

BILL No. 17 of 1967

PUBLISHED 2ND., SEPTEMBER, 1967

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LOCAL GOVERNMENT (CHRISTIANBURG/WISMAR/MACKENZIE COUNTRY DISTRICT) (SPECIAL PROVISIONS) BILL, 1967.

Arrangement of Sections.

Section	
1.	Short title and commencement.
2.	Interpretation.
3.	Establishment of new country district.
4.	Country Authority to be successor of former local authorities.
5.	Employment by Country Authority of certain officers and servants.

SCHEDULE.

A BILL

Intituled

AN ACT to provide for the constitution of the Christianburg/Wismar/Mackenzie Country District, the incorporation within its boundaries of the Christianburg and Wismar Village District and the North Mackenzie Country District and matters incidental thereto.

Enacted by the Parliament of Guyana :—

A.D. 1967.

1. (1) This Act may be cited as the Local Government (Christianburg/Wismar/Mackenzie Country District) (Special Provisions) Act, 1967. Short title and commencement

(2) This Act shall come into operation on the date of publication of a notice under the provisions of paragraph (b) of subsection (1) of section 24 of the Principal Ordinance by virtue whereof the Christianburg and Wismar Village District and the North Mackenzie Country District ~~came to be constituted~~.

2. In this Act —

Interpretation.

“the Area” means the area of land mentioned in section 3 of this Act;

“the Board” shall have the meaning assigned thereto by section 3 of the Principal Ordinance;

“the Country Authority” means the country authority which shall be constituted under the Principal Ordinance for the District referred to in section 3 of this Act;

"a District" means a District mentioned in subsection (2) of section 1 of this Act;

"employee" means any person who was employed under any contract of service the subsistence of which is precluded by subsection (4) of section 4 of the Act;

"local authority" means the local authority of a District;

"the Principal Ordinance" means the Local Government Ordinance;

"property" includes all property, movable and immovable, and all interests, easements and rights in, to and out of property movable and immovable, including things in action, and registers, books and documents.

Cap. 150.

Establishment of new country district.

3. The area of land the boundaries of which are described in the schedule to this Act shall be deemed to be a country district declared, and named the Christianburg/Wismar/Mackenzie Country District, by notice under section 24 of the Principal Ordinance with effect from the coming into operation of the notice referred to in subsection (2) of section 1 of this Act.

Country Authority to be successor of former local authorities.

4. (1) Except in so far as is incompatible with the foregoing provisions of this Act, the Country Authority shall be for all purposes the successor of each of such local authorities as shall be disestablished by virtue of the notice referred to in subsection (2) of section 1 of this Act and, without prejudice to the generality of the foregoing provisions of this subsection, the property, rights, powers, liabilities and obligations of each local authority aforesaid are hereby transferred to and vested in the Country Authority accordingly.

(2) No notice hereinbefore mentioned shall be deemed to abrogate any appraisements, rates, estimates or other things provided, prescribed or done in the course of, or pursuant to, the execution of the functions of the Board or the local authorities in relation to their Districts so, however, that every provision, prescription or other thing which would cease to have effect but for the foregoing provisions of this subsection shall, except in so far as otherwise provided, prescribed or disposed in the course of, or pursuant to, the execution of the functions of the Board or the Country Authority in relation to the Area, continue to have effect as if those Districts remained constituted and the Country Authority were the local authority of each of such Districts, and the functions of the Board and the Country Authority shall be exercisable accordingly in so far as is expedient on account of anything continuing to have effect as aforesaid.

(3) All enactments, instruments thereunder and other documents whatsoever having special reference to a District immediately before the commencement of this Act shall (subject to variation or rescindment by any competent authority and to such modifications, adaptations, qualifications and exceptions as are necessary for the purpose of conformity with this Act) have effect with like reference to such part of the Area as was comprised in that District.

(4) Except for the purpose of giving effect to the right to any payment of a person who, at the commencement of this Act, is on leave of absence pending his relinquishment of any appointment to the service of a local authority, nothing in this section shall be deemed to provide for the subsistence, after the coming into operation of the notice mentioned in subsection (1) of this section, of any contract of service with a local authority and, subject to the provisions of section 5 of this Act, no liabilities or obligations arising upon and in respect of the termination by virtue of the said notice, or for the purpose of carrying into effect any notice hereinbefore mentioned, of any service of an employee shall be deemed to be incurred by or assigned to, the Country Authority or the Board.

Employment by Country Authority of certain officers and servants.

5. (1) The Country Authority shall afford to every employee whose service is terminated as mentioned in subsection (4) of the preceding section an opportunity of serving the Country Authority, with effect from such termination, upon terms and conditions which

taken as a whole are not less favourable to him than those of his service so terminated and the last-mentioned service shall, as if it were such service of the Country Authority as aforesaid, be reckoned for the purpose of ascertaining such leave as may be due to him under the said terms and conditions.

(2) Any question whether subsection (1) of this section is complied with shall be decided by the Board, whose decision shall be final.

SCHEDULE

s. 3.

BOUNDARIES OF THE CHRISTIANBURG/WISMAR/ MACKENZIE COUNTRY DISTRICT

Commencing from the mouth of the Bamia River, right bank, Demerara River, and extending up the left bank of the Bamia River for a distance of one and a half miles from its junction with the proposed Atkinson/Mackenzie Road to its intersection with an imaginary line parallel to and one mile east of the centre line of the proposed Atkinson/Mackenzie Road; thence by the said line to the junction of a line being the prolongation of the southern or upper boundary of Plantation Siberien or Lot 47; thence westwards along the prolongation of the southern boundary, and the southern boundary of Plantation Siberien or Lot 47 to its junction with the right bank of the Demerara River, thence by a straight line to the mouth of the Dakoura Creek on the left bank of the Demerara River; thence up the left bank of the Dakoura Creek to its junction with the western boundary of Block 'C' shown on a plan by C. P. De Freitas, Government Surveyor, dated 18th March, 1931, and recorded in the Department of Lands and Mines as Plan No. 3624; thence along the western boundary of Block 'C' to the north-western corner of Block 'C'; thence along the northern boundary of Block 'C' for a distance of 2,500 ft. to the western boundary of Block 22 shown on a plan by C. S. Spence, Government Surveyor, dated 15th May, 1948, and recorded in the Department of Lands and Mines as Plan No. 5235; thence along the western boundary of Block 22 for a distance of 10,283.76 ft. to the southern boundary of Block 'E' shown on a plan by C. S. Spence, dated 25th November, 1947, and recorded in the Department of Lands and Mines as Plan No. 5246; thence along the southern boundary of Block 'E' for a distance of 4278.79 ft. to the western boundary of Block 'E'; thence along the western boundary of Block 'E' for a distance of 2487.69 ft. to the northern boundary of Block 'E'; thence along the northern boundary of Block 'E' for a distance of 10184.57 ft. to the western boundary of Block 30 shown on a plan by C. S. Spence, Government Surveyor, dated 20th March, 1959, and recorded in the Department of Lands and Mines as Plan No. 8941; thence along the western boundary of Block 30 for a distance of 3672.07 ft. to the northern boundary of Block 30; thence along the northern boundary of Block 30 for a distance of 7201.73 ft. to the western boundary of Block 'F' shown on the aforementioned plan recorded as Plan No. 3624; thence along the western boundary of Block 'F' for a distance of 6,500 ft. to the northern boundary of Block 'F'; thence along the northern boundary of Block 'F' for a distance of 4500.00 ft. to the mouth of the Daliwala River (also known as the Dallawalla Creek) left bank, Demerara River; thence down the left bank Demerara River to a point opposite the Bamia River; thence by a straight line to the point of commencement, all such boundaries as aforesaid being shown on a plan on record with the Department of Lands and Mines as Plan No. 12390.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the constitution of a new Christianburg/Wismar/Mackenzie Country District, incorporating the Christianburg/Wismar Village District and North Mackenzie Country District, and for the succession of the Country Authority of the new District to the property, rights, powers, liabilities and obligations of the existing Village Council and Country Authority, their employees being given the opportunity to serve the new Country Authority without suffering disadvantage from the change of employer.

R. E. CHEEKS,
Minister of Local Government.

(M.P. LG 4/18/89).
(Bill No. 17/1967).