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The following Bill which will be introduced in the National Assembly is published for general information.

F. A. Narain
Clerk of the National Assembly.



GUYANA

BILL No. 1 of 1990

SALE OF TRAVEL TICKETS (AMENDMENT) BILL 1990

ARRANGEMENT OF SECTIONS

SECTION

1. Short title and commencement.
2. Amendment of section 2 of the Principal Act.
3. Insertion of new sections 6A and 6B in the Principal Act.
4. Amendment of section 7 of the Principal Act.
5. Amendment of section 8 of the Principal Act.
6. Amendment of section 9 of the Principal Act.
7. Amendment of section 12 of the Principal Act.

A BILL

Intituled

AN ACT to amend the Sale of Travel Tickets Act 1985.

A.D. 1990 Enacted by the Parliament of Guyana :—

Short title and commencement. 1. This Act, which amends the Sale of Travel Tickets Act 1985, may be cited as the Sale of Travel Tickets (Amendment) Act 1990 and clause 3 shall be deemed to have come into operation on 1st November, 1989.

Amendment of section 2 of the Principal Act. 2. Section 2 of the Principal Act is hereby amended —

(i) by the substitution, in paragraph (a), for the words ‘and “foreign currency” have’, of the word “has”;

(ii) by the insertion, after paragraph (b), of the following paragraph as paragraph (bb) —

(bb) “foreign currency” means any currency other than Guyana dollars and includes a right to receive any currency other than Guyana dollars in respect of any credit or balance at a bank and a travellers’ cheque, or a draft drawn by a bank, expressed in a currency other than Guyana dollars’;

(iii) by the deletion, in paragraph (g), of the words “on a scheduled journey”.

Insertion of new sections 6A and 6B in the Principal Act. 3. The Principal Act is hereby amended by the insertion, after section 6, of the following sections as sections 6A and 6B —

6A. (1) The Minister assigned responsibility for finance may, subject to any conditions that he may specify, permit any airline to receive and recover, in cases to which section 6 does not apply, the price of travel tickets (whether in respect of a scheduled journey or not), sold directly or through an authorised travel agent, in foreign currency.

Power to permit receipt of price of travel tickets in foreign currency in certain other cases.

(2) A permission granted to any airline under subsection (1) may be revoked by the Minister at any time after giving to the airline one month’s notice of the intention to do so.

(3) Without prejudice to the provisions of subsection (2), a permission granted to any airline under subsection (1) may be revoked by the Minister if he is satisfied that the airline has contravened any provision of this Act or any condition subject to which the permission was granted:

Provided that the permission shall not be revoked under this subsection unless the airline has been given a reasonable opportunity of being heard.

Special provisions regarding price of travel ticket etc, to credit card

6B. (1) Where any person has charged to a credit card in his name, in any foreign currency, the sum payable to any airline or authorised travel agent by way of the price of a travel ticket or the taxes payable under section 57 of the Tax Act or section 3 of the Travel Voucher Tax Act, for the purposes of section 6 or 6A, he shall be deemed to have paid that sum in the foreign currency in which it was so charged.

Cap. 80:01
ap. 80:09

(2) In this Act "credit card" means a credit card, the sum charged by virtue of which are payable in any foreign currency, and issued by a company recognised for the purposes of this Act by the Minister by notification in the Gazette.

4. Section 7 of the Principal Act is hereby amended by the renumbering of that section as subsection (1) thereof and —

Amendment of section 7 of the Principal Act.

- (a) in subsection (1), as so renumbered, by the insertion after the words "the contrary," of the words "but save as otherwise directed by the Minister assigned responsibility for finance,";
- (b) after subsection (1), as so renumbered by the insertion of the following subsections as subsections (2) and (3) —

"(2) The Minister may for good and sufficient cause shown by an airline or authorised travel agent extend the time specified in subsection (1), for the sale of foreign currency to an authorised dealer, in any particular case or class of cases.

(3) For the purposes of subsection (1), where an authorised travel agent sells a travel ticket of any airline, in computing the foreign currency received by him from the sale he sum tha the auth rise travel

agent paid, or is required to pay to the airline in foreign currency by way of the price of the travel ticket shall be deducted.”.

Amendment
of section 8
of the Prin-
cipal Act.

5. Section 8(1) (a) of the Principal Act is hereby amended by the insertion, after the words “as the case may be”, of the words”, the foreign currency received by way of the price of travel tickets and taxes (to be shown separately) and where the sale of travel tickets is by an authorised travel agent, the sum that the travel agent paid in foreign currency to any airline by way of the price of any travel tickets of that airline sold by the travel agent and the sum retained by him”.

Amendment
of section 9
of the Prin-
cipal Act.

6. Section 9(1) of the Principal Act is hereby amended —

- (i) in paragraph (a), by the insertion, after the words “travel agent”, of the words”, showing separately the price of the travel ticket and the taxes”;
- (ii) by the insertion, after paragraph (b), of the following paragraph as paragraph (bb) —

“(bb) in the case of an authorised travel agent, out of the amount of foreign currency received by him, as mentioned in paragraph (a), the sum that was paid by him in foreign currency to any airline by way of the price of travel tickets of that airline sold by him and the sum retained by him.”

Amendment
of section 12
of the Prin-
cipal Act.

7. Section 12 of the Principal Act is hereby amended by the insertion, after subsection (2), of the following subsections as subsections (3) and (4) —

“(3) Any person who contravenes any condition specified by the Minister under section 6A (1) shall, in addition to the liability incurred by him as a consequence of it under section 6A (3), be liable, on summary conviction, to a fine of ten thousand dollars and imprisonment for one year.

(4) Any person who contravenes any provision of this Act, for which no penalty has been specified by any of the preceding provisions of this section, shall be liable, on summary conviction, to a fine of five thousand dollars and imprisonment for six months.”.

EXPLANATORY MEMORANDUM

This Bill seeks to insert a new section 6A in the Sale of Travel Tickets Act 1985 (No. 11 of 1985) to empower the Minister of Finance to permit an airline to receive and recover the price of travel tickets sold by it, whether directly or through an authorised travel agent, in a foreign currency, even in cases where section 6 of that Act does not apply.

2. In cases where the new section 6A, and not section 6, applies the taxes under section 57 of the Tax Act, Cap. 80:01, and section 3 of the Travel Voucher Tax Act, Cap. 80:09, will continue to be payable in Guyana dollars.

3. The Bill also seeks to make consequential and clarificatory amendments in the above Act, including a provision in respect of the charging of the price of travel tickets and related taxes to credit cards.

Carl B. Greenidge,
Minister of Finance