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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. 16 of 1996

RICE FARMERS (SECURITY OF TENURE) (AMENDMENT) BILL 1996

ARRANGEMENT OF SECTIONS

SECTION

- 1. Short title.**
- 2. Amendment of section 2 of the Principal Act.**
- 3. Amendment of section 4 of the Principal Act.**
- 4. Amendment of section 5 of the Principal Act.**
- 5. Repeal of section 6 of the Principal Act.**
- 6. Amendment of section 7 of the Principal Act.**
- 7. Amendment of section 9 of the Principal Act.**

8. Amendment of section 23 of the Principal Act.
9. Amendment of section 26 of the Principal Act.
10. Amendment of section 27 of the Principal Act.
11. Amendment of section 28 of the Principal Act.
12. Amendment of section 29 of the Principal Act.
13. Amendment of section 31 of the Principal Act.
14. Amendment of section 34 of the Principal Act.
15. Amendment of section 40 of the Principal Act.
16. Amendment of section 42 of the Principal Act.
17. Amendment of section 43 of the Principal Act.
18. Amendment of section 50 of the Principal Act.
19. Amendment of section 51 of the Principal Act.
20. Amendment of section 56 of the Principal Act.
21. Repeal and re-enactment of the First and Third Schedules to the Principal Act.
22. Repeal of the Fifth Schedule to the Principal Act.
23. Transitional.

SCHEDULE

A BILL

Intituled

AN ACT to amend the Rice Farmers (Security of Tenure) Act.

Enacted by the Parliament of Guyana:-

A.D. 1996

1. This Act, which amends the Rice Farmers (Security of Tenure) Act, may be cited as the Rice Farmers (Security of Tenure) (Amendment) Act 1996.

Short title.

Cap. 69:02

2. Section 2 of the Principal Act is hereby amended in the following respects -

**Amendment of
section 2 of the
Principal Act.**

(a) by re-numbering the section as subsection (1) thereof;

(b) in sub-section (1) as so re-numbered -

(i) by the deletion of the definition of "agricultural superintendent";

(ii) by the substitution for the definition of "clay soil" of the following definition -

“clay soil” means soil which, on a mechanical

analysis contains not less than 40 per cent clay

4.
with less than 5 per cent organic matter in the
top 15 centimeters depth and pH value greater
than 4;’;

(iii) in the definition of “landlord” by the substitution for
the words “or the Guyana Rice Board” of the words
“the Guyana Rice Development Board or MARDS
Rice Milling Complex Ltd.”;

(iv) in the definition of “pegasse soil” by the substitution
for the words “not less” where they appear for the
second time of the word “greater”;

(v) by the insertion immediately after the definition of
“rules of good husbandry” of the following definition

‘ “saline soil” means a soil which has electrical
conductivity of a saturated extract of 4 milli-
mhos/cm (equivalent to 4 milli-siemens per cm)
and pH value of 5.0 or greater;’;

(vi) by the substitution for the definition of “toxic soil” of
the following definition -

‘ “toxic soil” means soil that has at least two of the
following properties: pH value of 3.8 or less; 75

5.

per cent or more of its cation exchange capacity saturated with aluminium extractable by a neutral salt solution; and water soluble sulphate content of 2,000 parts per million or more;'

(c) by the insertion as subsection (2) immediately after subsection (1) of the following subsection -

“(2) In determining the type of soil, that is to say, whether the soil is clay soil, pegasse soil, saline soil or toxic soil,

Third Schedule the procedure set out in the Third Schedule shall be followed.”.

3. Section 4 of the Principal Act is hereby amended in the following respects -

Amendment of section 4 of the Principal Act.

(a) by the substitution for the marginal note of the following -

“Determination of basic rent.”;

(b) by the substitution in subsection (1) for the opening part before the proviso of the following -

First Schedule “(1) For the purposes of this Act the guidelines set out in the First Schedule shall be used to facilitate the determination by the assessment

6.
committees of the basic rent chargeable in
respect of any holding to which this Act
applies”;

(c) by the insertion immediately after subsection (2) of
the following subsection -

“(3) The Minister may establish a committee
comprising five persons knowledgeable in the
field of agriculture to advise the Minister in the
determination of the basic rent chargeable in
respect of rice lands to which this Act applies.”

Amendment of
section 5 of the
Principal Act.

4. Section 5 of the Principal Act is hereby amended in the
following respects -

- (a) in subsection (2) in the opening part, by the
substitution for the colon at the end of a full stop and
by the deletion of the proviso thereto;
- (b) in subsection (3) by the deletion of all the words
beginning with the word “sold” and ending with the
word “Act”.

5. Section 6 of the Principal Act is hereby repealed.

Repeal of section 6
of the Principal Act

6. Section 7 of the Principal Act is hereby amended by the
substitution

Amendment of
section 7 of the
Principal Act

- (a) in subsection (2) for the words "district commissioner", wherever they appear, of the words "Regional Executive Officer";
- (b) in subsection (3) for the words "one hundred and fifty dollars" of the words "five thousand dollars";
- (c) in subsection (4) by the substitution for the words "district commissioner" and "one hundred and fifty dollars" of the words "Regional Executive Officer" and "five thousand dollars", respectively.

7. Section 9 of the Principal Act is hereby amended by the
substitution -

Amendment of
section 9 of the
Principal Act

- (a) in subsection (5), for the words "one hundred and fifty dollars" of the words "five thousand dollars";
- (b) in subsection (6), for the words "seven hundred and fifty dollars" of the words "ten thousand dollars".

Amendment of
section 23 of the
Principal Act.

8. Section 23 of the Principal Act is hereby amended in the following respects

(a) in subsection (1) -

- (i) by the deletion of the words “, plus five per cent of such latter amount” wherever they appear;**
- (ii) by the repeal of subsection 1 (d);**
- (iii) in the proviso, by the substitution for the words “(d)” of the words “(c)”;**

(b) by the repeal of subsection (2).

Amendment of
section 26 of the
Principal Act.

9. Section 26 (2) (a) of the Principal Act is hereby amended by the substitution for the words “two dollars” of the words “two hundred dollars”.

Amendment of
section 27 of the
Principal Act.

10. Section 27 (2) of the Principal Act is hereby amended by the substitution for the words “seventy-five dollars” of the words “two thousand five hundred dollars”.

Amendment of
section 28 of the
Principal Act.

11. Section 28 of the Principal Act is hereby amended by the substitution for the word “April” of the words “June or thirty-first day of December”.

12. Section 29 (2) of the Principal Act is hereby amended by the substitution in paragraph (m) for the word "ten" of the words "one hundred".

Amendment of section 29 of the Principal Act.

13. Section 31 of the Principal Act is hereby amended by the substitution for the word "April" of the word "June".

Amendment of section 31 of the Principal Act.

14. Section 34 (3) of the Principal Act is hereby amended by the substitution for the words "one hundred dollars" and "ten dollars" of the words "fifteen thousand dollars" and "three hundred dollars", respectively.

Amendment of section 34 of the Principal Act.

15. Section 40 (2) of the Principal Act is hereby amended by the substitution for the word "April" of the words "June or thirty-first day of December".

Amendment of section 40 of the Principal Act.

16. Section 42 (3) of the Principal Act is hereby amended by the substitution for the words "one hundred and fifty dollars" and "fifteen dollars" of the words "five thousand dollars" and "four hundred dollars", respectively.

Amendment of section 42 of the Amendment Act.

Amendment of
section 43 of the
Principal Act.

17. Section 43 (1) of the Principal Act is hereby amended by the substitution for the words "five hundred dollars" and "one hundred dollars" of the words "seven thousand five hundred dollars" and "five hundred dollars", respectively.

Amendment of
section 50 of the
Principal Act.

18. Section 50 (3) of the Principal Act is hereby amended by the substitution for the words "seven hundred and fifty dollars" of the words "ten thousand dollars".

Amendment of
section 51 of the
Principal Act.

19. Section 51 (1) (c) of the Principal Act is hereby amended by the deletion of the words "or the Guyana Rice Board".

Amendment of
section 56 of the
Principal Act.

20. Section 56 of the Principal Act is hereby amended by the substitution -

- (a) in subsection (2), for the words "seventy-five dollars" of the words "five thousand dollars";
- (b) in subsection (3), for the words "fifty dollars" of the words "three thousand dollars".

21. The First and Third Schedules to the Principal Act are hereby repealed and the First and Third Schedules to this Act substituted therefor.

Repeal and re-enactment of the First and Third Schedules to the Principal Act

22. The Fifth Schedule to the Principal Act is hereby repealed.

Repeal of the Fifth Schedules to the Principal Act.

23. Notwithstanding the amendments effected to the Principal Act by this Act the basic rent or the maximum rent as on the date of commencement of this Act in respect of each holding shall remain in force as though this Act had not been passed until a new basic rent or maximum rent is determined under the provisions of the Principal Act as amended by this Act.

Transitional

RENTAL GUIDELINES

	Guidelines for Basic Rental (per acre per annum) ¹			
	Clay Soil	Pegasse Soil	Toxic Soil	Saline Soil
Good Infrastructure	3 bags ²	2 bags	1 bag	1 bag
Poor Infrastructure	2 bags	1 bag	1 bag	1 bag

¹ Based on approximately five percent of the value of paddy produced in one two-crop year.

² All units are in 140 pound bags of paddy.

THIRD SCHEDULE

3.2

METHODS OF SOIL ANALYSIS AND INTERPRETATION OF RESULTS.

1. Soil Sampling:

A composite soil sample is prepared by mixing soil taken from at least five sites with shovel or Edelman soil auger. A sub-sample is then taken (about 500 gms) and submitted to the soil laboratory at the National Agricultural Research Institute, Mon Repos. The five sites should be representative of the area in question. If there are more than one recognisable soil series in the area, each soil series must be sampled and sub-sampled separately and analysed. The prescribed analysis must be carried out under the personal supervision of the soil chemist at the Institute.

2. Sample Preparation:

The sample(s) when brought to the laboratory, should be completely air-dried and crushed to pass through a 2mm sieve. The sample(s) so prepared must be stored in sealed polyethylene bags or other sealed containers. On these samples, all determinations must be carried out.

3. Determination of soil pH:

Place about 10g soil prepared as in (2) above into a 50 ml beaker and add 25ml distilled water; stir intermittently for about 10 minutes; allow to stand for another 20 minutes and stir continuously for about 2 minutes. Read the pH of the suspension using a pH meter and glass electrode assembly. Prior to making this measurement, the pH meter should be switched on at least 10 minutes and the instrument calibrated using buffer solutions of known pH values.

4. Determination of soil organic matter content:

This is to be carried out according to the method of Walkley and Armstrong-Black (American Society of Agronomy (1982) Monograph No. 9 Methods of Soil Analysis Part 2: Chemical and Microbiological Properties; 570-577).

5. Soluble sulphate content:

Twenty gm prepared soil is put in a 250 ml Erlenmeyer flask together with 100 ml distilled water. The mixture is shaken for one hour in a mechanical shaker, following which, it is filtered or centrifuged. The filtrate is saved for determination of soluble sulphate.

The reagents required for determination are 10 percent barium chloride solution, 1 percent silver nitrate solution and approximately one normal hydrochloric acid.

Pipette 50 ml of the filtrate into a 400 ml beaker and adjust the volume to approximately 300 ml with distilled water; add 10 ml hydrochloric acid and heat to boiling on a hot plate. While stirring, slowly add 10 ml barium chloride solution; digest at gentle boil for one hour; remove from hot plate and allow precipitate to settle; filter through Whatman No. 42 filter paper containing a little ashless paper pulp in the apex; wash with hot water until 10 ml of the filtrate show no precipitate with a few drops of silver nitrate solution; place the filter and precipitate in a tared crucible, char paper at low temperature and then ignite at 800 degrees Centigrade for 30 minutes; cool in a desiccator and weigh as barium sulphate and calculate the sulphate content.

6. Exchangeable aluminium:

Exchangeable aluminium must be determined according to the American Society of Agronomy Monograph No.2 - Methods of Soil Analysis Part 2. Chemical Methods: 281-282

7. Salinity:

Salinity is determined on the extract of a saturated soil paste using the procedure in Agricultural Handbook No. 60 - Diagnosis and Improvement of Saline and Alkali Soils, United States Salinity Laboratory Staff.

8. Particle-size determination:

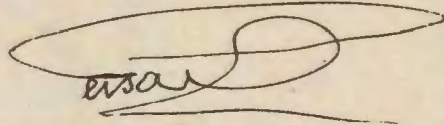
Particle-size analysis is to be carried out according to the hydrometer method following the procedure as outlined in American Society of Agronomy Monograph No. 9 - Methods of Soil Analysis Part 1: Mineralogical and physical methods.

9. Interpretation of analytical results:

The Soil Chemist at the National Agricultural Research Institute (NARI), and/or the Director of the Institute if he/she is Soil Scientist and/or any other appropriately qualified soil scientist on the staff of NARI shall be responsible for the interpretation of the results of the analyses conducted according to this schedule and within the provisions of this Act.

EXPLANATORY MEMORANDUM

This Bill seeks to empower the Minister to establish a committee to advise the Minister on the basic rent chargeable in respect of the major rice lands, as the basic rent would no longer be specified in the First Schedule which is being repealed and a new First Schedule substituted therefor giving broad guidelines to facilitate the determination by assessment committees of the basic rent chargeable in respect of any holding. In addition the Bill increases the penalties under the Act and makes certain consequential amendments.



Senior Minister of Agriculture.