

GUYANA

No. 71 of 1977

Order

Made Under

THE REGIONAL DEVELOPMENT AUTHORITIES ACT 1977

(No. 14 of 1977)

IN EXERCISE OF THE POWERS CONFERRED UPON ME BY SECTION 3 OF THE REGIONAL DEVELOPMENT AUTHORITIES ACT 1977, I HEREBY MAKE THE FOLLOWING ORDER:—

1. This Order may be cited as the Regional Development (Matthews Ridge/Arakaka/Kaituma) Authority Order 1977.

2. In this Order —

“appointed day” means the date of the coming into operation of this Order;

“undertaking” means the undertaking known as the Matthews Ridge/Arakaka/Kaituma Complex carried on by the State in the area immediately before the appointed day;

“the Minister of State” means the Minister of State, Regional, for the North West Ministerial Region;

“the area” means that area of Guyana known as the Matthews Ridge/Arakaka/Kaituma area and described in the Schedule.

3.(1) There is hereby established for the area an authority to be known as the Matarkai Development Authority (hereinafter referred to as the “the Authority”).

(2) The Authority shall have its principal place of business at Matthews Ridge or at such other place in the area as the Authority may determine notice whereof shall be published in the Gazette.

4. The Board of the Authority shall, in addition to the Secretary of the Authority, consist of —

- (a) the Minister of State, who shall be the Chairman;
- (b) the Regional Development Officer for the North West Ministerial Region, who shall be the Deputy Chairman;
- (c) two persons elected by the employees of the Authority (other than those who hold executive status) from among themselves in such manner as may be determined by the Minister assigned responsibility for labour;
- (d) two persons, other than employees of the Authority, appointed by the Minister from among persons resident in the area after consultations with such residents;
- (e) not more than three other persons appointed by the Minister from among persons appearing to him to be qualified as having had experience of and show capacity in such matters which he considers will be beneficial to the functioning of the Authority and, without prejudice to the generality of the foregoing, in particular, in matters relating to administration, agriculture, co-operativism, industry, trade or industrial relations.

5.(1) The State Lands in the area and the assets of the undertaking (including rights and interests) together with any monies appropriated for the Matarkai Development Authority by the National Assembly in the Estimates for the year 1977 are hereby transferred to and shall, without further assurance, vest in the Authority on the appointed day.

(2) Nothing in paragraph (1) shall be deemed to confer upon the Authority any title (including any rights of management or control, other than those as may be hereinafter conferred by this Order,) to —

- (i) rivers and all lands sixty-six feet landwards from the mean-low water mark;
- (ii) minerals or mining rights in or over any land; and
- (iii) land, buildings and facilities which are in use immediately prior to the coming into operation of this Order for the landing or take off of aircraft and such land which may hereafter be duly designated by the competent authority as land for the purpose.

(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 discharged or be enforceable, be discharged by and be enforceable against the Authority as if the liabilities had been incurred by it.

(4) Nothing in paragraphs (1) and (3) applies to rights and liabilities under any contract of service.

(5) All deeds, bonds, instruments or other documents which were subsisting immediately before the appointed day and affected the undertaking shall, in so far as they relate to the undertaking, be of full force and affect against or in favour of the Authority and be enforceable as fully and effectually as if, instead of the undertaking, the Authority had been named therein or had been a party thereto.

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

6.(1) The Authority may as from the appointed day continue to employ any persons exclusively employed with the undertaking, immediately before the appointed day, on such terms and conditions as may be agreed on between the Authority and that person.

Provided that nothing in the foregoing provisions of this clause shall be construed as prohibiting the Authority from deploying or transferring any such person to function in any post or capacity in the Authority other than that in which he functioned immediately prior to the appointed day in the undertaking should the Authority consider such deployment or transfer is necessary for the efficient discharge of its functions.

(2) The Authority shall be the successor of the employer as last mentioned of any person whose service is continued under subsection (1) in the matter of his leave or superannuation rights or benefits (whether earned, accrued, inchoate or contingent).

7. The functions of the Authority shall not be deemed to have conferred upon the Authority responsibility for the control and management of any enterprise or the carrying out of the functions of any body corporate, institution or organisation as provided for by any other law and, without prejudice to the generality of the foregoing, in particular with respect to —

- (a) livestock farms managed by the Guyana Livestock Development Company Limited;

- (b) agricultural projects which are the responsibility of the Guyana Agricultural Products Corporation;
- (c) telecommunications facilities managed, controlled and provided by the Guyana Telecommunication Corporation;
- (d) that organisation established, maintained and known as the Guyana National Service.

SCHEDULE

BOUNDARIES OF MATARKAI AREA

The tract commences at Port Kaituma situate on the right bank of the Kaituma River, left bank Barima River in the North West District of Guyana and its boundaries extend down the Kaituma River, to the mouth of the Anabisi River, thence along the left bank of the Anabisi River to the mouth of White Creek, thence along the left bank of White Creek to its source, thence to the source of the Anabisi River (Tributary of the Barima River) thence to the source of the Kwiaribaru Creek, thence along the Kwiaribaru Creek to the Barima River, thence along the Barima River, to the Tenapu Creek thence along the Tenapu Creek to its source thence along the Barima — Barima watershed to the source of the Haiari Creek thence along the Haiari Creek to the Barama River thence along the Barama River to the mouth of Massowah Creek to its junction with the Guyana-Venezuela border, thence along the Guyana-Venezuela border to the source of the Kaliaku Creek thence in a north-easterly direction to the source of the Whana River thence along the Whana River to its mouth on the right bank of the Barima River, thence down the Barima River to the mouth of Waiamalee Creek along the Walamaka Creek to its source thence across Barima — Kaituma Watershed to the 1st Falls on the Kaituma River, thence along the Kaituma River back to Port Kaituma, the point of commencement.

Made this 27th day of September, 1977.

L. F. S. Burnham,
Prime Minister