

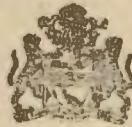
BILL No. 4 of 1994 SATURDAY, 5TH FEBRUARY; 1994

PARLIAMENT OFFICE,
Public Buildings,
Georgetown.

2nd February, 1994.

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. 4 of 1994

REGISTRATION OF LANDLORDS BILL 1994

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Interpretation.
3. Register of landlords to be kept.
4. Registration of landlords.
5. Exemption from need for registration.
6. Amendment of entries in register.
7. Transfer of registration.
8. Cancellation of registration.
9. Offences.

SCHEDULE

A BILL

Intituled

AN ACT to provide for the registration of landlords.

A. D. 1994

Enacted by the Parliament of Guyana:—

Short title.

1. This Act may be cited as the Registration of Landlords Act 1994.

Interpretation.

2. In this Act —

- (a) "buildings" include houses, rooms, flats; apartments and parts thereof,
- (b) "Chairman" means the Chairman of the Central Housing and Planning Authority appointed under section 4(2) of the Housing Act and includes a registration officer designated by him;
- (c) "land" includes buildings, houses and other structures and erections thereon;
- (d) "landlord" means any person who under any tenancy is, as between himself and the tenant for the time being, entitled to the rents and profits of the land or building payable under the tenancy;
- (e) "lease" includes under-lease and assignment operating as a lease or under-lease;
- (f) "rent" means the sum of money or other ascertainable consideration payable by the tenant for the possession of the land or building under a tenancy;
- (g) "tenant" means any person entitled in possession to the land or building under any contract of tenancy, whether the interest of such tenant was acquired by original contract, assignment, operation of law or otherwise.

Cap. 38:20

Register
of land-
lords to
be kept.

3. (1) The Chairman shall cause to be kept registers of landlords and a separate register shall be kept as directed by the Chairman by the registration officer, designated as such by the Chairman in each County.

(2) Every registration officer as directed by the Chairman, shall forward to the Chairman a copy of every entry made in the register kept by him.

4. (1) Every landlord who leases any building or land shall apply for registration as the landlord under such tenancy within two months of the commencement of such tenancy; and every person who was a landlord on the date immediately preceeding the commencement of this Act shall register as a landlord within two months of such commencement.

Registration
of land-
lords.

(2) Every application shall be made to the Chairman in Form 1 in the Schedule which must be duly completed by the landlord and be accompanied by the prescribed registration fee in the Schedule.

Schedule.

(3) The Chairman to whom application is made shall, upon being satisfied that the provisions of this Act, the Landlord and Tenant Act or any other written law have been complied with, forthwith enter the particulars of the tenancy in the register and shall give to the landlord a certified copy of that entry in Form 2 in the Schedule and such certificate of registration shall be regarded as prima facie evidence that the landlord to whom it refers has been registered.

Cap. 61:61

(4) The Chairman shall supply to any person applying therefor and on payment of the prescribed fee in the Schedule a copy of any entry in the register of landlords relating to any tenancy, provided that the applicant shows that he has a reasonable cause for requiring such a copy.

(5) The onus of proving that a person has been registered as a landlord shall rest upon that person.

5. The State as landlord shall be exempt from registration.

Exemption
from need
for registra-
tion.

6. (1) A landlord who is registered shall, within seven days thereof, notify the Chairman of all circumstances or events including any changes regarding particulars in relation to a tenancy which affect the accuracy of the entries in the register and shall at the same time forward his certificate of registration for amendment.

Amendment
of entries
in register.

(2) The Chairman may at any time call upon a landlord who is registered to furnish all information for the verification of the entries in the register of landlords relating to a tenancy.

Transfer of registration.
Schedule

7. (1) Within one month of the change of ownership, otherwise than by death, of the land or building in respect of which the landlord is registered, the new owner and the registered landlord shall make application in Form 3 in the Schedule signed by both of them to the Chairman giving the name and address of the new owner and the date of change of ownership and such application shall be accompanied by the certificate of registration and the prescribed fee in the Schedule.

(2) On the death of the registered landlord and until the property in respect of which the tenancy was created is transferred by law in the name of the person entitled to ownership of such property, the legal personal representative or the executor of the estate of the deceased landlord shall be deemed to be the landlord and shall within one month of such death give notice thereof to the Chairman and on payment of the prescribed fee the Chairman shall register the representative or executor as the landlord by amending the certificate of registration in the manner prescribed in section 7(1).

(3) In lieu of amending any certificate of registration as provided in this section the Chairman may issue a new certificate of registration.

Cancellation of registration.

8. The registration of a person as landlord shall remain valid so long as the lease exists, and that person remains as landlord and shall only be cancelled if the Chairman is satisfied from the written notice of the landlord given under section 7(2) that the lease no longer exists or on production of the relevant documents that such person ceases for any reason, including a sale, to be the landlord.

Offences.

9. (1) With effect from the commencement of this Act, any person who leases any land or building and who is not registered as provided for in this Act as the landlord of the lease for such land or building shall be guilty of an offence and shall be liable on summary conviction to a fine of twenty-five thousand dollars and in the case of a continuing offence to a further fine of five hundred dollars, for each day during which the offence continues.

(2) Any person who, in, or in connection with, any application for registration of a landlord under this Act gives or permits to be given information which he knows or has reason to believe is false or misleading in a material particular; or in respect of any entry in the register includes or permits to be included information which he knows or has reason to believe is false or misleading in a material particular shall be liable on

summary conviction for a first offence to fine of ten thousand dollars and for each subsequent offence to a fine of fifteen thousand dollars.

(3) Any person who fails to comply with any of the provisions of this Act shall be guilty of an offence and a person guilty of an offence under this Act for which no special penalty is provided shall be liable on summary conviction to a fine of two thousand dollars.

SCHEDULE

s. 4(2)

FORM 1

APPLICATION FOR REGISTRATION BY A LANDLORD

Registration of Landlords Act 1993

To the Chairman,

I,

(name and occupation of landlord)

residing, at

(address of landlord)

being the proposed landlord of the lease for the land or building of which true and correct particulars are appended hereby make application to be registered as the landlord of the lease for the land or building —

(a) date of lease:

(b) name and occupation of the tenant:

.....

(c) the recitals (if any), the operative words, the description of the parcels leased:

.....

(d) the duration of lease:;

(e) the covenants (if any):

Landlord.

FORM 2

s. 4(3)

CERTIFICATE OF REGISTRATION

Registration of Landlords Act 1993

Name of landlord

Address of landlord

Name of tenant

Date of lease

Duration of lease

Location of tenancy

Chairman,
Central Housing and Planning
Authority,

Date

FORM 3

s. 7(1)

APPLICATION FOR TRANSFER OF REGISTRATION

Registration of Landlords Act 1993

To the Chairman,

I,

(name and occupation of new owner)

residing at

(address of new owner)

being the proposed landlord of the lease for the land or building of which true and correct particulars are appended hereby make application to be registered as the landlord of the lease for the land or building.

Date of change of possession

7

- 1. Existing Landlord.
- 2. New Landlord.

Fees

Sections

4	For registration\$300
	For copy of entry in register\$100
7	For transfer of registration\$200

EXPLANATORY MEMORANDUM

This Bill seeks to make provision for the registration of landlords.

Clause 3 seeks to make provision for the Chairman of the Central Housing and Planning Authority to keep registers of landlords.

Clause 4 seeks to provide that every landlord who intends to lease any building or land shall apply for registration as the landlord for such tenancy.

Clause 7 seeks to provide for the transfer of registration from one landlord to another on a change of ownership or on the death of the landlord, where the lease still exists.

Clause 9 seeks to create various offences, for non-registration, giving false information in specified areas and generally for failing to comply with any of the provisions of the Act.

H.B. Jeffrey,
 Minister of Labour, Human
 Services and Social Security.