

GUYANA

No. 1 of 1979

REGULATIONS

Made Under

THE DEFENCE ACT

(Cap. 15:01)

UNDER SECTION 212 OF THE DEFENCE ACT THE FOLLOWING REGULATIONS HAVE BEEN MADE BY THE GUYANA DEFENCE BOARD:—

Citation,

1 These Regulations may be cited as the Defence (Compensation for Loss of Property) Regulations 1979.

Interpretation

2. In these Regulations, unless the context otherwise requires —

“board of officers” means a board appointed by the Chief of Staff, consisting of not less than three officers, the president of which shall be of or above the rank of major;

“commanding officer” has the meaning assigned to it in section 88 of the Act;

“damage” includes destruction;

No. of 1979

“prescribed rules” means the Defence (Board of Inquiry) Rules 1979, made in pursuance of section 139 of the Act.

Investigation of loss of or damage to public property or service property by an officer or soldier,

3. (1) Where it is alleged that loss of, or damage to, public property or service property has been occasioned by the wrongful act or negligence of any officer or soldier, such an allegation shall be investigated by a board of inquiry convened by order of the commanding officer in accordance with the prescribed rules.

(2) If, after such investigation as is mentioned in paragraph (1), the commanding officer is satisfied that —

(a) the loss or damage was occasioned by the officer or soldier; and

(b) such officer or soldier will not be charged by a court-martial or a civil court with an offence arising out of such loss or damage,

he may order deductions from the pay and allowances of such officer or soldier payable out of public funds of such amount not exceeding the value of the loss or damage as in the circumstances he may deem equitable compensation for such loss or damage.

(3) Any officer or soldier against whom an order is made under paragraph (2) may, within fourteen days after the order has been made, apply in writing to a board of officers for a further examination of his case, and the board of officers may give directions to the commanding officer as to the confirmation, modification or questioning of the order.

(4) Any sum of money deducted or otherwise paid by the person responsible under regulation 3 may be refunded by the Accountant General, acting on the recommendation of the Defence Board.

Made this 8th day of March, 1979.

L. F. S. Burnham,
Prime Minister
Chairman
Defence Board

P. A. Reid,
Deputy Prime Minister and
Minister of National Development
Member
Defence Board

S. S. Narain,
Minister of Works and Transport
Member
Defence Board

C. V. Mingo,
Minister of Home Affairs
Member
Defence Board

Mohammed Shahabuddeen,
Attorney General and
Minister of Justice
Member
Defence Board

C. A. L. Price,
Chief of Staff
Member
Defence Board