

PARLIAMENT OFFICE,
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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. 30 OF 1992

SEA DEFENCE LAWS (AMENDMENT) BILL 1992

ARRANGEMENT OF SECTIONS

SECTION

1. Short title and commencement.
2. Repeal of Sea Defence Laws (Amendment and Transfer of Functions) Act 1988.
3. Amendment of the Sea Defences Act.
4. Amendment of the Sea Defence Act.
5. Transitional provisions.

SCHEDULE

A BILL

Intituled

AN ACT to repeal the Sea Defence Laws (Amendment and Transfer of Functions) Act 1988 and to amend the Sea Defences Act and Sea Defence Act.

A. D. 1992 Enacted by the Parliament of Guyana:—

Short title
and com-
mencement.

1. This Act may be cited as the Sea Defence Laws (Amendment) Act 1992 and shall be deemed to have come into operation on 1st June, 1992.

Repeal of
Sea Defence
Laws
(Amend-
ment and
Transfer of
Functions)
Act 1988.
No. 7 of
1988

2. The Sea Defence Laws (Amendment and Transfer of Functions) Act 1988 is hereby repealed.

Amendment
of the Sea
Defences
Act.
Cap. 64:01

3. (1) Subject to the amendments in subsection (2), the Sea Defences Act shall from the commencement of this Act, be read and construed as it stood before it was amended by the Sea Defence Laws (Amendment and Transfer of Functions) Act 1988 and shall accordingly have full force and effect in law as it so stood.

(2) The Sea Defences Act is hereby amended by the substitution —

- (a) in section 13 (3), for the words "three hundred dollars" of the words "ten thousand dollars";
- (b) in section 15 (2), for the words "one hundred and fifty dollars" of the words "four thousand dollars";
- (c) in section 24, for the words "seven hundred and fifty dollars" of the words "seven thousand five hundred dollars";
- (d) in section 25, for the words "one hundred and fifty dollars" of the words "ten thousand dollars";
- (e) in section 26, for the words "three hundred dollars" of the words "seven thousand five hundred dollars".

4.(1) Subject to the amendments in subsection (2), the Sea Defence Act shall, from the commencement of this Act, be read and construed as it stood before it was amended by the Sea Defence Laws (Amendment and Transfer of Functions) Act 1988 and shall accordingly have full force and effect in law as it so stood.

Amendment
of the Sea
Defence
Act.
Cap. 64:02

(2) The Sea Defence Act is hereby amended by the substitution —

- (a) in section 18 (2), for the words "one thousand dollars" of the words "ten thousand dollars";
- (b) in section 19, for the words "five hundred dollars" of the words "five thousand dollars";
- (c) in section 20, for the words "two thousand dollars" of the words "four thousand dollars";
- (d) in section 21, for the words "one hundred dollars" of the words "four thousand dollars";
- (e) in section 22, for the words "one hundred dollars" of the words "seven thousand five hundred dollars";
- (f) in section 24 (2), for the words "one thousand dollars" of the words "twenty thousand dollars";
- (g) in section 28 (2), for the words "one hundred dollars" of the words "ten thousand dollars";
- (h) for the Schedule thereto of the Schedule to this Act.

5. (1) All contracts, deeds, bonds, agreements or other instruments or documents in respect of sea defence entered into by or on behalf of regional democratic council, which were subsisting immediately before the repeal of the Sea Defence Laws (Amendment and Transfer of Functions) Act 1988, in so far as they relate to the care, maintenance, management and construction of the sea defence of Guyana shall with effect from the commencement of this Act, be of full force and effect against, or in favour of, the Sea Defence Board (hereinafter referred to as the Board) and enforceable as fully and effectually as if instead of the regional democratic council concerned the Board had been named therein and had been a party thereto.

Transitional
provisions.

(2) All civil legal proceedings commenced by a regional democratic council prior to the repeal of the aforesaid Act for the enforcement of any rights which are transferred or attached to the Board by virtue of this section, and pending in any court or before

any authority, may be continued on or after the date of the commencement of this Act by the Board and all judgments, decrees and orders made or passed in any such proceedings may be enforced, as the case may be, by or against it, and the Board shall be deemed to have been substituted for the said regional democratic council in those proceedings on that date.

SCHEDULE

s. 4

BOUNDARIES OF SEA DEFENCE DISTRICTS

- No. 1, ESSEQUIBO COAST & POMEROON extending from the mouth of the Pomeroon River to the mouth of Supenaam River and bounded as follows:

On the north—from the mouth of the Pomeroon River at its junction with the Atlantic Ocean thence in south easterly direction;

On the south—to the mouth of the Supenaam River;

On the east—by the Atlantic Ocean;

On the west—by the Pomeroon River in a south easterly direction to its junction with the Cozier Canal, thence in a north easterly direction to the junction, (0.7 miles) with an unnamed canal, from its junction with the Cozier Canal, thence in a south easterly direction to the junction, 0.7 miles east of the Public Road, of the prolongation of the unnamed canal and the Somerset and Berks Main Canal, thence in a south westerly direction along the Somerset and Berks Main Canal to its junction with the Tapakuma Main Canal thence in a south easterly direction along the Tapakuma Main Canal to its junction with the northern boundary of Plantation Alliance, thence along the back boundaries of the estates from Plantation Alliance to Plantation Onderneeming and thence along the Tapakuma Irrigation Main Canal in a south easterly direction to the back boundaries of Spring Garden and Good Hope to a point $1\frac{1}{2}$ miles south west of the mouth of the Supenaam River.

- No. 2, THE ISLAND OF WAKENAAM in the Essequibo River.

- No. 3 THE ISLAND OF LEGUAN in the Essequibo River.

- No. 4, WEST COAST DEMERARA extending from the centre line of Naamryck Canal to the mouth of the Demerara River and south west of Demerara River to Plantation Wales and bounded as follows:

On the north—by the Essequibo River and the Atlantic Ocean, commencing from the junction of the Essequibo River with the north western end of the Naamryck Relief Canal and extending to the Transport and Harbours Stelling, Vreed-en-Hoop;

On the south—by the Boerasirie-Bonasika Canal and Boerasirie Service Canal, commencing from the junction of the Boerasirie-Bonasika Canal with the Naamryck Relief Canal and extending along the Boerasirie Service Canal to the western boundary of Plantation Lust-Tot-Rust, thence along the back boundaries of the second depths of Plantations Versailles, Malgre Tout, Klien Pouderoeyen, and Swan-en-Schutz to the back boundary of Plantation Ruimzicht, thence along the northern boundary of Plantation Swan-en-Schutz to the Demerara River;

On the east—by the Demerara River; up to Plantation Wales, West Bank Demerara.

On the west—by the Naamryck Relief Canal.

- No. 5, EAST COAST DEMERARA, extending from the western boundary of Plantation Kingston to the Mahaica River and bounded as follows:

On the north—by the Atlantic Ocean;

On the south—by the southern boundary of the Ministry of Works and Supply Compound to Fort Street, thence north along Fort Street to its junction with Wight's Lane thence east along Wight's Lane and its continuation into Young Street to its junction with Camp Road to its junction with Thomas Road, thence east along Thomas Road to its junction with the western boundary of Plantation Kitty to the Lamaha Canal, thence along the Lamaha Canal to its junction with the East Demerara Water Supply Canal, thence east along the East Demerara Water Supply Canal from its junction with the Lamaha Canal to its junction with the Shanks Canal;

On the east—by the Shanks Canal from its junction with the East Demerara Water Supply Canal to a point at the junction of the boundaries between Plantation Hand-en-Veldt, Voorzigtigheid and Grove, thence along the back boundaries of Voorzigtigheid, Cambridge, Good Intent, Unity, Lancaster, Tranquility Hall and Spring Hall to the southern boundary of Spring Hall, to the Mahaica River, and the Mahaica River to the Atlantic Ocean;

On the west—by the Demerara River from its junction with the Atlantic Ocean to the southern boundary of the Ministry of Works and Supply Compound, Georgetown, to the junction of Timehri, East Bank Demerara.

- No. 6, MAHAICA ABARY, extending from the Mahaica River to the Abary River, and bounded as follows:

On the north—by the Atlantic Ocean;

On the south—by the public road from the Mahaica River to the western boundary of Plantation Belvidere, the western boundary of Plantation Belvidere to the common boundary between Plantations Belvidere and Salisbury, the back boundaries of the second and extra depths of the estates from Plantation Belvidere to Plantation Drill at the junction of the common boundaries of Plantations Drill, Dankbarheid and Anjou by the common boundary between Plantations Dankbarheid and Anjou to Mahaicony River, the back boundaries of the coast estates and their second depths from Plantation Park to the Abary River at the common boundary between Plantations Adventure and Letter T;

On the east—by the Abary River from the northern boundary of Plantation Letter T to the Atlantic Ocean;

On the west—by the Mahaica River from the Atlantic Ocean to the public road bridge.

- No. 7, WEST COAST, BERBICE, extending from the Abary River to the Berbice and bounded as follows:

On the north—by the Atlantic Ocean;

On the south—by the northern and north-eastern boundaries of the tract held by the B. G. Rice Development Co. Ltd., under Grant No. 4961 to the back boundary of the second depth of Plantation Bush Lot, the back boundaries of the second depths of the estates from Plantation Bush Lot to Waterloo, the western boundaries of the tracts held by the Berbice Development Company under Leases A368 and A2621, the southern boundary of the tract held under Lease A2621, the southern boundary of the tract held under Lease A2621 to the back boundary of the second depth of Nos. 5, 6, 7 and 8 Blairmont, the southern boundary of the second depth of No. 8, to the back boundary of the first depth of No. 9, the back boundaries of No. 9, Zorg-en-Hoop, and Ithaca to the southern

boundary of Plantation Ithaca and by the southern boundary of Plantation Ithaca to the Berbice River;

On the east—by the Berbice River from the south boundary of Plantation Ithaca to the Atlantic Ocean;

On the west—by the Abary river from the Atlantic Ocean to the northern boundary of the tract held by the Rupununi Development Company under Grant No. 4961.

No. 8, EAST AND CORENTYNE COAST, BERBICE, extending from the Berbice River to the Corentyne River and bounded as follows:—

On the north—by the Atlantic Ocean;

On the south—by the Grand Canal from the Berbice River to the common boundary between Plantations Fyrish and Kilcoy, the western and south-eastern boundaries of the tract held by the Corentyne Sugar Company Limited under licence A173, the south eastern boundary of the tract held by Guyana Sugar Corporation Limited under Lease A2105 to the Old Alness Water Path, thence north-easterly along the Old Alness Water Path, thence North/South Branch Canal of Black Bush Polder, thence along the North/South Branch Canal to the Yakusari Canal thence north-easterly along the Yakusari Canal to the junction of the Second Depth of No. 52 and Seaford Dam thence along the back boundaries of the Second Depths of Villages Nos. 52 to 76, the back boundaries of the areas held under title from the State in the second and extra depths of Villages No. 77 to 83 to the southern boundary of No. 83 to the Corentyne River.

On the east—by the Corentyne river from the Southern boundary of No. 83 to the Atlantic Ocean;

On the west—by the Berbice river from the Atlantic Ocean to the Grand Canal.

EXPLANATORY MEMORANDUM

This Bill seeks to repeal the Sea Defence Laws (Amendment and Transfer of Functions) Act 1988 (No. 7 of 1988), which transferred from the Sea Defence Board to the Regional Democratic Councils the care, maintenance and management of the sea defences of Guyana. With the repeal of the said Act, the Sea Defence Act, Cap. 64:01, and the Sea Defences Act, Cap. 64:02, now again apply as they applied before the amendments effected to them by Act No. 7

of 1988. The Sea Defence Board is again responsible for the care, maintenance and management of the sea defences of Guyana.

The Bill also substantially increases the penalties for offences under the Sea Defence Act and the Sea Defences Act and substitutes a new Schedule for the schedule in the Sea Defence Act.

P. Mc Kenzie,
Minister of Agriculture.