

ORDINANCE No. 10 OF 1918.

A.D. 1918. AN ORDINANCE to amend the Sea Defences Ordinance, 1913.

[18th May, 1918.]

WHEREAS by Resolution No. XXXVII. passed at the First Special Session of the Combined Court on the 26th day of September, 1916, it was resolved "That this Court approves of effect being given to the recommendations of the Committee appointed to report on the best means of financing the expenditure in connection with the East Coast, Demerara, Sea Defences" as contained in Sessional Paper No. 867.

And whereas by Resolution No. XXV. passed at the Annual Session of the Combined Court on the 29th day of November, 1916, it was resolved "That this Court approves of effect being given to the recommendations of the Committee appointed to report on the best means of financing the expenditure in connexion with the West Coast, Demerara, Sea Defences" as contained in Sessional Paper No. 874.

Be it therefore enacted by the Governor of British Guiana, with the advice and consent of the Court of Policy thereof, as follows:—

Short title.

1. This Ordinance may be cited as the Sea Defences Ordinance, 1913, Amendment Ordinance, 1918, and shall be read and construed as one with the Sea Defences Ordinance, 1913, hereinafter referred to as the Principal Ordinance, and with any amending Ordinance.

Amendment of Section 1, Ord. No. 9 of 1913.

2. Section one of the Principal Ordinance is hereby amended by adding thereto the following sub-section (4):—
“(4) The Governor-in-Council may by order abolish any Sea Defence District or alter the limits of any Sea Defence District in the First Schedule or may cause any such district to be divided into two or more new Sea Defence Districts.”

Amendment of Sub-section (3), Section 2, Ord. 9 of 1913.

3. Sub-section (3) of section two of the Principal Ordinance is hereby amended by adding at the end thereof the following:—
“Provided also that the Governor-in-Council may by order direct that any such deputy shall be seconded as Local Sea Defence Director in sole charge of such district for any period or until further order and thereupon the powers, functions, duties and

obligations of the Director of Public Works under this Ordinance shall cease as regards such district for the period named or until the said further order and all the powers, functions, duties and obligations aforesaid shall attach to such Local Sea Defence Director under this Ordinance as if he were the Director of Public Works within that district."

4. Section nine of the Principal Ordinance is hereby amended as follows:—

Amendment
of Section.
Ord. 9 of 1913.
No. 23 of
1916.

- In sub-section (1) by adding at the end thereof the following:—
" Unless they consist of the foreshore or sea-bed as defined in the Foreshore and Sea-Bed Ordinance, 1916, or other Crown land. The Director of Public Works shall be deemed to be the occupier of such land for the purpose of all suits and prosecutions whatsoever and for the purpose of impounding strays and preventing the removal of sand, shell or other trespass."
2. In sub-section (2) by substituting the word " may " for the word " shall " in the first line thereof.

5. Section fourteen of the Principal Ordinance shall be construed and have effect as if the words " or with the approval of the Governor-in-Council enter into contracts for the execution of " were inserted after the word " execute " and before the word " all " in the second line thereof.

Amendment
of Section 14,
Ord. 9 of 1913.

6. Sub-section (2) of section fifteen of the Principal Ordinance shall be construed and have effect as if the words " paying therefor at a rate to be fixed by the Director of Public Works " were inserted in the last two lines thereof in lieu of the words " and the Commissioners shall pay therefor at a rate not exceeding twenty-four cents per cord."

Amendment
of Section 15,
Ord. 9 of 1913.

7. Section sixteen of the Principal Ordinance is hereby amended as follows:—

Amendment
of Section 16,
Ord. 9 of 1913

1. In sub-section (1) by inserting after the word " maintenance " and before the word " of " in the second line thereof the following:—" retirement or other modification," and by adding at the end thereof the following:—" subject to the right of appeal to the Governor-in-Council."
2. In sub-section (3) by inserting after the word " as " and before the word " may " in the second line thereof the following:—" in his opinion."

8. Section nineteen of the Principal Ordinance is hereby amended (1).

9. Section twenty-nine sub-section (1) of the Principal Ordinance is hereby amended by substituting for the words " against the proprietor of such estate or the owner of such land without naming him " the words " in the same manner in which a Local Authority may proceed against movable or immovable property respectively under the Local Government Ordinance, 1907, or any Ordinance amending the same."

Amendment
of Section 29,
Ord. 9 of 1913.

10. Sections thirty-nine and forty are hereby repealed.

Repeal of
Part VI. of
Ord. 9 of 1913

¹ See Section 3 of Ordinance No. 10 of 1919.

Amendment
of Section 41,
Ord. No. 9 of
1913.

11. Section forty-one of the Principal Ordinance is hereby amended by deleting the words " except as in section thirty-eight provided " appearing in the third line thereof.

Repeal of
Interpretation
term " Sea
Defence " and
new term
enacted.

12. The interpretation term " Sea Defence " in section forty-two of the Principal Ordinance is hereby repealed and the following shall be inserted in lieu thereof:—

" Sea Defence " includes any dam, groyne or other construction of whatever kind intended to prevent erosive action on any seashore or estuary of any river or creek or navigable canal in any district and except when a lesser distance is ordered by the Governor-in-Council shall include all other lands as set out in the Order-in-Council under section nine, sub-section (2) of this Ordinance and such other land which after the commencement of this Ordinance may be required for the purposes of Sea Defences under this Ordinance, and includes the sea-bed to the extent necessary for the construction and maintenance of any works for the protection of the coast to a distance of fifty feet on the side farthest from the sea or river or canal from the centre line of the sea dams existing at the commencement of this Ordinance.
