

## REGULATIONS

Made Under

## THE EMERGENCY POWERS ORDERS IN COUNCIL, 1939 TO 1963.

UNDER SECTION 6 OF THE EMERGENCY POWERS ORDERS IN COUNCIL, 1939 TO 1963, ~~IN ACCORDANCE WITH ARTICLE 22 OF THE CONSTITUTION~~ OF BRITISH GUIANA AND BY VIRTUE AND IN EXERCISE OF ALL POWERS ENABLING HIM IN THAT BEHALF THE FOLLOWING REGULATIONS HAVE BEEN MADE BY THE GOVERNOR:-

1. These Regulations may be cited as the Emergency Powers (Amendment) Regulations, 1963, and shall be construed and read with the Emergency Powers Regulations, 1963\*, hereinafter referred to as the Principal Regulations, and any other Regulations amending the same.

2. Regulation 2 of the Principal Regulations is hereby amended-

(a) by the substitution for the definition of the word "aircraft" of the following definition -

" "aircraft" includes all balloons (whether captive or free), kites, gliders, airships, and flying machines, but shall not include balloons (whether captive or free), kites, gliders, airships and flying machines belonging to Her Majesty";

(b) by the deletion of the definition of the expression "Dominion ship or aircraft" and "United Kingdom ship or aircraft";

(c) by the insertion of a comma immediately after the word "water" in the definition of the word "land";

(d) by the insertion immediately after the definition of the expression "postal packet" of the following new definition -

" "public officer" has the same meaning as in the Constitution of British Guiana";

3. Regulation 31 of the Principal Regulations is hereby amended-

\*No. 7 of 1963.

- (a) by renumbering paragraph (4) as paragraph (5) and by the insertion immediately after the words "commercial enterprise" in the definition of the word "undertaking" of the words "and for the avoidance of doubts includes any market and in particular the Stabroek, Bourda, Albouystown, Kitty and New Amsterdam Markets, and any other market controlled or operated by a Local Authority";
- (b) by the insertion immediately after paragraph (3) of the following new paragraph -

"(4) An order made under paragraph (3) of this regulation may authorise an authorised controller to carry on the whole or any part of any existing undertaking in accordance with any instructions of the competent authority; and while by virtue of this paragraph an authorised controller is carrying on the whole or any part of an undertaking -

- (i) he shall be deemed to be acting as the agent of the undertakers, except that the undertakers shall not have any right to control the carrying on of the undertaking or part of the undertaking; and
- (ii) the undertakers shall not be bound, or, as the case may be, shall not in respect of such matters as may be specified by the order, be bound by any obligation or limitation imposed on them by or by virtue of any Ordinance or instrument determining their functions."

4. Regulation 35 of the Principal Regulations is hereby amended by the substitution for the word and number "and 38" in paragraph (a) of the numbers and word "38 and 39".

5. Regulation 36 of the Principal Regulations is hereby amended by the substitution of a full stop for the colon after the words "with the requisition" in paragraph (1) and by the deletion of the proviso appearing thereafter.

6. Paragraph (1) of regulation 49 of the Principal Regulations is hereby amended by the insertion immediately after the word "station" of the words "ship, vessel, aircraft, wharf, stelling, airport,".

7. The Principal Regulations are hereby amended by the insertion immediately after regulation 51 of the following regulation -

*"Performance  
of statutory  
functions.*

51A. Where it appears to a competent authority that the functions of any person under any statute are from any cause whatsoever not being exercised and that in the interests of public safety or order, or for maintaining supplies and services essential to the life of the community it is necessary for those functions to be exercised, the competent authority may authorise any public officer to exercise those functions".

8. Regulation 63 is hereby revoked and the following regulation substituted therefor -

*"Expenses.*

63. Where in the exercise of powers conferred by any of these Regulations any work is done which, but for the circumstances which necessitated the doing of that work as aforesaid, some person was under a duty to do or might have been required to do, the amount of any expenses reasonably incurred in connection with the doing of that work shall be a debt from that person due to the Crown".

Made this 24th day of May, 1963.

R.F.A. GREY  
Governor.