



GUYANA

ACT No. 23 of 1990

CONSTITUTION (AMENDMENT) ACT 1990

I assent.

H. D. Hoyte,
President.

1990—10—31.

ARRANGEMENT OF SECTIONS

SECTION

1. Short title and commencement.
2. Amendment of Section 7 of the Constitution of the Co-operative Republic of Guyana Act 1980.
3. Alteration of Article 142 of the Constitution.
4. Amendment of the Acquisition of Lands for Public Purposes Act.
5. Application.

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AN ACT to amend the Constitution of the Co-operative Republic of Guyana Act 1980 in accordance with article 164 of the Constitution, to alter article 142 of the Constitution in accordance with articles 66 and 164 thereof and to amend the Acquisition of Lands for Public Purposes Act.

A.D. 1990

Enacted by the Parliament of Guyana:—

Short title
and com-
mencement.

1. This Act may be cited as the Constitution (Amendment) Act 1990 and shall come into operation on such date as the President may by order appoint.

Amend-
ment
of section
7 of the
Constitu-
tion of the
Co-op-
erative Re-
public of
Guyana Act
1980.
Act No. 2
of 1980

2. Section 7 of the Constitution of the Co-operative Republic of Guyana Act 1980 is hereby amended by the deletion therefrom of subsection (9).

Alteration
of
article 142
of the
Constitu-
tion.

3. Article 142 of the Constitution is hereby altered by the substitution for paragraph (1) of the following paragraph —

“(1) No property of any description shall be compulsorily taken possession of, and no interest in or right over property of any description shall be compulsorily acquired, except by or under the authority of a written law —

- (a) providing for compensation for the property or any interest in or right over property so possessed or acquired and specifying the principles on which the compensation is to be determined and given; and
- (b) giving to any person claiming such compensation a right of access, either directly or by way of appeal, for the determination of his interest in or right over the property and the amount of compensation, to the High Court.”.

Amend-
ment of the
Acquisi-
tion of
Lands for
Public Pur-
poses Act.
Cap. 62:05

4. The Acquisition of Lands for Public Purposes Act is hereby amended in the following respects —

- (a) in section 7, subsection (1), by the substitution of a full stop for the colon and by the deletion of the proviso;
- (b) in section 18,
 - (i) in subsection (1), by the substitution of the following paragraph for paragraph (a) —
 - “(a) the market value of the land on the date of the publication in the *Gazette* of the order under section 3 declaring the work on the land to be a public work;”;
 - (ii) by the deletion of subsection (2);
- (c) by the repeal of section 19 and the substitution of the following section therefor —

“Additional
award

19. In determining claims for compensation the court shall have power to consider and award to the claimant in respect of compensation for compulsory purchase, in addition to the matters herein specified, any sum not exceeding such per cent of the market value of the land at the time of awarding compensation to the Court seeming fit”.

Applica-
tion.

5. (1) This Act shall apply only to a compulsory acquisition of property or any interest in or right over property in respect of which negotiations for such compulsory acquisition commenced on or after the date of the coming into operation of this Act.

(2) Nothing in this Act shall be construed as affecting article 142 of the Constitution as in force immediately before the coming into operation of this Act in so far as that article applied for the purposes of any compulsory acquisition of property or any interest in or right over property.

(3) Nothing in this Act shall be construed as affecting a compulsory acquisition of land or any interest in or right over land in respect of which the order under section 3 of the Acquisition of Lands for Public Purposes Act declaring the work on the land to

Cap. 62:05

be a public work was published in the **Gazette** on or before the date immediately preceding the date of the coming into operation of this Act.

Passed by the National Assembly on 1990—08—09 in accordance with article 164 of the Constitution.

G. E. F. Moses,
Clerk of the National Assembly.(Ag)

(BILL No. 24/1990)