

Bill No. 10 of 1967

PUBLISHED 22ND APRIL, 1967

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MISCELLANEOUS ENACTMENTS (AMENDMENT) BILL, 1967.

Arrangement of Sections

Section

1. Short title and commencement.
2. Amendment of enactments.

SCHEDULE.

A BILL

Intituled

AN ACT to amend certain enactments.

Enacted by the Parliament of Guyana :—

A.D. 1967

1. (1) This Act may be cited as the Miscellaneous Enactments (Amendment) Act, 1967, and so far as it amends any Ordinance shall be construed and read as one with that Ordinance and all amendments thereto. Short title and commencement.

(2) This Act shall be deemed to have come into operation in respect of item 3 of the schedule hereto at the commencement of the Official Designations Ordinance. Cap. 57.

2. The enactments specified in the first column of the schedule to this Act shall be amended to the extent set out in the second column thereof. Amendment of enactments.

SCHEDULE

Enactment	Amendment
1. High Court Ordinance, Chapter 7, Section 40	Delete the words "Her Majesty's birthday, Whit Monday,".
2. High Court Ordinance, Chapter 7, Section 42.	Substitute for all the words appearing after the word "Friday" in subsection (2) the words "and Easter Monday."
3. Official Designations Ordinance, Chapter 57, Section 4.	Insert after the word "from" the words "the date of the publication thereof or such other date as may be prescribed therein or".
4. Labour Ordinance, Chapter 103, Section 3.	(a) Insert after the words "Deputy Chief Labour Officer," in subsection (1) the words "an Assistant Chief Labour Officer,". (b) Substitute for the words "shall act as assistant" in sub section (3) the words "and the Assistant Chief Labour Officer shall act as assistants".

Amendment

- (c) Insert after the words "Deputy Chief Labour Officer" in subsection (4) the words "or, in his absence, the Assistant Chief Labour Officer".
5. Labour Ordinance, Chapter 103, Sections 14 and 38 respectively. Insert after the words "Deputy Chief Labour Officer," wherever they appear, the words "the Assistant Chief Labour Officer,".
6. Labour Ordinance, Chapter 103, Section 39A. Insert after the words "Deputy Chief Labour Officer" in subsection (1) the words "the Assistant Chief Labour Officer".
7. Labour (Conditions of Employment of Certain Workers) Ordinance, Chapter 110, Section 8. Insert after the words "Deputy Chief Labour Officer" in subsection (2) the words "the Assistant Chief Labour Officer".
8. Trades Unions Ordinance, Chapter 113, Section 24. Delete the words "or by the withdrawal under this section of a certificate of registration," and the words "and the decision of the Court shall be final;" in paragraph (e).
9. Trades Unions Ordinance, Chapter 113, Section 27. Add the following subsections
- “(5) Where a certificate is withdrawn or cancelled pursuant to any notice under subsection (2) of this section or on the ground that the registration has become void as aforesaid, any one aggrieved by the decision of the Registrar may appeal therefrom to the High Court within the time and in the manner directed by rules of court.
- (6) Until determination of any appeal pursuant to the preceding subsection, subsections (3) and (4) of this section shall not apply in relation to the withdrawal or cancellation in question if the High Court, upon being satisfied on the appellant's application in manner directed by rules of court that it is just so to do, makes an order to that effect.
- (7) Rules of court mentioned in subsection (5) or (6) of this section may prescribe conditions to be observed in exercising the right to appeal or make application thereunder, as the case may be.”
10. Factories Ordinance, Chapter 115, Section 2. Insert after the words "Deputy Chief Labour Officer" in subsection (1) the words "and the Assistant Chief Labour Officer".
11. Factories Ordinance, Chapter 115, Section 9. Insert after the words "Deputy Chief Labour Officer," in sub section (5) the words "the Assistant Chief Labour Officer,".

Enactment

12. **Factories Ordinance, Chapter 115, Section 29.** Substitute for paragraph (c) of subsection (1) the following paragraph
- “(c) in respect of work on Sundays, Christmas Day, the day after Christmas Day if Christmas falls on a Sunday, Eid-UI-Azha Day, or, if that day is a Sunday, the following day, Phagwah Day, or, if that day is a Sunday, the following day, Good Friday, Easter Monday, Labour Day, that is to say the 1st May, or, if that day is a Sunday, the following day.”.
13. **Bakeries (Hours of Work) Ordinance, Chapter 120, Section 6.** Substitute for sub-paragraph (i) of paragraph (a) the following sub-paragraph —
- “(i) on Sundays, Christmas Day, the day after Christmas Day if Christmas falls on a Sunday, Eid-UI-Azha Day, or if that day is a Sunday, the following day, Phagwah Day, or if that day is a Sunday, the following day, Good Friday, Easter Monday, Labour Day, that is to say the 1st May, or, if that day is a Sunday, the following day;”.
14. **Bakeries (Hours of Work) Ordinance, Chapter 120, Section 8.** Insert after the words “Deputy Chief Labour Officer,” in subsection (1) the words “the Assistant Chief Labour Officer,”.
15. **Accidents and Occupational Diseases (Notification) Ordinance No. 46 of 1955, Section 2.** Insert after the words “Deputy Chief Labour Officer” —
- (a) where they appear for the first time, the words “and the Assistant Chief Labour Officer”;
- (b) where they appear for the second time, the words “the Assistant Chief Labour Officer,”

EXPLANATORY MEMORANDUM

The object of this Bill is to effect divers amendments to a miscellany of enactments.

2. In keeping with the Public Holidays Ordinance as amended by the Public Holidays (Amendment) Act, 1967, items 1, 2, 12 and 13 of the schedule to this Bill seek to amend the provisions of the High Court Ordinance, Chapter 7, the Factories Ordinance, Chapter 115, and the Bakeries (Hours of Work) Ordinance, Chapter 120, which enumerate the days to be observed as holidays by the High Court and the registry of the Supreme Court under the High Court Ordinance and for the purpose of the payment of special wage rates under the Factories and Bakeries (Hours of Work) Ordinances. Thus, for that purpose, Eid-UI-Azha, Phagwali and Labour Day will be substituted for Boxing Day, New Year and Whitsun; and the Queen's birthday, Easter Eve, the day after Easter Monday, Ascension Day and Whit Monday and Tuesday will cease to be specified by the High Court Ordinance as court or registry holidays.

3. Item 3 of the schedule seeks to amend the Official Designations Ordinance, Chapter 57, retrospectively to regularise the effect of orders changing official designations and dispense with the necessity for publication in the Gazette of a separate notice specifying the effective date of any order of that kind, as presently required by the Ordinance.

4. The amendments mentioned in items 4 to 7 (inclusive) 10, 11, 14 and 15 of the schedule are consequential to the provision by way of Supplementary Estimates in 1966 for the new office of Assistant Chief Labour Officer and seek to make statutory provision for that officer's functions, which are in keeping with his designation.

5. Items 8 and 9 of the schedule seek to implement the terms of International Labour Organisation Convention No. 87 by rendering a decision of the Registrar of Trade Unions to withdraw or cancel a union's certificate under the Trades Unions Ordinance, Chapter 113, subject to appeal to the High Court.

C. A. MERRIMAN,
Minister of Labour and Social
Security.

(Bill No. 10/1967)