

GUYANA

ORDER

Made Under

THE PUBLIC CORPORATIONS ORDINANCE, 1962,
(No. 23 of 1962).

UNDER SECTION 34 OF THE PUBLIC CORPORATIONS ORDINANCE, 1962, AND BY VIRTUE AND IN EXERCISE OF ALL OTHER POWERS HEREUNTO ENABLING THE FOLLOWING ORDER HAS BEEN MADE BY THE CABINET:—

1. (1) This Order may be cited as the Guyana Telecommunication Corporation Order, 1967. Citation and commencement.

(2) This Order shall come into force on the 1st day of March, 1967.

2. In this Order, unless the context otherwise requires — Interpretation
- “appointed day” means the date referred to in subparagraph (2) of paragraph 1 of this Order;
- “the Corporation” means the Guyana Telecommunication Corporation established under paragraph 3 of this Order;
- “external telecommunication service” means any telecommunication service between any place in Guyana and any place outside Guyana;
- “internal telecommunication service” means any telecommunication service within Guyana;
- “International Telecommunication Convention” means the International Telecommunication Convention signed at Montreux on the 12th day of November, 1965, and includes any subsequent International Telecommunication Convention to which Guyana is a party;
- “the Ordinance” means the Public Corporations Ordinance, 1962;
- “provide” includes maintain;
- “telecommunication” means any electromagnetic transmission, emission or reception of signs, signals, writing,

images and sounds or intelligence of any nature, whether by wire, or by radio or with optical effects or otherwise; and includes "telegraph" and "wireless telegraphy" as defined in the Post and Telegraph Ordinance;

"telecommunication service" means any system of telecommunication whether temporary or permanent, serving the Government or any persons or the public generally;

"the undertaking" means the telecommunication undertaking authorised by the Post and Telegraph Ordinance, the assets whereof are the property of the Crown or State immediately before the appointed day.

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Establishment
of Corpora-
tion.

3. There is hereby established a public corporation to be called the Guyana Telecommunication Corporation.

Functions and Duties of the Corporation.

Functions.

4. (1) It shall be the function of the Corporation —
- (a) subject to section 61 of the Post and Telegraph Ordinance and without prejudice to any rights or privileges conferred on any other person under the Post and Telegraph Ordinance, to provide and operate good and sufficient internal and external telecommunication services on such terms as the Corporation may deem expedient and in accordance with this Order and the Ordinance and, in so far as they are applicable, such provisions of the International Telecommunication Convention and any regulations made thereunder as are for the time being in force;
 - (b) to promote the economic development of the telecommunication services in accordance with, as far as is practicable, standard practice recognised internationally and public demand; and
 - (c) to advise the Government on all matters relating to telecommunication services.

Application of
revenue.

5. Subject to the provisions of section 17 of the Ordinance, the revenue of the Corporation for any financial year shall be applied in defraying the following charges —

- (a) the remuneration, fees and allowances of the members of the Corporation;
- (b) the salaries, fees and remuneration, and any pensions, superannuation allowances and gratuities of the officers, servants, agents and technical or other advisers, of the Corporation;
- (c) the working and establishment expenses and expenditure on, or provision for, the maintenance and re-

newal of any property of the Corporation, and the discharge of the functions of the Corporation properly chargeable to revenue account;

- (d) interest on any loan raised by the Corporation;
- (e) such sums required by the Cabinet to be transferred to a sinking fund, or otherwise set aside for the purpose of making provision for the repayment of moneys borrowed by the Corporation;
- (f) such sums as it may be deemed appropriate to set aside in respect of depreciation on the property of the Corporation having regard to the amount set aside out of revenue under the preceding sub-paragraph;
- (g) any other expenditure authorised by the Corporation and properly chargeable to revenue account.

6.(1) Subject to the provisions of sub-paragraphs (2), (3) and (4) of this paragraph the Corporation shall as from the appointed day continue to employ, on such terms and conditions as may be agreed on between the Corporation and him, any person exclusively employed with the undertaking immediately before the appointed day :

Terms and conditions of employment of certain persons.

Provided that any person who is so employed by the Corporation shall be employed on terms and conditions which taken as a whole are no less favourable than those applicable to him immediately before the appointed day.

(2) The Corporation shall be the successor of the employer as last mentioned of any such person in the matter of his leave or superannuation rights or benefits (whether earned, accrued, inchoate or contingent).

(3) Service of the Corporation shall be other public service within the meaning of, and for the purposes of such provisions applicable in relation thereto as are contained in, the Pensions (Consolidation) Ordinance, 1957, or of the Pensions Regulations, 1957.

(4) The provisions of subsection (1) of section 42 of the Ordinance shall not apply to the Corporation.

7. (1) The assets of the undertaking (including rights and interest) are hereby transferred to and shall vest in the Corporation.

Transfer to Corporation of undertaking.

(2) As soon as practicable after the commencement of this Order, the Corporation shall, by way of compensation for any property vested in the Corporation by virtue of the provisions of this paragraph, issue to the Government debentures or debenture stock of such nominal value and bearing such interest rates and repayment dates as may be agreed upon between the Minister responsible for finance and the Corporation.

(3) Liabilities incurred by the Government exclusively for the purposes of the undertaking, or incurred therefor under agreements duly contracted in the course of the undertaking, prior to the appointed day shall, in so far as may be, be discharged by, and be enforceable against, the Corporation as if the said liabilities had been incurred by the Corporation.

(4) Nothing in sub-paragraph (1) or (3) of this paragraph shall apply to rights or liabilities under any contract of service.

(5) In order to give effect to the provisions of sub-paragraphs (1) and (3) of this paragraph in relation to contractual rights and liabilities, all such contracts shall as from the appointed day be construed with all due modifications and adaptations.

(6) All proceedings commenced prior to the appointed day for the enforcement of any rights or liabilities which are transferred or attach to the Corporation by virtue of this Order may be continued by or against the Corporation, and any such proceeding may be amended accordingly.

Made in Cabinet this 7th day of February, 1967.

T. B. E. RICHMOND
Secretary to the Cabinet.