

**THE OFFICIAL GAZETTE — 19TH JANUARY, 1972
LEGAL SUPPLEMENT — C**

PARLIAMENT OFFICE,
Public Buildings,
Georgetown.
12th January, 1972.

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

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



GUYANA

BILL NO. 1 OF 1972

THE ADAPTATION OF LAWS BILL, 1972

Arrangement of Sections

Section

1. Short title.
2. Amendment of enactments.
3. Construction of certain designations.
4. Conferment of existing functions and powers.
5. Saving.

SCHEDULE.

A BILL

Intituled

An Act to effect adaptions to certain laws.

A.D. 1972. Enacted by the Parliament of Guyana :—

- Short title. 1. This Act may be cited as the Adaptation of Laws Act, 1972.
- Amendment of enactments. Schedule. 2. The enactments specified in the first column of the schedule shall be amended to the extent set out in the second column thereof.
- Construction of certain designations. 3. Wherever in any law made under the provisions of any enactment mentioned in the schedule or in any instrument or document of any kind issued under such law or enactment there are references to any designation or expression which has been altered by virtue of section 2, such references shall after the coming into operation of this Act be construed as references to the designation or expression as so altered.
- Conferment of existing functions and powers. 4. Any function, privilege, right, immunity or obligation conferred or imposed by any law immediately prior to the coming into operation of this Act upon the Commissioner of Lands and Mines in relation to the matters of mining and State forests shall, save as may otherwise be provided by the Forests Ordinance, be deemed to be conferred or imposed upon the Commissioner of Geological Surveys and Mines.
- Cap. 240.
- Saving. 5. Anything lawfully done in pursuance of any written law prior to its variation by virtue of the foregoing provisions of this Act and which would continue to have effect but for such variation, shall, unless the contrary intention appears, continue to have effect as if so done in conformity with the said law as in operation pursuant to such variation.

SCHEDULE Sections 2, 3 and 4.

ENACTMENT	AMENDMENT
1. The Lands and Mines Department Ordinance, Chapter 170. Section 1 Section 2	Delete the words "and Mines Department". Delete and substitute the following section —

“ The
Lands
Depart-
ment.

2. The Lands Department of the Ministry responsible for Agriculture (hereinafter referred to as “the department”) which shall be deemed to be the successor of the department hitherto known as the Lands and Mines Department, shall consist of the Commissioner of Lands (hereinafter referred to as “the Commissioner”) the Superintendent of Lands, the Cartographer, and such surveyors and other officers as may be requisite for the purposes of this Ordinance.”

Section 5 Delete and substitute the following section —

“Charge
of State
Lands.

5. The department shall have the charge of, and act as guardian over all state lands, rivers and creeks of Guyana, except as comprised within a state forest declared under the Forests Ordinance.”

Section 17 Delete and substitute the following section —

“17. Any reference to the Lands and Mines Department or the Commissioner of Lands and Mines in any written law, instrument or document of any kind subsisting or in force at the coming into operation of this section, shall, after the coming into operation of this section be construed and have effect as a reference to the Department or the Commissioner, respectively.”

2. The Land
Surveyors
Ordinance,
Chapter 171.

Section 2 Delete the words “and has taken the required oath,”.

- Section 7 Substitute the words "a government survey" for the words "the lands and mines";
- Section 10 Delete —
- (a) the words "shall take and subscribe before the Governor an oath in Form 2 contained in the schedule hereto, and";
- (b) the words "and oath".
- Section 16 (1) Substitute the figure "2" for the figure "3";
- Sections 4, 22 Substitute the expression "Superintendent of Surveys" for the expression
and 26 "Commissioner of Lands and Mines" wherever it appears;
- Section 34 Substitute the words "or the Chief Works and Hydraulics Officer" for the words "and Mines, or Deputy Commissioner of Lands and Mines, or Director of Public Works,";
- The Whole Ordinance** (a) substitute other than in sections 4, 22, 26 and 34 the expression "Commissioner of Lands" for the expression "Commissioner of Lands and Mines" wherever it appears;
- (b) substitute the word "Minister" for the word "Governor" wherever it appears;
- (c) substitute the words "Lands Department" for the words "department of lands and mines" wherever they appear;
- (d) In the schedule
- (i) delete the words "in the Colony";
- (ii) delete words "of the said Colony,";

- (iii) for the Note appearing therein to Form I substitute the following —

“Note — The above certificate is of no effect unless the certificate is recorded in the office of the Commissioner of Lands within two months of the date of the certificate”; and

- (iv) Delete Form 2 and re-number Form 3 as Form 2.

3. The District Lands Partition and reallocation Ordinance, Chapter 173.

Substitute the expression “Commissioner of Lands” for the expression “Commissioner of Lands and Mines” wherever it appears.

4. The State Lands Ordinance, Chapter 175.

Section 2

Substitute the words “Lands Department” for the words “department of lands and mines”.

The Whole Ordinance

Delete the words “and Mines” wherever they appear.

5. The State Lands Resumption Ordinance, Chapter 176.

Section 2

Delete the words “and Mines”;

Section 18

Substitute the words “an officer of the Lands Department” for the words “the Deputy Commissioner of Lands and Mines or other officer of the department of lands and mines.”

6. The Acquisition of Lands for Public Purposes Ordinance,

Delete the words “and Mines” wherever they appear.

7. **The Housing Ordinance 182.** Delete the words "and Mines" wherever they appear.
8. **The Drainage and Irrigation Ordinance, Chapter 192.** Delete the words "and Mines" wherever they appear.
9. **The Mining Ordinance, Chapter 196.**
- Section 2
- (a) Substitute for the definition of the expression "Commissioner" the following definition —
- ' "Commissioner" means the Commissioner of Geological Surveys and Mines; ';
- (b) substitute the words "Department of Geological Surveys and Mines" for the words "department of lands and mines."; and
- (c) substitute for the definition of the word "warden" the following definition —
- ' "mines officer" means any officer appointed for the purposes of this Ordinance and of the mining regulations to be in charge of mining district. ';
- (d) delete the words "warden and sub-warden," appearing in the definition of the word "officer".

Substitute the words "an officer of the Lands Department" for the words "a warden or other officer of the department of Lands and Mines".

The Whole
Ordinance

Substitute other than in sections 2 and 11, the words "mines officer" for the words "warden and sub-warden" and the word "warden" wherever they respectively appear.

10. **The Blasting
Operations
Ordinance,
Chapter 197.**

Section 4

Substitute the expression "Commissioner of Geological Surveys and Mines" for the expression "Commissioner of Lands and Mines".

Section 7

Delete and substitute therefor the following:—

"Regulations. 7(1) The Minister responsible for national security may make regulations which shall be subject to negative resolution, for the safe handling, use, storage and transport of explosives for use in blasting operations.

(2) There may be annexed to any regulations for the breach thereof a penalty not exceeding one thousand dollars."

Schedule

Substitute the expression "Commissioner of Geological Surveys and Mines" for the expression "Commissioner of Lands and Mines".

11. **The Radio-Active
Minerals Ordinance,
Chapter 198.**

Section 4

Delete and substitute therefor the following —

- “Holder of licence to report his operations thereunder.”
4. Every holder of a licence shall within the first ten days of every month furnish the Commissioner of Geological Surveys and Mines (hereinafter in this Ordinance referred to as the Commissioner) with a true report in writing of the prospecting and mining operations carried on by him in the month immediately preceding that in which the report is made with respect to radioactive minerals.”.
- Sections 7, 9, 11 and 13
- The Whole Ordinance
12. **The Petroleum (Production) Ordinance, Chapter 199.**
- Sections 4 and 7
- The Whole Ordinance
13. **The Forests Ordinance, Chapter 240.**
- Section 2
- Substitute the word “Minister” for the expressions “Governor”, “Chief Secretary” and “Governor-in-Council” respectively.
- Delete the words “of Lands and Mines” wherever they appear.
- Substitute the expression “Minister” for the expressions “Governor-in-Council” and “Governor” respectively.
- Substitute the expression “Commissioner of Geological Surveys and Mines” for the expression “Commissioner of Lands and Mines” wherever it appears.
- (a) Delete the words “and Mines” appearing in the definition of the expression “Commissioner”;
- (b) substitute the word “Minister” for the word “Governor” appearing in paragraph (c) of the definition of the term “forest produce”.

The Whole
Ordinance

Substitute the words "Lands Department" for the words "Department of Lands and Mines" and the words "Lands and Mines Department", wherever they respectively appear, other than in section 4.

14. The Export of
Timber
Ordinance,
Chapter 241.

Substitute the words "Lands Department" for the words "Department of Lands and Mines" wherever they they appear.

15. The Tax
Ordinance,
Chapter 298.

Substitute the expression "Commissioner of Geological Survey and Mines" for the expression "Commissioner of Lands and Mines" wherever it appears.

16. The Hydro-
Electric Power
Ordinance, 1956.
No. 48

- (a) Delete the definition of the expression "Commissioner";
- (b) substitute the expression "Chief Works and Hydraulics Officer" for the expression "Commissioner" wherever it appears;
- (c) substitute the words "office of the Chief Works and Hydraulics Officer" for the words "Department of Lands and Mines".

17. The Land
Registry
Ordinance, 1959.
No. 18 of 1959.

Substitute the expression "Commissioner of Lands" for the expression "Commissioner of Lands and Mines" wherever it appears.

18. **Municipal and District Councils Act, 1969.** In section 220 (6), delete the words "and Mines".
 No. 24 of 1969.

EXPLANATORY MEMORANDUM

In consequence of the division of ministerial responsibility for matters relating to lands and mines, respectively, it is necessary to allocate matters relating to lands to the officials of the Ministry responsible for lands and those relating to mines and forests to those of the Ministry of Mines and Forests.

This Bill therefore seeks to effect the necessary amendments to various laws dealing with these matters.

P. A. REID

**Deputy Prime Minister and
Minister of Agriculture.**

(Bill No. 1/1972)
(ANR: 407/138 II).