

Published on the 28th day of January, 1961.

No. 1 of 1961.

BRITISH GUIANA  
REGULATIONS  
MADE UNDER  
THE FORESTS ORDINANCE  
(Chap. 240).

UNDER SECTION 41 OF THE FORESTS ORDINANCE THE  
FOLLOWING REGULATIONS HAVE BEEN MADE BY  
THE GOVERNOR IN COUNCIL :—

Short title  
No. 38 of  
1953

1. These Regulations may be cited as the Forests (Amendment) Regulations, 1961 and shall be construed and read with the Forests Regulations, 1953, hereinafter referred to as the Principal Regulations, and any regulations amending the same.

Insertion of  
new Part.

2. The Principal Regulations are hereby amended by the insertion after regulation 6 of the following Part —

“TRANSFER OF TITLES

Application  
for transfer  
of permit or  
lease.

6A (1) Every application for a transfer of a lease or permit granted under the provisions of the Forests Ordinance shall be in writing signed by the applicant and shall be addressed to the Conservator.

(2) The application shall state the name of the person for whose benefit the transfer is sought to be obtained, and shall be accompanied by the title deed.

(3) The application shall contain a description of the land to which it relates as set out in the title sought to be transferred.

(4) The applicant shall pay a fee of five dollars for filing the same, and thereupon the Conservator shall publish a notice of the application once in the Gazette and one in each of three consecutive weeks in a daily newspaper.

Approval of  
Governor for  
certain  
transfers.

6B. No transfer of any lease shall be made without the prior approval of the Governor where such lease grants exclusive rights to any person over an area estimated to exceed three thousand acres or is for an unexpired period exceeding three years.

6C.(1) Any person may oppose any transfer on the ground that he has a right title or interest in the lease or permit or that he is a creditor for a liquidated sum of the person applying for such transfer to be made, and if such person gives notice of opposition in writing to the Conservator within seven days after the last publication of the notice aforesaid, such transfer shall not be approved until the opposer has withdrawn his opposition or his claim has been rejected by a court of law: Opposition to transfer.

Provided always that if within seven days after notice of opposition has been given, legal proceedings to enforce such claim are not commenced and notice of them given in writing to the Conservator, such opposition shall be no bar to the transfer.

(2) On production to the Conservator of a certificate from the Registrar of the Supreme Court or the clerk of the magistrate's court as the case may be that such claim as aforesaid has been satisfied or dismissed, the application shall be proceeded with as if no notice of opposition had been given.

6D.(1) If notice of opposition has been given in the case of any proposed transfer to which regulation 6B of these regulations applies, the Conservator shall make a report of the opposition to the Governor who shall make subject to the findings of any court or any legal proceedings to enforce such opposition, such order as he may think fit. Certain matters to be reported to the Governor.

(2) If there appears to the Conservator any reason why a transfer to which regulation 6B of these Regulations applies should not be made the Conservator shall report his reasons therefor to the Governor who shall make such order as to the transfer as he may think fit.

6E.(1) Subject to the provisions of regulation 6B of these Regulations if no notice of opposition is given, and if no reason to the contrary appears to the Governor, the transfer shall be executed by the Conservator. Transfer to be made when no opposition

(2) No transfer of a lease or permit shall be completed by the Conservator unless all moneys reserved thereunder have been paid."

Made in Council this 18th day of January, 1961.

A. A. ABRAHAM,  
Clerk to the Executive Council.

(M.P. FOR 46/80/8 II).