

**GUYANA****No. 25 of 2004****ORDER  
Made Under****THE PUBLIC CORPORATIONS ACT 1988****(No.21 of 1988)**

**IN EXERCISE OF THE POWERS CONFERRED UPON ME BY SECTIONS 8 AND 11 OF THE PUBLIC CORPORATIONS ACT 1988, AS APPLIED TO THE BERBICE MINING ENTERPRISE LIMITED, BY NOTIFICATION UNDER SECTION 66 OF THAT ACT, I HEREBY MAKE THE FOLLOWING ORDER:-**

- |                                 |     |   |
|---------------------------------|-----|---|
| Citation and commencement       | 1.  | This Order may be cited as the Berbice Mining Enterprise Limited (Dissolution and Transfer of Assets and Liabilities) Order 2004 and shall come into operation on 15 <sup>th</sup> October, 2004.   |
| Interpretation.                 | 2.  | In this Order -   |
|                                 | (a) | "appointed day" means the date on which this Order comes into operation;  |
| Cap 89:01<br>No. 29 of 1991     | (b) | "AMC" means Aroaima Mining Company, a company incorporated under the Companies Act and continued under the Companies Act 1991 with its registered office at 274 Peter Rose & Anira Streets, South Cummingsburg, Georgetown, Guyana;   |
| No....of 1992<br>No. 29 of 1991 | (c) | "Company" means Berbice Mining Enterprise Limited, established under the Guyana Mining Enterprise Limited (Restructuring and Transfer of Assets and Liabilities) Order 1992, and registered as a company under the Companies Act 1991, with its registered office at Lot 71 Main and Quamina Streets, Georgetown, Guyana; |
| Cap 65:09                       | (d) | "GGMC" means the Guyana Geology and Mines Commission established under the Guyana Geology and Mines Commission Act with its registered offices at Upper Brickdam, Georgetown, Guyana;   |
| Cap 89:01<br>No. 29 of 1991     | (e) | "NICIL" means National Industrial Commercial and Investments Ltd, a company incorporated under the Companies Act and continued under the Companies Act 1991 with its registered office at 126 Barrack Street, Kingston, Georgetown, Guyana.   |

- Transfer of property of the Company 3. (1) All movable and immovable property, (including all rights, claims and interest thereto), more specifically described in Schedule 1, Part 'A', are as from the appointed day, hereby transferred to AMC.
- Schedule 1, Part "A".
- (2) All property, movable and immovable, (including all rights, title and interest thereto), situate in the town of New Amsterdam, more specifically described in Schedule 1 Part 'B' are, as from the appointed day, transferred to and vested in NICIL.
- Schedule 1, Part "B".
- Termination of Mining Licenses 4. All mining and prospecting licenses issued to the Company (including rights and interests therein), are, as from the appointed day, hereby terminated with the approval of GGMC and GGMC shall process for issuance mining and prospecting licenses to AMC in respect of lands, that are currently being mined by the Company for which licenses to the Company were terminated and additional licenses for additional land that AMC shall require and identify within one(1) year from the appointed day.
- Transfer of liabilities of the Company 5. (1) Except as otherwise provided herein, all liabilities of the Company, as from the appointed day, are transferred to AMC and shall be discharged by, and be enforceable against, AMC as if the said liabilities had been incurred by AMC.
- (2) The liabilities of the Company to the National Bank of Industry and Commerce Ltd. and the Guyana National Industrial Company Inc., are transferred to NICIL, as from the appointed day and shall be discharged by, and be enforceable against NICIL as if the said liabilities had been incurred by NICIL.
- (3) The liabilities of the Company to the Ministry of Finance and the Guyana National Co-operative Bank are, transferred to the Government, as from the appointed day, and shall be discharged by and be enforceable against the Government as if the said liabilities had been incurred by the Government.
- Enforceability of deeds etc. and legal proceedings 6. (1) All deeds, bonds, instruments, contracts or other documents, proceedings relating to any property of the Company transferred to AMC shall, as from the appointed day, be of full force and effect in favour of or against AMC as if, instead of the Company, AMC had been named therein or had been a party thereto.

- (2) All deeds, bonds, instruments, contracts or other documents, proceedings relating to any property and liabilities of the Company transferred to NICIL shall, as from the appointed day, be of full force and effect in favour of or against NICIL as if, instead of the Company, NICIL had been named therein or had been a party thereto
- (3) All deeds, bonds, instruments, contracts or other documents, proceedings relating to any liabilities of the Company transferred to the Government shall, as from the appointed day, be of full force and effect in favour of or against the Government as if, instead of the Company, the Government had been named therein or had been a party thereto.

Dissolution of the Company.

6.

The Company is hereby dissolved on the appointed day.

## **SCHEDULE 1**

### **PART 'A'**

#### **IMMOVABLE PROPERTY**

All rights, interests and claims to land presently occupied by Bermine and used in the operations of the Company with all buildings and erections attached thereto subject to the conducting of a cadastral survey to demarcate the boundaries more specifically at a later date.

#### **MOVABLE PROPERTY**

#### **PARTICULARS OF SHIPS**

##### **OFFICIAL NUMBER**

0000131

0000132

0000174

0000175

##### **NAME OF SHIP**

REBECCA III

REBECCA IV

REBECCA V

REBECCA VI

**PARTICULARS OF MOTOR VEHICLES IN KWAKWANI\*****REGISTRATION NUMBER**

PHH 4007  
 PEE 3810  
 GEE 6112  
 PDD 7095  
 PDD 7094  
 PFF 1578  
 PHH 810  
 NONE  
 PHH 6734  
 PDD 7091  
 PEE 3809  
 PDD 3187

**DESCRIPTION**

Toyota Pick-Up 4 Door  
 Suzuki Samurai Jeep  
 Chevy Pick-Up  
 Suzuki Samurai Jeep  
 Suzuki Samurai Jeep  
 Suzuki Samurai Jeep  
 Toyota Pick-Up 4 X 4  
 Tata Sierra M/Car  
 Toyota Hilux Surf 4 X 4  
 Suzuki Samurai Jeep  
 Suzuki Samurai Jeep  
 Nissan Pathfinder

**PARTICULARS OF MOTOR VEHICLES IN EVERTON\*****REGISTRATION NUMBER**

PCC 382  
 GDD 8071  
 PEE 6737  
 PDD 7092  
 PDD 7093  
 PCC 4083  
 PEE 6597  
 PEE 6598  
 PEE 6600  
 GEE 7475  
 PGG 1037  
 GEE 7628

**DESCRIPTION**

Datsun Motor Car  
 Toyota Pick-Up  
 Mini Bus 9-Seater  
 Suzuki Samurai Jeep  
 Suzuki Samurai Jeep  
 Ambulance  
 Chevy Motor Car  
 Chevy Motor Car  
 Chevy Motor Car  
 Chevy Pick-Up  
 Mitsubishi Jeep 4 X 4  
 Chevrolet Truck

**PARTICULARS OF LEASEHOLD MACHINERY AT KWAKWANI****REGISTRATION NUMBER**

GHH 1053  
 GHH 1054  
 NONE

**DESCRIPTION**

CATERPILLAR 769 Truck  
 CATERPILLAR 769 Truck  
 SP 1100 BACKHOE

**PARTICULARS OF BARGES AT EVERTON****DESCRIPTION**

BARGE # 91  
 BARGE # 92 – 1,500 MT  
 BARGE # 93 – 1,200 MT  
 BARGE # 94 – 2,300 MT  
 BARGE # 96  
 BARGE # 98

**PART "B"****RIGHTS, CLAIMS AND INTERESTS IN PROPERTIES*****Belle Vue—Sports Ground***

**Firstly:** A plot of Land located at Lot 60 Stanleytown, New Amsterdam, in the County of Berbice comprising of 378,066 square feet demarcated by drains and dams and extending from the reserve of the public road approximately 786'- 0" South and from the access dam approximately 481'-0" East with buildings and erections attached thereto subject to the conducting of a cadastral survey to demarcate the boundaries more specifically at a later date.

***Sports Complex/Recreational Center***

**Secondly:** Lot numbered 8 (eight), situate in that part of the town of New Amsterdam called Queenstown, in the County of Berbice, Republic of Guyana the said lot being shown on a plan by James Bone, Sworn Land Surveyor, dated 6<sup>th</sup> November, 1840, and deposited in the Deeds Registry at New Amsterdam on the 26<sup>th</sup> July 1849, with the buildings and erections thereon;

***Executive Staff Compound***

**Thirdly:** Lots numbered 1 (one), 2 (two), 3 (three), 4 (four) and 5 (five), situate in that part of the town of New Amsterdam called Queenstown, in the County of Berbice, Republic of Guyana, the said lots being laid down and defined on a diagram by James Bone, Sworn Land Surveyor, dated 6<sup>th</sup> and 7<sup>th</sup> November 1840 and deposited in the Office of the Registrar at New Amsterdam, Berbice with the buildings and erections thereon;

***CEO Residence***

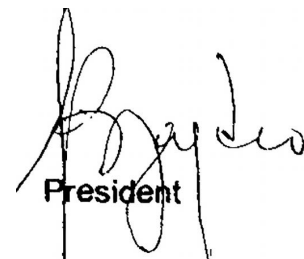
**Fourthly:** A plot of land comprising of 13,286 square feet located at Princess Elizabeth Road, New Amsterdam in the County of Berbice, with boundaries 73'- 0" x 182'- 0" at the East and West and North and South respectively with all buildings and erections attached thereto subject to the conducting of a cadastral survey to demarcate the boundaries more specifically at a later date.

***Guest House at Princess Elizabeth Road***

**Fifthly:** Western half of lot numbered. 28 (twenty-eight), situate in that part of the town of New Amsterdam called Queenstown, in the County of Berbice, Republic of Guyana, the said lot being defined and designated on a diagram made by James Bone, Sworn Land Surveyor, dated 6<sup>th</sup> November 1840 and deposited in the Office of the Registrar at New Amsterdam, Berbice, on the 26<sup>th</sup> July, 1849, with the building and erection thereon.

Note: - The headings referenced above each description are intended only to identify the area or property being described and shall not be used for or be considered as part of the legal definition of any property.

Made this 11<sup>th</sup> day of October, 2004



President