

PARLIAMENT OFFICE,
Public Buildings,
Georgetown,
Guyana.

93—12—01.

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

F. A. Narain,
Clerk of the National Assembly.



GUYANA

BILL No. 26 of 1993

GUYANA MANUFACTURING AND INDUSTRIAL DEVELOPMENT AGENCY (REPEAL) BILL 1993

ARRANGEMENT OF SECTIONS

SECTION

1. Short title and commencement.
2. Interpretation.
3. Repeal of Guyana Manufacturing and Industrial Development Agency Act 1984.
4. Transfer of assets and liabilities of Agency.
5. Termination of employment of employees.
6. Enforceability of deeds and legal proceedings.

A BILL

Intituled

AN ACT to repeal the Guyana Manufacturing and Industrial Development Agency Act 1984 and to provide for matters incidental thereto.

~~A.D.—1993—~~

Enacted by the Parliament of Guyana:—

Short title and commencement.
No. 15 of 1984

1. This Act, which repeals the Guyana Manufacturing and Industrial Development Agency Act 1984, may be cited as the Guyana Manufacturing and Industrial Development Agency (Repeal) Act 1993 and shall be deemed to have come into operation on the 31st day of October 1993.

Interpretation.

2. In this Act —

No. 15 of 1984

(a) “Agency” means the Guyana Manufacturing and Industrial Development Agency established by section 3 of the Guyana Manufacturing and Industrial Development Agency Act 1984.

(b) “appointed day” means the day on which this Act comes into operation.

Repeal of the Guyana Manufacturing and Industrial Development Agency Act 1984.

3. The Guyana Manufacturing and Industrial Development Agency Act 1984 is hereby repealed.

No. 15 of 1984

Transfer of assets and liabilities of Agency.

4. (1) All the assets (including rights and interests) which on the day immediately before the appointed day were vested in or belonged to the Agency shall, with effect from the appointed day, stand transferred to and vested in the State.

(2) The assets of the Agency transferred to and vested in the State under subsection (1) shall include —

(a) all the furniture and other furnishings, office and communications equipment, motor vehicles and other means of transport owned by the Agency;

(b) all books, documents and other records including electronically stored data and other material, owned by or in the possession of the Agency;

- (c) all material prepared by the Agency or any employee of the Agency on its behalf or in connection with its functions;
- (d) copyright and rights to other intellectual property vested in the Agency;
- (e) cash in hand and amounts held in bank accounts in the name of the Agency; and
- (f) all sums or property which in any manner was received by, or became payable to or vested in the Agency in the performance of its functions or in respect of any matter incidental thereto.

(3) Where immovable property has by virtue of this section vested in the State, the Registrar of Deeds shall take due notice thereof and shall make such annotations on the records as may be necessary.

(4) All the liabilities of the Agency as on the day immediately before the appointed day shall with effect from the appointed day stand transferred to the State and shall be discharged by, and enforceable against, the State as if the said liabilities had been incurred by the State.

(5) The liabilities transferred to the State under subsection (4) shall include —

- (a) amounts payable by the Agency to persons employed by the Agency immediately before the appointed day by way of —
 - (i) salary and allowance in respect of any period prior to the appointed day;
 - (ii) any amount payable in respect of leave or other benefits accrued before the appointed day;
 - (iii) any amount payable to any such employee by way of pension, gratuity or any other severance benefit; and
- (b) in the case of any former employee of the Agency who was immediately before the appointed day, entitled to receive from the Agency, any pension, the liability to pay such pension.

Termination of employment of employees.

5.(1) The employment of all persons employed by the Agency before the appointed day shall stand terminated with effect from the appointed day.

(2) Nothing in subsection (1) shall be deemed to prevent the employment of any person referred to in subsection (1) if otherwise qualified for such employment in the public service or in any body corporate owned by the State or the controlling interest in which is vested in the State or any agency on behalf of the State.

Enforceability of deeds etc. and legal proceedings.

6.(1) All deeds, bonds, instruments or other documents which were subsisting on the day immediately before the appointed day, and relating to the assets or liabilities of the Agency transferred to the State by this Act shall be of full force and effect against or in favour of the State and be enforceable as fully and effectually as if, instead of the Agency, the State has been named therein or had been a party thereto.

(2) All actions or other proceedings commenced before the appointed day, for the enforcement of any right relating to any asset or liability which is transferred to the State by this Act, and to which the Agency is a party, may be continued by or against the State, and such actions or other proceedings may be amended accordingly.

EXPLANATORY MEMORANDUM

This Bill seeks to repeal the Guyana Manufacturing and Industrial Development Agency Act 1984 (No. 15 of 1984) thus dissolving the Guyana Manufacturing and Industrial Development Agency established by that Act.

Clause 4 transfers the assets and liabilities of the Agency to the State.

Clause 5 provides for the termination of employment of the employees of the Agency and makes provision for their re-employment in the public service or in any body corporate in which the controlling interest is vested in the State.

Clause 6 provides for the enforceability by or against the State of deeds, bonds and instruments and for the continuation of proceedings to which the Agency is a party and which relates to the assets and liabilities of the Agency.

Michael Shree Chan,
Senior Minister of Trade,
Tourism and Industry.