is amended by substituting, for the word "twenty-four", the words "one hundred".

Amendment of section 6B of Principal Act. 5. Section 6B (2) of the Principal Act is amended by substituting, for the word "ten", the word "forty".

Amendment of section 7 of Principal Act. 6. Section 7 of the Principal Act is amended by substituting, for the words "seven thousand five hundred" and "one", the words "thirty thousand" and "four" respectively.

Amendment of section 11 of Principal Act. 7. Section 11 (2) of the Principal Act is amended by substituting, for the words "five", "twenty-five", "twenty-five", and "three hundred", the words "twenty", "one hundred", "one hundred", and "one million two hundred" respectively.

Insert of new sections 11B and 11C in Principal Act. 8. The Principal Act is amended by inserting, immediately after section 11A, the following sections -

"Minister may suspend export of old metal.

11B. (1) The Minister may by order prohibit all old metal, or any specified kind or description of old metal, from being shipped or otherwise exported from Guyana for a specified period of time not exceeding one year, if the Minister

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considers it necessary or expedient in the interests of preventing or curbing any illegal activity.

(2) An order under subsection (1) has effect notwithstanding -

- (a) any licence, permit, approval, permission, or other kind of consent or authorisation issued or granted under any written law;
- (b) anything to the contrary in section 11(1) (f) or 11A or any other provision of this Act.

(3) No person shall ship or otherwise export from Guyana any old metal in contravention of an order under subsection (1).

Offence to export in breach of sections 11A or 11B.

11C. Every person who contravenes or fails to comply with sections 11A(1) or 11B(3) commits an offence and shall on summary conviction be liable -

- (a) for a first offence, to -
 - (i) a fine of not less than twenty thousand dollars and not exceeding one hundred thousand dollars; and
 - (ii) imprisonment for a term not exceeding 3 months;
- (b) for every subsequent offence to -
 - (i) a fine of not less than one hundred thousand dollars and not exceeding one million two hundred thousand dollars; and
 - (ii) imprisonment for a term not exceeding 1 year."

9. Section 12 of the Principal Act is amended by substituting, for the word "twenty-five", the words "one hundred".

Amendment of section 12 of Principal Act.

10. The Principal Act is amended by inserting, after section 13, the following section -

Insertion of new section 14 in Principal Act.

14. The Minister may subject to the negative resolution of the National Assembly make regulations for all or any of the following purposes

Regulations.

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- (a) declaring any kind or description of metal to be old metal for the purposes of paragraph (b) of the definition of "old metal" in section 2;
- (b) increasing or reducing the annual registration fee specified in section 6;
- (c) amending any Schedule to this Act;
- (d) providing for any other matters necessary for giving full effect to the provisions of this Act and for the due administration of these provisions."

Passed by the National Assembly on 11th January, 2007.

S. E. Isaacs,
Clerk of the National Assembly.

(BILL No. 27/2006)