

Bill No. 13 of 1960

PUBLISHED 21ST MAY, 1960.

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INTERPRETATION (AMENDMENT) BILL, 1960. ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Amendment of section 5 of Chapter 5.
3. Insertion of new section 9A in Chapter 5.
4. Amendment of section 21 of Chapter 5.
5. Insertion of new section 21A in Chapter 5.
6. Amendment of section 37 of Chapter 5.

A BILL

Intituled

AN ORDINANCE TO AMEND THE INTERPRETATION ORDINANCE.

Enacted by the Legislature of British Guiana:—

1. This Ordinance may be cited as the Interpretation (Amendment) Ordinance, 1960, and shall be construed and read with the Interpretation Ordinance, hereinafter referred to as the Principal Ordinance, and any Ordinance amending the same. Short. title.
Cap. 5.
2. In subsection (1) of section 5 of the Principal Ordinance the definitions of "British India" and "India" shall be repealed. Amendment
of section 5
of Chapter 5.
3. At the end of section 9 of the Principal Ordinance there shall be inserted the following section:—
"Time for performance of act on certain day."
9A. Where by or under any Ordinance anything is required or authorised to be done on a certain day, then, if that day is a Sunday or public holiday, unless the contrary intention appears, the thing shall be deemed to have been done in due time if it is done on the next following day which is not a Sunday or public holiday." Insertion of
new section
9A in Chap-
ter 5.
4. Section 21 of the Principal Ordinance is hereby amended in the following manner:—
(a) In subsection (1) paragraph (d) shall be deleted and the following substituted therefor:—
"(d) all rules shall be published in the Gazette and shall have the force of law on the date of publication unless it is provided in the rules that they shall come into operation on some other date: Provided that notifications, directions, notices and forms need not be published unless expressly required by the Ordinance conferring the power to make the rules; and"
(b) In subsection (2) for the words "rules and regulations, regulations and by-laws." there shall be substituted the words "regulations, by-laws, proclamations, orders, notifications, directions, notices and forms." Amendment
of section 21
of Chapter 5.
5. At the end of section 21 the following section shall be inserted:—
"Forms."
21A. Wherever forms are prescribed under any enactment they may be used with any variations and additions which do not affect the substance or are not calculated to mislead, which the circumstances of the particular case require, and when so used shall be good and sufficient in law." Insertion of
new section
21A in Chap-
ter 5.
6. At the end of section 37 of the Principal Ordinance there shall be inserted the following subsection:—
"Power to appoint includes power to suspend or dismiss."
(5) In any case in which, by any law or ordinance now in force in the Colony, a power to make any appointment is conferred, then, unless the contrary intention appears the authority having power to make the appointment shall also have power to remove, suspend, re-appoint or reinstate any person appointed in the exercise of the power." Amendment
of section 37
of Chapter 5.

OBJECTS AND REASONS

This Bill seeks to make various amendments to the Principal Ordinance which have been found to be desirable.

2. The definitions of "India" and "British India" are obsolete and clause 2 provides for their repeal.
3. Clause 3 provides for doing an act on the following day where the day for doing it is a holiday.
4. Clause 4 redefines "rules" in section 21 to include other forms of subsidiary legislation.
5. Clause 5 provides that variations and additions in prescribed forms to meet particular requirements shall not invalidate them.
6. Clause 6 provides that a power to appoint to any post includes power to suspend or dismiss a person from such post.

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