

BILL No. 2 of 2003

Saturday 5th April, 2003

PARLIAMENT OFFICE
Public Buildings,
Georgetown,
Guyana.

5th April, 2003

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



GUYANA

BILL No. 2 OF 2003

DEMERARA HARBOUR BRIDGE CORPORATION BILL 2003

ARRANGEMENT OF SECTIONS

SECTION

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4. Functions of the Corporation.
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FIRST SCHEDULE

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2

**A BILL
Intituled**

AN ACT to establish the Demerara Harbour Bridge Corporation.

A.D. 2003 Enacted by the Parliament of Guyana:-

Short title. 1. This Act may be cited as the Demerara Harbour Bridge Corporation Act 2003.

Interpretation. 2.(1) In this Act –

- (a) Board means the Demerara Harbour Bridge Board established by section 3;
- (b) “Bridge” means the Demerara Harbour Bridge that stretches over the Demerara River at Plantation Peter’s Hall on the East Bank of the Demerara River to Plantation Meer-Zorgen on the West Bank of the Demerara River;
- (c) “Bridge Manager” means the person designated by the Minister to operate or be in charge of the bridge and includes any other person for the time being authorised by the Minister to perform those functions;
- (d) “concerned Minister” means the Minister responsible for Transport and Hydraulics.

(2) The Board and its employees together shall be known as the Demerara Harbour Bridge Corporation hereinafter referred to as the “Corporation”.

Establishment
and constitution
of the Demerara
Harbour Bridge
Corporation.

3.(1) There is hereby established a public corporation to be known as the Demerara Harbour Bridge Corporation.

(2) The Corporation shall be managed by a Board of Directors constituted in accordance with section 5.

Functions of the
Corporation.

4. (1) The functions of the Corporation are to levy, collect and receive revenue or other moneys of the Corporation and may appropriate the same for defraying the expenses of the Corporation.

(2) Without prejudice to the generality of the foregoing provisions the functions of the Corporation are -

(a) to collect the tolls prescribed for every vehicle for its passage on the Bridge;

(b) to collect the marine tolls for ocean going vessels, trawlers and coastal vessels for their passage through the Bridge;

(c) to collect all fees, dues or other moneys payable to the

Cap. 51:01

Corporation under any regulations made under the Roads Act;

(d) to carry on all other activities the carrying on of which appears to be requisite, advantageous or convenient for or in connection with the discharge of its functions.

General Manager.

5.(1) There shall be a General Manager of the Corporation.

(2) The General Manager shall, subject to the general direction and control of the Board, be responsible for implementing the decisions of the Board and the efficient discharge of the functions of the Corporation.

First Schedule.

(3) The responsibilities of the General Manager are set out in the First Schedule and in addition he shall discharge the functions of the Bridge Manager under the Roads (Demerara Harbour Bridge) By-Laws 1978.

Continuance in employment of existing officers and other employees.

6. All persons employed, immediately before the commencement of this Act, at the Demerara Harbour Bridge, may continue in the employment of the Corporation on terms and conditions in relation to their employment which shall be no less favourable than those which they enjoyed immediately before such commencement.

Constitution of Board of Directors.

7. (1) The Board of Directors shall consist of-

- (a) the chairman and deputy chairman who shall be appointed by the concerned Minister;
- (b) a representative nominated by the Minister responsible for finance;
- (c) a representative nominated by the concerned Minister;
- (d) a representative from the trade union representing the employees of the Corporation nominated by the concerned Minister.

(2) The general manager shall be an ex officio member of the Board without the right to vote.

(3) The members of the Board, other than the general manager, including the chairman shall be appointed for a period of two years but shall be eligible for re-appointment.

Vesting of assets. 8. The movable and immovable property of the State referred to in
Second the Second Schedule shall be transferred to and be vested in the Corporation with
Schedule. effect from the commencement of this Act.

Regulations. 9. (1) The Minister may make such subsidiary legislation as may be
necessary for the administration of this Act.

(2) Until subsidiary legislation is made under this section, the

No. 11 of 1978 Demerara Harbour Bridge Regulations 1978 and the Roads (Demerara Harbour
No. 4 of 1978 Bridge) By Laws 1978 shall be deemed to have been made under this Act and
such of the provisions of these subsidiary legislation, not inconsistent with this
Act as would facilitate in the administration of this Act shall apply mutatis
mutandis to this Act as though made under this Act.

FIRST SCHEDULE

S.5 (3)

RESPONSIBILITIES OF THE GENERAL MANAGER

1. The general manager shall be responsible-
 - (a) for directing-
 - (i) the overall planning, implementation and internal evaluation of the projects, programmes and activities of the Corporation;
 - (ii) the financial activities of the Corporation including the co-ordination of the flow and use of the funds by the Corporation;
 - (b) for proposing policies, procedures and budgets of the Corporation for the consideration and approval of the Board;
 - (c) for implementing the projects and programmes to be financed by the Corporation except where specifically prohibited by the Board;
 - (d) for the discipline of the officers and employees of the Corporation, and for their efficient functioning; and
 - (e) for keeping the Board informed on a timely and regular basis of all activities of the Corporation.
2. The general manager or such other officers of the Corporation as may be designated by him, shall be responsible for –
 - (i) the establishment of contact with Government Ministries, external agencies, local authorities and community groups as he may deem necessary to carry out the Corporation goals;
 - (ii) the use of all appropriate means to promote public awareness of the work of the Corporation and the assistance it can provide;
 - (iii) making presentations of the Corporation's activities to potential donor organizations, and providing them with activity reports and statements on the use of funds provided by them.

SECOND SCHEDULE

s.8

- (a) The Demerara Harbour Bridge and all those parcels of land designated as Blocks A, B, C, D, E and Z situate in the County of Demerara, Guyana, and surveyed and defined on a plan by Gobin Persaud, Sworn Land Surveyor dated 11th February, 1977 and recorded on the 25th April, 1977 at the Department of Lands and Surveys, Georgetown as Plan No. 17508.
- (b) All the movable property of the Demerara Harbour Bridge belonging to the State.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Demerara Harbour Bridge Corporation.

Clause 4 of the Bill provides that the functions of the Corporation generally are to levy, collect and receive revenue or other moneys of the Corporation and also to appropriate the same for defraying the expenses of the Corporation.

Clause 5 of the Bill provides for a general manager who shall be responsible for implementing the decisions of the Board and the efficient discharge of the functions of the Corporation.

Clause 7 of the Bill provides for the constitution of the Board which shall consist of the chairman, the deputy chairman, a representative nominated by the Minister of Transport and Hydraulics, a representative nominated by the Minister responsible for finance and a representative from a trade union representing the employees of the Corporation nominated by the Minister of Transport and Hydraulics.

Clause 9 empowers the Minister to make such subsidiary legislation as may be necessary for the administration of this Act.


Minister of Transport and Hydraulics.