

PUBLISHED 31ST JULY, 1971



GUYANA.

BILL No. 18 of 1971

PUBLIC CORPORATIONS (AMENDMENT) BILL, 1971.

Arrangement of Sections

Section

1. Short title and commencement.
2. Insertion of sections 2A to 2L in the Principal Ordinance.
3. Vesting of assets in the Guyana State Corporation.
4. Miscellaneous amendments of enactments.

SCHEDULE

A BILL

Intituled

AN ACT to amend the Public Corporations Ordinance, 1962, for the purpose of establishing the Guyana State Corporation and for other purposes connected therewith.

A.D. 1971

Enacted by the Parliament of Guyana:—

Short title and commencement
No. 23 of 1962.

1. (1) This Act may be cited as the Public Corporations (Amendment) Act, 1971, and amends the Public Corporations Ordinance, 1962, hereinafter referred to as the Principal Ordinance.

(2) This Act shall come into operation on such day as the Prime Minister may appoint by order, and different days may be appointed for different provisions of this Act.

Insertion of sections 2A to 2L in the Principal Ordinance.

2. The following sections are hereby inserted in the Principal Ordinance immediately before section 3 under the heading "Establishment of Public Corporations" as sections 2A to 2L —

Establishment of the Guyana State Corporation.

2A. (1) There is hereby established a public corporation to be known as the Guyana State Corporation which shall be a body corporate consisting of —

- (a) the President of the Corporation who shall be the Minister;
- (b) the Vice President of the Corporation who shall be appointed by the Prime Minister by instrument in writing from among persons appearing to him to be qualified as having had experience of, and shown capacity in, matters relating to agriculture, industry, trade, commerce, banking, finance, science, education, social welfare or administration.
- (c) (i) the chief executive officers (by whatever name called) of other public corporations established under section 34, or by any other law;
- (ii) such persons designated by the President of the Corporation as representatives of other corporate bodies in which the controlling interest is vested in the State or in any agency on behalf of the State,

and which are subject to the supervision and control of the Guyana State Corporation by virtue of this Ordinance or any other law;

- (d) not more than five other persons appointed by the Prime Minister by instrument in writing from amongst persons possessing any of the qualifications specified in paragraph (b).
- (2) The Vice President, and the other members of the Corporation mentioned in subsection (1) (d), may be appointed for any period not exceeding three years but shall be liable to be removed from office at the pleasure of the Prime Minister.
- (3) Any member of the Corporation appointed pursuant to paragraph (b) or (d) of subsection (1) may at any time resign his office by writing under his hand addressed to the Prime Minister.
- (4) The appointment, removal, resignation or death of any member of the Guyana State Corporation shall be notified in the *Gazette*.

Department
of Public
Corporation

- 2B. (1) There shall be a Department of Public Corporations and the permanent secretary of the Department shall perform the functions of Secretary of the Guyana State Corporation.
- (2) The Secretary of the Guyana State Corporation shall be entitled to receive notices of all meetings of the directors of bodies corporate in which the controlling interest vests in the Corporation and which are subject to the supervision and control of the Guyana State Corporation and to attend thereat without the right to vote (unless he is a director thereof) and he shall be entitled to be furnished with copies of the records of the proceedings at such meetings showing the matters discussed and the conclusions reached by the directors thereat, notwithstanding anything to the

contrary in any other law or in the instruments constituting any such body corporate.

Functions of
the Guyana
State Corpora-
tion.

(1) It shall be the function of the Guyana State Corporation —

(a) to exercise supervision and control over —

(i) public corporations established under section 34, in the manner provided by this Ordinance;

(ii) the public corporations specified in Part I of the schedule, in the manner provided by this Ordinance or the enactments by virtue of which they have been established;

(iii) other public corporations made subject to the supervision and control of the Guyana State Corporation by virtue of any other enactment; and

(iv) any other body corporate in which the controlling interest is vested in the State or in any agency on behalf of the State as specified in Part II of the schedule;

(b) to acquire and hold on behalf of the State the interest of the State in any other body corporate;

(c) to carry on all activities the carrying on whereof appears to the corporation to be requisite, advantageous or convenient for or in connection with the discharge and exercise of their functions.

(2) Without prejudice to the generality of subsection (1), the Guyana State Corporation shall, in particular, have power to give to any such public corporation or other body corporate subject to the supervision and control of the Corporation general or special directions —

(a) for the purpose of securing co-ordination of the functions of some or all of the said public corporations or other corporate bodies;

- (b) in respect of matters relating to the personnel, including conditions of service, finance, management and organisation of any such public corporation or other corporate body,

and the public corporation or other corporate body shall give effect to any such directions.

- (3) The Minister may, by order which shall be subject to affirmative resolution of the National Assembly, declare that any public corporation established under section 34 or mentioned in Part I of the schedule shall cease to be a public corporation subject to the supervision and control of the Guyana State Corporation and, with effect from the time the order takes effect, the enactment by virtue of which the public corporation was established shall, without prejudice to the exercise of the power to amend the enactment, be construed and have effect as if it had never been amended by virtue of section 4 of the Public Corporations (Amendment) Act, 1971.
- (4) The Minister may, by order which shall be subject to negative resolution of the National Assembly, add to, alter or vary the provisions of Part II of the schedule.

Appointment and remuneration of officers and employees. 2D

The Guyana State Corporation shall appoint and employ at such remuneration and on such terms and conditions (including the payment of pensions, gratuities or other like benefits by reference to the service of their officers and employees) as they think fit such officers and employees as they deem necessary for the proper carrying out of the functions of the Corporation.

Power of the Guyana State Corporation to make rules. 2E

The Guyana State Corporation may, subject to this Ordinance, make rules —

- (a) relating to the proceedings of, and management of, the Corporation;

- (b) imposing fees in such cases as may be determined by the Corporation;
- (c) generally for the exercise of their functions.

Remuneration of members of the Guyana State Corporation. 2F

The Guyana State Corporation shall pay to each member of the Corporation mentioned in section 2A(1) (b) and section 2A(1) (d) in respect of his office as such, such, if any, remuneration and allowances as the President of the Corporation may determine, and to the Vice President, in respect of his office as such, such, if any, remuneration and allowances (in addition to any remuneration or allowances to which he may be entitled in respect of his office as a member) as may be so determined.

Power of the Minister to give directions. 2G(1)

The Minister may give to the Guyana State Corporation directions of a general character as to the policy to be followed by the Corporation in the exercise and performance of their functions and the Corporation shall give effect to any such directions.

- (3) The Corporation shall provide such facilities to the Minister as will enable him to verify information furnished in pursuance of this section.

Disposal of capital assets. 2H(1)

The power of the Minister to give directions to the Guyana State Corporation shall extend to the giving to them of specific directions as to the disposal of capital assets or as to the application of the proceeds of such disposals.

- (2) Any direction given under subsection (1) may require the whole or any part of the revenues of the Corporation to be paid into the Consolidated Fund.

Borrowing Powers. 2I

The Guyana State Corporation may, with the approval of the Minister, borrow sums required by them for meeting any of their obligations or discharging any of their functions.

Investments. 2J

Monies standing to the credit of the Guyana State Corporation may, from time to time, be invested in securities approved either generally or specifically by the Minister, and the Corporation

may, from time to time, with the like approval sell any or all of such securities.

Accounts and
audit. 2K(1)

The Guyana State Corporation shall keep accounts of their transactions to the satisfaction of the Minister and such accounts shall be audited annually by an auditor appointed by the Minister.

(2) The members, officers and employees of the Guyana State Corporation shall grant to the auditor so appointed access to all books, documents, cash and securities of the Corporation and shall give to him on request all such information as may be within their knowledge in relation to the operation of the Corporation.

(3) The Guyana State Corporation may write off bad debts.

Report.

2L(1)

The Guyana State Corporation shall not later than six months after the end of each calendar year submit to the Minister a report containing —

(a) an account of their transactions throughout the preceding calendar year in such detail as the Minister may direct;

(b) a statement of the accounts of the Corporation audited in accordance with the provisions of section 2K.

(2) A copy of the report together with a copy of the auditor's report shall be printed and laid before the National Assembly."

3. Any right, title or interest in or over any property vested at the commencement of this section in any body corporate (other than the Bank of Guyana) for and on behalf of the State shall, without further assurance, be transferred to and vest in the Guyana State Corporation for and on behalf of the State.

4. (1) Without prejudice to subsection (2), the enactments mentioned in the first column of the schedule are hereby amended in the manner specified in the second column thereof.

(2) The Minister assigned general responsibility for public corporations or, if no Minister is so assigned, the

Vesting of
assets in the
Guyana State
Corporation.

Miscellaneous
amendments
of enactments.
Schedule.

Prime Minister, may, by order which shall be subject to affirmative resolution of the National Assembly, make such amendments to any of the enactments mentioned in the first column of the schedule as may appear to him to be necessary or expedient for the purpose of giving effect to or enabling effect to be given to the provisions of subsections (1) (a) and (2) of section 2C of the Public Corporations Ordinance, 1962.

Section 4

SCHEDULE

Enactments

Amendments

The Public Corporations Ordinance, 1962.

Section 2.

- (a) Insert the words, "unless the context otherwise requires" immediately after the word "Ordinance" where it first appears;
- (b) substitute the following definition for the word "corporation" —
- "corporation" means a public corporation established under section 34, and save as otherwise expressly provided in this Ordinance, includes the Guyana State Corporation established by section 2A;
- (c) the definition of the expression "official member" shall be deleted;
- (d) insert the following definition immediately after the definition of the word "member" —
- "Minister" means the Minister assigned general responsibility for public corporations or, if no Minister is so assigned, the Prime Minister;"
- (e) renumber section 2 as section 2(1) and add the following subsection as subsection (2) —
- "(2) For the purposes of their application to the Guyana State Corporation, sections 5, 7 and 49 shall be construed and have effect as if the references therein to the chairman and deputy chairman were references to the President and the Vice President of the Corporation, respectively."

Section 3.

The following section shall be substituted for section 3 —

"Establishment and constitution of other public corporations.

3(1) There may be established under section 34 by the Minister other public corporations hav-

Enactments

Amendments

ing such powers as may be provided by or under this Ordinance.

- (2) A corporation so established shall consist of —
- (a) The Vice President of the Guyana State Corporation, who shall be the Chairman of the Corporation;
 - (b) the General Manager of the corporation;
 - (c) such number or heads of departments of the corporation as may be designated for the purpose by the General Manager of the corporation with the approval of the Guyana State Corporation;
 - (d) a representative (other than a person who is a member of a corporation by virtue of paragraph (c) selected by persons employed by the corporation from among themselves in such manner as may be prescribed by rules made by the Minister assigned responsibility for labour; and
 - (e) not more than three other persons appointed by the President of the Guyana State Corporation by instrument in writing from amongst persons appearing to him to be qualified as having had experience of, and shown capacity in, commerce, banking, finance, science, education, social welfare or administration.
- (3) The General Manager of the corporation shall be the deputy chairman of the corporation.
- (4) The members of a corporation mentioned in paragraphs (d) and (e) of subsection (2) shall hold office for any period not

Enactments

Amendments

exceeding three years but, in the case of —

- (a) the representative who is a member of the corporation by virtue of subsection (2)(d), he shall be liable to be removed from office at the pleasure of the persons employed by the corporation in accordance with rules prescribed by the Minister assigned responsibility for labour; and
 - (b) a member of the corporation appointed pursuant to subsection (2)(e), he shall be liable to be removed from office at the pleasure of the President of the Guyana State Corporation.
- (5) Any member of a corporation mentioned in subsection 2(d) or 2(e) may, at any time, resign his office by writing under his hand addressed to the Chairman of the corporation, and upon the date of the receipt by the chairman of such communication the member shall cease to be a member of the corporation.
- (6) The appointment, removal, resignation or death of any member of a corporation shall be notified in the *Gazette*."

Section 7

Renumber subsections (8) and (9) as subsections (9) and (10), respectively, and insert the following subsection as subsection (8) —

- "(8) The Secretary of the Guyana State Corporation shall be entitled to receive notices of all meetings of a corporation and to attend thereat without the right to vote and he shall be entitled to be furnished by the secretary of a corporation with copies of the records of the proceedings at such meetings showing

Enactments

Amendments

Section 10.

The following section shall be substituted for section 10 —

“Appointment of General Manager, officers and employees.

10 (1) The Guyana State Corporation shall appoint the General Manager of a corporation at such remuneration and on such terms and conditions (including the payment of any pension, gratuity or other like benefits by reference to his service as the Guyana State Corporation think fit.

(2) With the approval of the Guyana State Corporation, the corporation may employ at such remuneration and on such terms and conditions (including the payment of pensions, gratuities or other like benefits by reference to the service of their officers and employees) as they think fit a Secretary, and such other officers and employees) as they deem necessary for the purpose of carrying out the functions of the corporation.

Sections 11, 14, 19 (2) and 26.

The words “the Guyana State Corporation” shall be substituted for the words “a Minister.”

Section 16.

(a) The following subsection shall be substituted for subsection (1) —

“(1) Subject to section 2C, the Minister assigned responsibility for a particular corporation may give to the corporation directions of a general character as to the policy to be followed by the corporation in the exercise and performance

the matters discussed and the conclusions reached by the corporation thereat.”

Enactments

Amendments

of their functions and the corporation shall give effect to any such directions.”;

(b) in subsection (2), the words “Guyana State Corporation” shall be substituted for the words “Minister charged with responsibility for development and planning”;

(c) the following subsections shall be substituted for subsections (4) and (5), respectively —

“(4) A corporation shall afford to the Guyana State Corporation or the Minister assigned responsibility for that particular corporation facilities for obtaining information with respect to the business of the corporation and shall furnish annual estimates and such returns and other information as the Guyana State Corporation or the Minister may require.

(5) A corporation shall provide such facilities to the Guyana State Corporation or the Minister assigned responsibility for that corporation as will enable the verification of information furnished in pursuance of this section.”.

Section 17(1)

The words “Minister assigned responsibility for a particular corporation to give directions to the corporation” shall be substituted for the words “Council of Ministers to give directions to a corporation”.

Sections 20, 40,
43 and 44(2).

(a) The words “Minister responsible for Finance” shall be substituted for the words “Council of Ministers” wherever they appear;

Enactments

**Sections 21,
32(1), 33(1)
and 42(2).**

Section 32.**Section 34**

**Sections 36(2),
45(1), 46(2)
and 51.**

Section 46.**Amendments**

- (b) in section 20(1), substitute the word "he" for the word "they";
- (c) in section 20(2), substitute the word "is" for the word "are".

The words "Guyana State Corporation" shall be substituted for the words "Council of Ministers".

- (a) Renumber subsections (2) and (3) as subsections (3) and (4), respectively, and insert the following subsection as subsection (2) —

"(2) The Guyana State Corporation may, at any time, appoint an auditor to examine the accounts of a corporation and to report thereon to the Guyana State Corporation.";

- (b) substitute the word "employees" for the word "servants" in subsection (3);
- (c) insert the words "or (2)" after "(1)" in subsection (3).

- (a) The words "Minister may, by order which shall be subject to negative resolution of the National Assembly," shall be substituted for the words "Council of Ministers may by order";

- (b) Subsections (4) and (5) shall be deleted.

The word "Minister" shall be substituted for the words "Council of Ministers".

- (a) In subsection (1) —

- (i) the word "President" shall be substituted for the words "Council of Ministers";

- (ii) the words "the Minister" shall be substituted for the words "a Minister";

Enactments

Amendments

- (b) the following subsection shall be substituted for subsection (3) —

“(3) Any person who suffers direct injury or loss, owing to the operation of an order of the President under this section, shall be entitled to receive from the Government such compensation as may be determined in the absence of agreement between that person and the Government, by the High Court upon motion moved for that purpose against the Attorney-General.”;

- (c) the word “Government shall be substituted for the words “Council of Ministers” in subsection (4).

Section 52.

- (a) The words “Guyana State Corporation with the approval of the Minister” shall be substituted for the words “Council of Ministers”;

- (b) reletter paragraphs (c) to (f) as paragraphs (d) to (g), respectively, and insert the following paragraph as paragraph (c) —

“(c) budgetary control and the auditing of the accounts;”

The Public
Corporations
Ordinance,
1962.

The following provisions shall be added to the Public Corporations Ordinance, 1962, as the schedule thereto —

“SCHEDULE

Section 2C

PART I

Guyana Credit Corporation.
Guyana Electricity Corporation.
Guyana Rice Marketing Board.
National Insurance Board.

Enactments

Amendments

PART II

Guyana Gajraj, Limited.
 Livestock Development Company,
 Limited.
 Daily Chronicle Company Limited.
 Guyana Transport Services, Limited.

Guyana Credit
 Corporation
 Ordinance,
 1954.
 Section 2.

Delete the definition of the expression "official member".

Section 4.

The following section shall be substituted for section 4 —

"Constitution
 of Corpora-
 tion.

4. The Corporation shall be constituted in like manner as if it were a public corporation established under section 34 of the Public Corporations Ordinance 1962."

No. 23 of
 1962.

Section 5.

The words "Guyana State Corporation" shall be substituted for the words "Governor in Council."

Section 6.

The following section shall be substituted for section 6 —

"Appointment
 of General
 Manager,
 Secretary,
 officers and
 employee.

6 (1) There shall be a General Manager of the Corporation who shall be appointed by the Guyana State Corporation at such remuneration and on such terms and conditions (including the payment of pension, gratuity or other like benefit by reference to his service) as the Guyana State Corporation think fit.

(2) With the approval of the Guyana State Corporation, the corporation may appoint and employ at such remuneration and on such terms and conditions (including the payment of pensions, gratuities or other like benefits by reference to the service of

Enactments

Amendments

their officers and employees) as they think fit a **Secretary**, and such other officers and employees as they deem necessary for the purpose of carrying out the functions of the corporation."

Section 8

The following subsection shall be substituted for subsection (7) —

"(7) The **Secretary** of the **Guyana State Corporation** shall be entitled to receive notices of all meetings of the corporation and to attend thereat without the right to vote, and he shall be entitled to be furnished with copies of the records of the proceedings at such meetings showing the matters discussed and the conclusions reached by the corporation thereat."

**Sections 19 (2),
20 (2), 21 (2),
49, 52 (1),
53 (1).**

The words "**Guyana State Corporation**" shall be substituted for the words "**Governor in Council**".

Section 52 (2)

Substitute the word "employees" for the word "servants".

Section 54.

The words "Subject to section 2C of the **Public Corporations Ordinance, 1962**, the **Minister assigned responsibility for the Corporation**" shall be substituted for the words "**The Governor in Council**".

Section 61.

The words "**Minister assigned responsibility for the Corporation acting after consultation with the Guyana State Corporation**" shall be substituted for the words "**Governor in Council**".

**Electricity
Ordinance 1957.
Section 2.**

(a) The following definition shall be substituted for the definition of the word "**Chairman**" —

Enactments

Amendments

Section 5.

'Constitution
of Corpora-
tion.

No. 23 of
1962.

Section 6.

Section 7.

Section 9.

"Appointment
of General
Manager,
Secretary,
other offi-
cers and em-
ployees.

"Chairman" means the
Chairman of the Corpora-
tion;

- (b) the definitions of the expressions "alternate", "official member" and "Minister" shall be deleted.

The following section shall be substituted for section 5 —

5. The Corporation shall be constituted in like manner as if it were a public corporation established under section 34 of the Public Corporations Ordinance, 1962.

Section 6 shall be repealed.

- (a) The words "Guyana State Corporation" shall be substituted for the word "Minister";
- (b) all the words following after the word "determined" shall be deleted.

The following section shall be substituted for section 9 —

- 9 (1) The Guyana State Corporation shall appoint a General Manager of the Corporation on such terms and conditions (including the payment of pension, gratuity or other like benefit by reference to his service) as the Guyana State Corporation think fit.
- (2) With the approval of the Guyana State Corporation, the corporation may appoint and employ at such remuneration and on such terms and conditions (in-

Enactments

Amendments

Section 9A

Section 10.

cluding the payment of pensions, gratuities or other like benefits by reference to the service of their officers and employees, as they think fit, a Secretary, and such other officers and servants as they deem necessary for the purpose of carrying out the functions of the corporation.

The words "with the approval of the Guyana State Corporation" shall be inserted immediately after the word "Corporation" where it first appears.

(a) The following subsection shall be substituted for subsection (4) —

"(4) Three members of the Corporation shall form a quorum."

(b) Subsection (5) shall be repealed;

(c) Subsections (6) to (11) shall be renumbered as subsections (5) to (10) respectively;

(d) The following subsection shall be substituted for subsection (7) —

"(7) The Secretary of the Guyana State Corporation shall be entitled to receive notices of all meetings of a corporation and to attend thereat without the right to vote and he shall be entitled to be furnished by the secretary of the corporation with copies of the records of the proceedings at such meetings showing the matters discussed and the conclusions reached by the corporation thereat."

Enactments**Section 13A.**

**Sections 16, 17,
23, 24(1) and
25 (1).**

**Sections 21
and 27.**

Section 24(2).

**The National Insurance
and Social Security Act,
1969.**

Section 2.

Section 3.

Amendments

The words "Subject to section 2C of the Public Corporations Ordinance, 1962, the Minister assigned responsibility for the Corporation may" shall be substituted for the words "the Minister may, after consultation with the Corporation."

The words "Guyana State Corporation" shall be substituted for the word "Minister".

The words "Minister assigned general responsibility for public corporations or, if no Minister is so assigned, the Prime Minister" shall be substituted for the word "Minister".

The word "employees" shall be substituted for the word "servants".

The definition of the word "Director" shall be deleted.

The following section shall be substituted for section 3 —

"Establishment
and constitu-
tion of
National In-
surance Board.

3. There shall be established for the purposes of this Act a body to be called the National Insurance Board which shall be constituted in like manner as if it were a public corporation established under section 34 of the Public Corporations Ordinance, 1962, save that every reference in section 3 of that Ordinance to the corporation shall be construed as a reference to the Board."

Enactments**Section 6.****Section 9.****Section 30.****Amendments**

Renumber subsection (8) as subsection (9) and insert the following subsection as subsection (8) —

“(8) The Secretary of the Guyana State Corporation shall be entitled to receive notices of all meetings of the Board and to attend thereat without the right to vote and he shall be entitled to be furnished with copies of the records of the proceedings at such meetings showing the matters discussed and the conclusions reached by the Board thereat.”

- (a) The words “Guyana State Corporation” shall be substituted for the word “Minister” in paragraph (a);
- (b) The words “with the approval of the Guyana State Corporation” shall be inserted immediately after the word “Board” where it last appears.

The following subsection shall be substituted for subsection (1) —

- “(1) (a) There shall be a General Manager of the Board who shall be appointed by the Guyana State Corporation at such remuneration and on such terms and conditions (including the payment of pension, gratuity or other like benefit by reference to his service) as the Guyana State Corporation think fit.
- (b) With the approval of the Guyana State Corporation, the Board may employ such officers and employees at such remuneration and on such terms and conditions (including the

Enactments**Amendments****Section 33.**

(a) in subsection (4), the words "Guyana State Corporation" shall be substituted for the word "Minister" wherever it appears.

(b) In subsection (5), the words "Guyana State Corporation" shall be substituted for the words "Minister responsible for Finance".

Section 36.

In subsection (2), the words "submitted to the Guyana State Corporation and to be" shall be inserted between the words "b" and "laid".

Section 40.

The words "Guyana State Corporation" shall be substituted for the word "Minister."

The Whole Act
(including any
laws made
thereunder)

The words "General Manager" shall be substituted for the word "Director".

Rice Marketing
Ordinance,
Chapter 249
Section 2.

The definition of the word "Minister" shall be deleted.

Section 4(1)

The words "assigned general responsibility for public corporations or if no Minister is so assigned, the Prime Minister," shall be inserted immediately after the word "Minister" where it first appears.

Section 4A.

Renumber subsection (10) as subsection (11) and insert the following subsection as subsection (10) —

Enactments**Amendments**

"(10) The Secretary of the Guyana State Corporation shall be entitled to receive notices of all meetings of the Board and to attend thereat without the right to vote and he shall be entitled to be furnished by the secretary with copies of the records of the proceedings at such meetings showing the matters discussed and the conclusions reached by the Board thereat."

Section 4B.

- (a) Delete the symbol "(1)";
- (b) The words "Guyana State Corporation" shall be substituted for the words "Council of Ministers".

Section 6.

The following section shall be substituted for section (6) —

"Appointment of General Manager and employees of officers and the Board.

- 6 (1) The Guyana State Corporation shall appoint the General Manager of the Board at such remuneration and on such terms and conditions (including the payment of pension, gratuity or other like benefit by reference to his service) as the Guyana State Corporation think fit.
- (2) The Board, with the approval of the Guyana State Corporation, may employ such other officers and employees as the Board may require."

Section 15.

The words "assigned general responsibility for public corporations or, if no Minister is so assigned, the Prime Minister" shall be inserted immediately after the word "Minister" whenever it appears.

Enactments**Section 16.****Section 16A.****Sections 21(2)
and 38(1)****Amendments**

In subsection (1), the words "assigned responsibility for the Board" shall be inserted immediately after the word "Minister".

(a) Substitute the words "Subject to section 2C of the Public Corporations Ordinance, 1962, the Minister assigned responsibility for the Board" for the words "The Minister" at the beginning of subsection (1);

(b) The following subsection shall be substituted for subsection (2) —

"(2) The Board shall afford to the Minister assigned responsibility for the Board and to the Guyana State Corporation facilities for obtaining information with respect to the property and activities of the Board, and furnish him and the Corporation with returns, accounts and other information with respect thereto, in such manner and at such times as the Minister or the Corporation may require."

The words "Guyana State Corporation" shall be substituted for the word "Minister".

EXPLANATORY MEMORANDUM

This Bill seeks to make provision for the establishment of the Guyana State Corporation by way of amendment of the Public Corporations Ordinance, 1962. The function of the Guyana State Corporation will be to exercise powers of supervision and control over the operations of public corporations established under section 34 of the Public Corporations Ordinance, 1962, other specified public corporations established by other enactments and other corporate bodies in which the controlling interest is vested in the State. There will be established a Department of Public Corporations with a Permanent Secretary responsible to a Minister. The Permanent Secretary will perform the functions of Secretary of the Guyana State Corporation and

will have the right to attend all meetings of public corporations and to receive reports of their deliberations and operations.

The Bill also seeks to amend the Public Corporations Ordinance, 1962, and other specified enactments by which other public corporations have been established for the purpose of bringing them under the jurisdiction of a Minister who may be assigned general responsibility for all public corporations, or of the Guyana State Corporation. Provision is also made in the Bill enabling the public corporations to be constituted differently. The Vice President of the Guyana State Corporation will, by virtue of his office, be the chairman of public corporations established under section 34 of the Public Corporations Ordinance, 1962, and other specified public corporations.

L. F. S. BURNHAM
Prime Minister.