

PARLIAMENT OFFICE,
Public Buildings,
Georgetown.
26th March, 1969.

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

F. A. NARAIN,
Clerk of the National Assembly.

No. 321

BILL NO. 6 of 1969.

FISHERIES (AMENDMENT) BILL, 1969.

Arrangement of Sections.

Section	
1.	Short title.
2.	Amendment of section 2 of the Principal Ordinance.
3.	Amendment of section 11 of the Principal Ordinance.
4.	Amendment of section 12 of the Principal Ordinance.
5.	Repeal and re-enactment of section 16 of the Principal Ordinance.
6.	Repeal and re-enactment of section 23 of the Principal Ordinance.
7.	Amendment of section 24 of the Principal Ordinance.
8.	Amendment of section 32 of the Principal Ordinance.
9.	Amendment of section 33 of the Principal Ordinance.
10.	General amendment of the Principal Ordinance.
11.	Savings.

A BILL

Intituled

An Act to amend the Fisheries Ordinance, 1956.

A.D. 1969 Enacted by the Parliament of Guyana:—

Short title. 1. This Act may be cited as the Fisheries (Amendment) Act, 1969, and shall be construed and read as one with the Fisheries Ordinance, 1956, hereinafter referred to as the Principal Ordinance, and all amendments thereto.

Amendment of section 2 of the Principal Ordinance. 2. Section 2 of the Principal Ordinance is hereby amended in the following respects —

- (a) by the deletion of the definition of the word 'Director'; and
- (b) by the insertion immediately after the definition of the word 'fisherman' of the following definition —
" 'Minister' means the Minister to whom responsibility for fisheries is for the time being assigned;".

Amendment of section 11 of the Principal Ordinance. 3. Section 11 of the Principal Ordinance is hereby amended in the following respects —

- (a) by the repeal of the proviso to subsection (3) thereof and the substitution therefor of the following proviso —
"Provided that the foregoing provisions of this subsection shall not apply to any person who uses a line with not more than three hooks attached thereto, or who fishes in the interior."; and
- (b) by the insertion of the following subsection as subsection (6)

“(6) In the proviso to subsection (3) of this section the expression “the interior” means all that part of Guyana not less than twenty miles from the sea coast between the Corentyne River on the east and the Pomeroon River on the west and includes the North West District.”.

4. Section 12 of the Principal Ordinance is hereby amended by the substitution of the words ‘provided by Parliament’ for the words ‘voted by the Legislative Council’.

Amendment of section 12 of the Principal Ordinance

5. Section 16 of the Principal Ordinance is hereby repealed and the following section substituted therefor —

Repeal and re-enactment of section 16 of the Principal Ordinance.

“Duration of licence, time for payment of fee and refusal to issue licence.

16.(1) Except in the case of a licence for the export of a particular shipment of fish referred to in subsection (1) of section 13, a licence issued under this Ordinance or any regulations made thereunder shall be valid for the period of one year commencing on the 1st January in every year and shall, unless previously cancelled, remain in force for that period.

(2) Where at any time during the period referred to in subsection (1) of this section, a new licence is issued for the first time it shall expire on the 31st December in the year in which it is issued but no proportionate reduction in the annual fee payable for the licence shall be allowed.

(3) The fee for every annual licence shall be due and payable on the 1st January in every year and shall be paid on or before the last day in February.

(4) The Chief Agricultural Officer may refuse to issue a licence under this Ordinance or any regulations made thereunder if he is satisfied that the issue thereof would not be in the interest of the fishing industry.

(5) Any person aggrieved by the refusal of the Chief Agricultural Officer to issue a licence under this Ordinance or any regulations made thereunder may, within twenty-one days of the date of such refusal, appeal in writing to the Minister whose decision thereon shall be final.”.

6. Section 23 of the Principal Ordinance is hereby repealed and the following section substituted therefor —

Repeal and re-enactment of section 23 of the Principal Ordinance.

“Appointment of fishery officers.

23. There shall be appointed such number of fishery officers as may be requisite for the purpose of carrying out the provisions of this Ordinance and their remuneration shall be paid out of moneys provided by Parliament.”.

7. Subsection (1) of section 24 of the Principal Ordinance is hereby amended by the deletion therefrom of the words “not below the rank of sergeant or in charge of a Police Station”.

Amendment of section 24 of the Principal Ordinance.

8. Subsection (1) of section 32 of the Principal Ordinance is hereby amended by the substitution of the word “Parliament” for the words “the Legislative Council”.

Amendment of section 32 of the Principal Ordinance.

9. Section 33 of the Principal Ordinance is hereby amended in the following respects —

Amendment of section 33 of the Principal Ordinance.

(a) by the substitution of the expression “National Assembly” for the expression “Legislative Council” wherever it appears in subsection (3); and

- (b) by the substitution of the word "arliament" for the words "the Legislative Council" in subsection (4), and the insertion of the words "the National Assembly is" between the words "or" and "Adj urned" in the said subsection.

General
Amendment
of the Principal
Ordinance.

10. The Principal Ordinance is hereby amended in the following respect

- (a) the expression "Chief Agricultural Officer" shall be substituted for the word "Director" wherever it appears;
- (b) the word "Minister" shall be substituted for the expression "Governor in Council" wherever it appears.

11. Anything lawfully done under the Principal Ordinance prior to its amendment by this Act and which would continue to have effect but for such amendment, shall continue to have effect as if so done in conformity with such amendment:

Provided that any licence issued under the Principal Ordinance prior to the enactment of this Act and which is expressed to remain in force for a definite period shall not remain in force after the expiration of that period, but the provisions of subsection (2) of section 16, of the Principal Ordinance as amended by this Act, shall apply *mutatis mutandis* to the renewal of that licence as they apply in relation to the issue of a new licence.

EXPLANATORY MEMORANDUM

Clause 3 of this Bill seeks to amend section 11 of the Fisheries Ordinance, 1956, so as to require persons employed on fishing boats to have licences. The existing provision only requires the registered owner of a fishing boat to be licensed. Clause 3 also seeks to insert a proviso to subsection (3) of section 11 to exempt certain persons from the requirement of having a licence to fish for gain.

2. Under the provisions of the Fisheries Ordinance, 1956, licences are issued for various purposes and expire after a period of twelve months from the date of issue. Clause 5 of this Bill seeks to repeal and re-enact section 16 of the Fisheries Ordinance, 1956, so that licences will in future be issued for the period 1st January to 31st December in every year. Where licences are issued for the first time at any time during the year or existing licences are renewed they will expire on 31st December in the year in which they are issued or renewed as the case may be. Clause 7 of the Bill seeks to amend section 24 of the Ordinance to confer powers of enforcement of the provisions of the Ordinance on any member of the Police Force.

3. Clause 9 of this Bill seeks to amend the Fisheries Ordinance, 1956, to substitute references to the Chief Agricultural Officer for references to the Director of Agriculture. The clause also seeks to vest the powers hitherto exercised by the Governor in Council, in the Minister for the time being charged with responsibility for fisheries.

ROBERT J. JORDAN
Minister of Agriculture and
Natural Resources.

(Bill No. 6/1969).
(M.P. AGR: 201/17/1 II).