

THE OFFICIAL GAZETTE 2ND APRIL, 1993
LEGAL SUPPLEMENT – B

GUYANA

No. 5 of 1993

ORDER

MADE UNDER

THE PUBLIC CORPORATIONS ACT 1988

(No. 21 of 1988)

IN EXERCISE OF THE POWERS CONFERRED UPON THE MINISTER BY
SECTIONS 8, 9 AND 11 OF THE PUBLIC CORPORATIONS ACT 1988
I HEREBY MAKE THE FOLLOWING ORDER:—

1. This Order may be cited as the Guyana Public Communications Agency (Dissolution and Transfer of Assets) Order 1993 and shall come into operation on 31st March, 1993.

Citation
and com-
mencement.

2. In this Order —

Inter-
pretation:

(a) "Agency" means the Guyana Public Communications Agency, being a public corporation established under section 3, of the Public Corporations Act 1988;

No. 21 of
1988.

(b) "appointed day" means the date on which this Order comes into operation.

3. The Agency is dissolved with effect from the appointed day.

Dissolution
of Agency:

4. (1) All the assets (including rights and interests) of the Agency as on the day immediately before the appointed day shall, with effect from the appointed day, stand transferred to and vested in the State.

Transfer
of assets
and
liabilities
of Agency:

(2) The assets of the Agency transferred to and vested in the State under paragraph (1) shall include —

(a) all the furniture and other furnishings, office and communications equipment, motor vehicles and other means of transport, owned by the Agency;

- (b) all books, documents and other records, including electronical stored data and other material, owned by or in the possession of the Agency.
- (c) all material prepared by the Agency, or any employee of the Agency on its behalf or in connection with its functions;
- (d) copyright and rights to other intellectual property vested in the Agency; and
- (e) cash in hand and amounts held in bank accounts in the name of the Agency.

(3) All the liabilities of the Agency as on the day immediately before the appointed day shall, with effect from the appointed day, stand transferred to the State and shall be discharged by, and a enforceable against, the State as if the said liabilities had been incurred by the State.

(4) The liabilities transferred to the State under paragraph (3) shall include —

- (a) amounts payable by the Agency to persons employed by the Agency on the day immediately before the appointed day by way of —
 - (i) salary and allowances in respect of any period prior to the appointed day;
 - (ii) any amount payable in respect of leave or other benefits accrued before the appointed day;
 - (iii) any amount payable to any such employee by way of pension gratuity or any other severance benefit; and
- (b) in the case of any former employee of the Agency who was, as on the day immediately before the appointed day, entitled to receive from the Agency, any pension, the liability to pay such pension.

Termination
of employ-
ment of
employees:

5. (1) The employment of all the persons employed by the Agency on the day immediately before the appointed day shall stand terminated with effect from the appointed day.

(2) Nothing in paragraph (1) shall be deemed, to prevent the employment of any person referred to in paragraph (1), if otherwise qualified for such employment, in the public service or in

any body corporate owned by the State or the controlling interest in which is vested in the State or any agency on behalf of the State.

6. (1) All deeds, bonds, instruments or other documents which were subsisting immediately before the appointed day, and relating to the assets or liabilities of the Agency transferred to the State by this Order shall be of full force and effect against or in favour of the State and be enforceable as fully and effectually as if, instead of the Agency, the State had been named therein or had been a party thereto.

Enforce-
ability of
deeds, ect,
and legal
proceedings.

(2) All actions or other proceedings commenced before the appointed day, for the enforcement of any right relating to any asset or liability which is transferred to the State hereunder, and to which the Agency is a party, may be continued by or against the State, and such actions or other proceedings may be amended accordingly.

Made this 22nd day of March , 1993.

Shree Chan;
Senior Minister, Trade, Tourism
and Industry.