

# Bill No. 21 of 1961

PUBLISHED 3RD JUNE, 1961

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LOCAL GOVERNMENT (AMENDMENT) BILL, 1961.

## ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Amendment of section 3 of Chapter 150.
3. Amendment of section 118 of Chapter 150.
4. Amendment of section 121 of Chapter 150.
5. Repeal and re-enactment of section 126 of Chapter 150.
6. Amendment of section 136 of Chapter 150.
7. Saving.

A BILL  
intituled

## AN ORDINANCE TO AMEND THE LOCAL GOVERNMENT ORDINANCE.

Enacted by the Legislature of British Guiana:—

1. This Ordinance may be cited as the Local Government (Amendment) Ordinance, 1961, and shall be construed and read with the Local Government Ordinance, hereinafter referred to as the Principal Ordinance, and any Ordinance amending the same. Short title.  
Cap. 150.
2. Paragraph (c) of subsection (2) of section 3 of the Principal Ordinance is hereby amended by the substitution for the words "commonly known as the Village Chairmen's Conference." of the words "called The British Guiana Association of Local Authorities." Amend-  
ment of  
section 3  
of Chapter  
150.
3. Section 118 of the Principal Ordinance is hereby amended by the insertion after paragraph (d) of subsection (1) thereof, of the following paragraph— Amendment  
of section  
118 of Chap-  
ter 150.

"(e) any land which a local authority is satisfied is kept and used mainly as a playing field in connection with the activities of any school or other educational institution."
4. Subsections (1), (2) and (3) of section 121 of the Principal Ordinance are hereby repealed and the following subsections substituted therefor — Amendment  
of section  
121 of  
Chapter 150.

"(1) Where a rate under this Ordinance is levied in respect of the lots only, in a village or country district, there shall be liable and executable for the amount of the rate payable under this Ordinance in respect of the lot —

  - (a) the lot with the buildings (if any) thereon belonging to the proprietor of the lot, and
  - (b) all movable property of the aforesaid proprietor on the lot or in any building thereon.

(2) Where a rate under this Ordinance is levied in respect of the lots and the buildings in a village or country district, the following provisions shall apply —

  - (a) all buildings shall be rated separately from the lots on which they are situate;
  - (b) where a building is owned by the proprietor of the lot on which it is situate, the lot and the building and all movable property of the proprietor on the lot or in the building shall be liable and executable for the total amount of the rate payable under this Ordinance in respect of the lot and the building;
  - (c) where a building is not owned by the proprietor of the lot on which it is situate, the building and all movable property belonging to the proprietor of the building, whether in the building or on the lot, shall be liable and executable for the amount of the rate payable under this Ordinance in respect of the building;



(d) where a lot is not owned by the proprietor of the building situate on the lot, the lot and all movable property belonging to the proprietor of the lot, whether in the building or on the lot, shall be liable and executable for the amount of the rate payable under this Ordinance in respect of the lot.

(3) Where a rate under this Ordinance is levied in respect of the buildings only in a village or country district, there shall be liable and executable for the amount of the rate payable under this Ordinance in respect of any building, the building and all movable property of the proprietor of the building, whether in the building or on the lot."

Repeal and re-enactment of section 126 of Chapter 150.

5. Section 126 of the Principal Ordinance is hereby repealed and the following section substituted therefor—

126. Where, notwithstanding the provisions of this Ordinance, as a result of the execution of a warrant of distress for the recovery of a rate, the movable property of a person other than the proprietor liable for the payment of the rate is levied on, the owner of the movable property shall be entitled to recover by action the property, or if it has been sold, the full value thereof, from the local authority, together with costs."

"Power to recover property or value thereof where movable property of person other than person liable for payment of rate is levied on for recovery thereof.

Amendment of section 136 of Chapter 150.

6. Subsection (2) of section 136 of the Principal Ordinance is hereby amended by the insertion of the words "and belonging to the proprietor liable for the payment of the rate" after the words "under that warrant".

Saving

7. The provisions of sections 4, 5 and 6 of this Ordinance shall not affect any proceedings commenced under the provisions of the Principal Ordinance, prior to the coming into force of this Ordinance, for the recovery of any rate, or of any amount in respect of movable property which has been levied on and sold.

#### OBJECTS AND REASONS

Under section 3 of the Local Government Ordinance, Chapter 150, the President of the Village Chairman's Conference was a member of the Local Government Board. The Conference has been replaced by the British Guiana Association of Local Authorities. Clause 2 of the Bill therefore seeks to enable the President of the latter body to be a member of the Local Government Board.

2. Churches, schools and the land on which they are situate are not subject to the payment of rates. It is considered desirable that lands kept and used mainly as playing fields by schools or other educational institutions wherever situated should equally be exempt from the payment of rates, and clause 3 seeks to provide accordingly.

3. At present where rates are owing on lots or buildings the local authority may distrain on all movable property on the lots or in the buildings. It is considered desirable that the movable property of only the persons liable for the payment of the rate should be distrained upon. Clause 4 seeks to provide accordingly.

4. A local authority will not in future have power to levy on the movable property of a person other than the proprietor liable for the payment of the rate. Clause 5 therefore seeks to provide that in the event however of the movable property of a person other than the proprietor, being levied on for the recovery of a rate, that person shall have the right to recover his property, or its value if it has been sold, from the local authority instead of from the proprietor liable for the payment of the rate, as now obtains under section 126 of the Local Government Ordinance, Chapter 150.

B. S. RAI,  
Minister of Community Development and  
Education.

(M.P. 24/12 II).  
(Leg Bill No. 21/1961).