

THE OFFICIAL GAZETTE — 30TH JULY, 1974
LEGAL SUPPLEMENT — C

PARLIAMENT OFFICE,
Public Buildings,
Georgetown.
Guyana;
26th July, 1974.

The following Bill which will be introduced in the National Assembly is published for general information.

F. A. NARAIN,
Clerk of the National Assembly



GUYANA

BILL No. 24 of 1974

GUYANA WATER AUTHORITY (AMENDMENT) BILL 1974

ARRANGEMENT OF SECTIONS

SECTION

1. Short title and commencement.
2. Amendment of section 2 of the Principal Act.
3. Repeal and re-enactment of section 4 of the Principal Act.
4. Insertion of sections 4A and 4B in the Principal Act.
5. Amendment of sections 5, 7 and 15 of the Principal Act.
6. Insertion of section 27A in the Principal Act.

A BILL

Intituled

AN ACT to amend the Guyana Water Authority Act 1972.

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

Short title and commencement. No. 3 of 1972.

1. This Act, which amends the Guyana Water Authority Act 1972, may be cited as the Guyana Water Authority (Amendment) Act 1974, and shall come into operation on such date as the Minister assigned responsibility for the Guyana Water Authority may appoint by order.

Amendment of section 2 of the Principal Act.

2. Section 2 of the Principal Act is hereby amended by the deletion of the definition of the word "Minister".

Repeal and re-enactment of section 4 of the Principal Act.

3. Section 4 of the Principal Act is hereby repealed and the following section substituted therefor —

"Constitution of the Authority.

4. The Authority shall consist of such number of persons being not less than three nor more than nine members as may be appointed by the Minister."

Insertion of sections 4A and 4B in the Principal Act.

4. The Principal Act is hereby amended by the insertion therein after section 4 of the following sections as sections 4A and 4B —

"Application of certain provisions of the Public Corporations Ordinance 1962 to the Authority.

4A. Sections 5 (other than subsection (1) thereof), 6, 7 (other than subsection (8)), sections 8 to 14 (inclusive), 18 to 33 (inclusive), 37, 40, 41, 43, 44 and 46 to 49 (inclusive) of

the Public Corporations Ordinance 1962 shall, as the same apply in relation to a public corporation established under that Ordinance, apply *mutatis mutandis* in relation to the Authority, subject to the following modifications, namely, as if for every reference to the Guyana State Corporation in sections 10, 11, 14, 19, 21, 26, 32 and 33, there had been substituted a reference to the Minister.

No. 23 of 1962.

Power of the Minister to give directions to the Authority

4B. (1) The Minister may give to the Authority directions of a general character as to the policy to be followed by the Authority in the

performance of their functions under this Act and the Authority shall give effect to any such directions.

(2) In carrying out such measures of re-organisation or such works of development as involve substantial outlay on capital account, the Authority shall act in accordance with a general programme approved by the Minister.

(3) In the exercise of their functions in relation to training, education and research, the Authority shall act in accordance with a general programme approved as aforesaid.

(4) The Authority shall afford to the Minister facilities for obtaining information with respect to the business of the Authority and shall furnish annual estimates and such returns and other information as the Minister may require.

(5) The Authority shall provide such facilities to the Minister as will enable the verification of information furnished in pursuance of this section.

(6) The power of the Minister to give directions to the Authority shall extend to the giving to them of specific directions as to the disposal of capital assets or the application of the proceeds of such disposals, and any direction so given may require the whole or any part of the revenues of the Authority to be paid into the Consolidated Fund.”.

5. The Principal Act is hereby amended in the following respects —

- (a) by the deletion of the words “assigned responsibility for the Authority” from paragraphs (g) and (h) of section 5;
- (b) by the substitution of the word “Minister” for the words “Guyana State Corporation” in section 7 (4);

Amendment
of sections
5, 7 and 15
of the
Principal
Act

- (c) by the substitution of the word "Minister" for the words "President of the Guyana State Corporation" in section 7(5); and
- (d) by the deletion of words "assigned particular responsibility for the Authority" from section 15(2).

Insertion
of section
27A in the
Principal
Act.

6. The Principal Act is hereby amended by the insertion of the following section immediately after section 27 —

'Power to
make the
Authority
subject to
the super-
vision and
control of
the Guyana
State Cor-
poration.

27A. The Minister may, if he considers it to be in the public interest, by order which shall be subject to negative resolution, appoint a date with effect from which the Authority shall become subject to the supervision and control of the Guyana State Corporation and, with effect from that date, sections 2 to 5 (both inclusive) of the Guyana Water Authority (Amendment) Act 1974 shall cease to have effect and this Act shall thereafter be construed and have effect as if those sections had not been enacted."

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Guyana Water Authority Act 1972 to remove the Guyana Water Authority from the supervisory jurisdiction of the Guyana State Corporation. The powers hitherto exercised by the Guyana State Corporation in relation to the Authority will now vest in the Minister assigned responsibility for the Authority

2. Clause 3 of the Bill seeks to make provision for the reconstitution of the Authority.

3. Clause 4 of the Bill contains provisions applying certain provisions of the Public Corporations Ordinance 1962 to the Guyana Water Authority as they apply to a public corporation established under that enactment and also authorising the Minister to give policy directions to the Authority.

4. Clause 5 seeks to make certain consequential amendments to the Guyana Water Authority Act 1972.

5. Clause 6 seeks to make provision for the Guyana Water Authority to be brought under the control and supervision of the Guyana State Corporation if it is considered by the Minister to be in the public interest to do so.

L. F. S. Burnham,
Prime Minister.

(Bill No. 24/1974)
(GSC: 16/1/1)