

THE OFFICIAL GAZETTE 24TH OCTOBER, 2007
LEGAL SUPPLEMENT – C

BILL No. 22 of 2007

Wednesday 24th October, 2007

PARLIAMENT OFFICE,
Public Buildings,
Georgetown,
Guyana.

24th October, 2007.

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

S.E. Isaacs,
Clerk of the National Assembly.



BILL No. 22 of 2007

DEEDS REGISTRY AUTHORITY (AMENDMENT) BILL 2007

ARRANGEMENT OF SECTIONS

SECTION

1. Short title and commencement.
2. Amendment of section 4 of the Principal Act.
3. Amendment of section 5 of the Principal Act.

**A BILL
Intituled**

AN ACT to amend the Deeds Registry Authority Act.

A.D. 2007

Enacted by the Parliament of Guyana:-

Short title and
commencement.
Act No. 2 of 1999.

1. This Act which amends the Deeds Registry Authority Act may be cited as the Deeds Registry Authority (Amendment) Act 2007 and shall be deemed to have come into force on the date on which the Minister by order appoints for the Principal Act to come into force.

Amendment of
section 4 of the
Principal Act.

2. Section 4 of the Principal Act is amended by the deletion of paragraph (a) (ix).

Amendment of
section 5 of the
Principal Act.

3. Section 5 of the Principal Act is amended by the substitution for subsection (2) of the following subsection -

“(2) The Registrar and the Deputy Registrar shall be appointed by the Judicial Service Commission as provided for in Article 199 of the Constitution.”.

EXPLANATORY MEMORANDUM

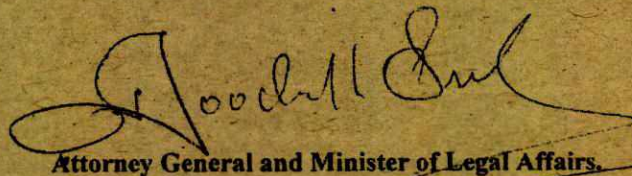
The amendment by this Bill to section 4 of the Deeds Registry Authority Act 1999 seeks to remove the functions of the Registrar of Deeds under that Act in relation to the Land Registry Act, Cap. 5:02; as the discharge of those functions by the Registrar of Lands is being regularised by an amendment.

Under Article 199 of the Constitution, the Power to make appointments to the offices of Registrar of Deeds and Deputy Registrar of Deeds and to remove and exercise disciplinary control over those persons holding or acting in such offices vests in the Judicial Service Commission.

But section 5 (2) of the Deeds Registry Authority Act 1999, which states that the Registrar and Deputy Registrar of Deeds shall be appointed by the Minister of Legal Affairs is in conflict with Article 199 of the Constitution.

It should be noted that prior to the Constitution Amendment (No.4) Act (No.6 of 2001) and the Deeds Registry Authority Act 1999 the power to appoint the Registrar and Deputy Registrar of Deeds was vested in the Public Service Commission under the repealed Article 199.

The amendment by this Bill to section 5(2) of the Deeds Registry Authority Act 1999, which was enacted but not brought into force, seeks therefore to bring section 5(2) into conformity with the Constitution, by vesting the power to appoint the Registrar and Deputy Registrar of Deeds in the Judicial Service Commission.


Attorney General and Minister of Legal Affairs.