

BILL No. 4 OF 1974 MONDAY 21ST, JANUARY, 1974

PARLIAMENT OFFICE,
Public Buildings,
Georgetown,
Guyana.
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The following Bills to be introduced in the National Assembly are published for general information.

F. A. NARAIN,
Clerk of the National Assembly.



GUYANA

BILL No. 4 of 1974

RENT CONTROL (SPECIAL PROVISIONS) BILL 1974

Arrangement of Sections

Section	
1.	Short title and commencement.
2.	Control of rents.
3.	Recovery of excess rent paid.
4.	Duration of Act.

A BILL

Intituled
An Act to impose controls on rents.

A.D. 1974 Enacted by the Parliament of Guyana:—

Short title
and com-
mencement. 1. This Act may be cited as the Rent Control (Special Provisions) Act 1974, and shall be deemed to have come into force on 1st January, 1974.

Control
of rents.
Cap. 36: 23 2.(1) In respect of premises to which the Rent Restriction Act applies and which become the subject matter of a tenancy for the first time after 31st December, 1973, for the purpose of ascertaining and certifying the standard rent or assessing, fixing and certifying the maximum rent thereof, there shall not be considered as an outgoing by virtue of paragraph (f) of the schedule to the said Act in respect of any period after 31st December, 1973, rates and taxes of an amount greater than that which would have been considered in respect of the year ending 31st December, 1973, if those premises had then been let and the rent had been determined during that year.

Cap. 69:02. (2) In respect of a holding (within the meaning of the Rice Farmers (Security of Tenure) Act) which becomes the subject matter of a tenancy for the first time after 31st December, 1973, for the purpose of ascertaining, assessing and fixing the maximum rent of that holding there shall not be considered an amount greater than that which would have been considered by virtue of section 23 of the said Act in the determination of the maximum rent by an assessment committee in respect of the year ending 31st December, 1973, if that holding had then been let and the maximum rent had been ascertained, assessed and fixed during that year.

(3) Notwithstanding any law, in respect of the tenancy of any premises or holding, other than as mentioned in subsections (1) and (2) —

- (a) the rent payable for any period after 31st December, 1973 in respect of any such premises or holding which were the subject matter of a tenancy at 31st December, 1973 shall not exceed the amount which was paid in respect thereof for a corresponding period immediately before 1st January, 1974;
- (b) the rent payable in respect of any such premises or holding which were not let at 31st December, 1973 but which become the subject matter of a

tenancy at any time after 31st December, 1973 shall not exceed the rent which would have been payable in respect thereof in the year ending 31st December, 1973 if those premises or that holding had then been the subject matter of a tenancy.

3. Where any rent is paid otherwise than in accordance with section 2 the amount paid in excess shall, notwithstanding any agreement to the contrary, be recoverable from the landlord who receives the payment, or from his legal personal representative, by the tenant by whom it was paid within three years from the date of payment and the tenant may, without prejudice to any other method of recovery, deduct such excess from any rent payable by him to the landlord. ^{Recovery of excess rent paid.}

4. This Act shall continue in force until the expiration of 31st December, 1974. ^{Duration of Act.}

EXPLANATORY MEMORANDUM

This Bill seeks to make provision implementing the Government's proposal to impose a freeze on the rental of premises as at 31st December, 1973.

Clause 3 of the Bill seeks to make provision for the recovery by a tenant of any excess rent paid by him to a landlord.

Clause 4 of the Bill seeks to provide for the freeze on rentals under the legislation to continue in force until 31st December, 1974.

S. S. NARAINÉ,
Minister of Housing.

(Bill No. 4/1974).