

BRITISH GUIANA

ORDER

MADE UNDER

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

UNDER SECTION 34 OF THE PUBLIC CORPORATIONS ORDINANCE, 1962, THE FOLLOWING ORDER HAS BEEN MADE BY THE COUNCIL OF MINISTERS:—

1. (1) This Order may be cited as the Guyana Airways Corporation Order, 1963.

(2) This Order shall come into force on the 1st day of September, 1963.

2. There shall be established a public corporation to be known as the Guyana Airways Corporation (hereinafter in this Order referred to as “the Corporation”).

3. (1) It shall be the function of the Corporation to secure the fullest development, consistent with economy, of efficient air transport services within British Guiana and between British Guiana and other countries, and to secure that such services are operated at reasonable charges.

(2) Nothing in this article shall restrict the right of any person for the purposes of any air transport undertaking of which the principal place of business is in any country outside British Guiana, to provide transport for passengers or goods in accordance with the terms of any agreement for the time being applying to British Guiana.

4. (1) The Corporation shall, if and when required by the Director of Posts and Telecommunications, perform all such reasonable services in regard to the conveyance of mail (with or without officers of the Post Office in charge thereof) by the Corporation’s aircraft or any of them as the Council of Ministers may from time to time require.

(2) The remuneration for any services performed in pursuance of this section shall be such as may be from time to time determined by agreement between the Director of Posts and Telecommunications and the Corporation.

5. Subject to the provisions of section 17 of the Public Corporations Ordinance, 1962, the revenues 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 renewal 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 Council of Ministers 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 subparagraph;
- (g) any other expenditure authorised by the Corporation and properly chargeable to revenue account.

6. (1) Subject to the provisions of paragraph (2) of this article, the Corporation may continue to employ any person employed at the commencement of this Order by the body known as British Guiana Airways (Government) (hereinafter in this and the next succeeding article referred to as "the Airways") on such terms and conditions which may be agreed on between any such person and the Corporation.

(2) All liabilities incurred by or on behalf of the Airways in respect of the leave and superannuation rights (whether inchoate or accrued) of any such person employed by the Corporation and subsisting immediately before the commencement of this Order, shall, as from the commencement of this Order, have effect as if they had been incurred by or on behalf of the Corporation.

7. (1) All property (including rights) vested immediately before the commencement of this Order in the Airways or in any person or authority on behalf of the Airways shall, at the commencement of this Order, vest in the Corporation.

(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 article, 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) All liabilities incurred by or on behalf of the Airways and subsisting immediately before the commencement of this Order shall as from the commencement of this Order, have effect as if they had been incurred by or on behalf of the Corporation:

Provided that except as otherwise provided in paragraph (2) of article 6 of this Order, the provisions of this paragraph shall not apply to liabilities arising under contracts of service.

(4) Any contract made by or on behalf of the Airways before the commencement of this Order shall, as from the commencement of this Order, be construed with such modifications and adaptations as may be necessary to give effect to the foregoing provisions of this article.

(5) All proceedings by or against the Airways commenced before the commencement of this Order may be continued by or against the Corporation, and any such proceeding may be amended accordingly.

Made in Council this 28th day of August, 1963.

D. H. WESTMAAS,
Acting Secretary to the Council of Ministers.

(M.P. C. Av. 3/1/44)

EXPLANATORY NOTE

~~(This is not part of the Order, but is intended to indicate its general purport).~~

The object of this Order is to establish for British Guiana a public corporation to provide air transport services including those at present provided by the Government of British Guiana. Provision is made prescribing the powers, duties, functions and purposes of the Corporation including the power to employ persons now employed by British Guiana Airways (Govt.) and the taking over of the assets and liabilities of British Guiana Airways (Govt.).