

CHAPTER 64:03

DRAINAGE AND IRRIGATION ACT

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Interpretation.

PART I

THE DRAINAGE AND IRRIGATION BOARD

3. Establishment of Drainage and Irrigation Board.
4. Transfer of assets and liabilities.
5. Constitution of the Board.
6. Appointment of secretary and servants.
7. Power to sue and to be sued.
8. Execution of instruments.
9. Meetings of Board.
10. Board to keep accounts.

PART II

CERTAIN PROPERTY TO VEST IN THE BOARD

11. Certain existing works to vest in the Board.

PART III

DECLARATION OF DRAINAGE AND IRRIGATION AREAS

12. Minister may order Board to ascertain if land suitable for drainage, etc., and to make plans, specifications and estimate.

SECTION

13. Plans, etc., to be submitted to Minister together with recommendation regarding proportion of costs to be borne by proprietors.
14. Power of Minister to prescribe proportion of capital costs to be borne by proprietors.
15. Meeting of proprietors and local authorities.
16. Plans, specifications, order and estimate to be open to inspection.
17. Documents to be submitted to the Minister.
18. Power of Minister to direct that documents be laid before the National Assembly.
19. Declaration of drainage and irrigation area.
20. (1) Lands whereon works are to be constructed to vest in the Board.
(3) Additional lands to vest in the Board.
21. Certain lands adjacent to works to vest in the Board.
22. Erection of fences.
23. Right to enter opposition to apply to compensation only.
24. Powers of Board in connection with the construction of works.

PART IV

CONSTRUCTION OF NEW WORKS IN A DRAINAGE AND IRRIGATION AREA

25. Construction of new works in a drainage and irrigation area.
26. Special powers in case of threatened flood.

PART IVA

ACQUISITION OR MAINTENANCE OF CERTAIN WORKS IN A DRAINAGE
AND IRRIGATION AREA

27. Certain existing works not constructed nor maintained by the Board to vest in the Board in certain circumstances.
28. Maintenance of certain works in a drainage and irrigation area.

PART IVB

DEPOSIT OF FURTHER PLANS

SECTION

29. Power of the Board to deposit additional plans.
30. Preparation of a composite plan from existing plans deposited with the Registrar prior to commencement of this Act.
31. Preparation of a composite plan from plans deposited with the Registrar subsequent to the commencement of this Act.

PART IVC

DIVESTING BOARD OF LANDS AND CEASURE OF DRAINAGE
AND IRRIGATION AREAS

32. Procedure where the Board desires to divest itself of property.
33. Power of Minister to direct that certain lands should be restored to original owners.
34. Power of Minister to declare that any drainage and irrigation area has ceased to be a drainage and irrigation area.

PART V

COMPENSATION

35. No right to compensation in respect of land acquired by the Board in certain cases.
36. Right to be paid compensation in certain cases.
37. Amount of compensation.
38. Right of claimant to require Board to acquire whole estate in certain cases.
39. Power of magistrate to assess compensation in cases where Board and claimant unable to agree.
40. Right of appeal from decision of magistrate.
41. Interpretation.

PART VI

GENERAL FINANCIAL PROVISIONS

SECTION

42. Liability to pay maintenance costs and a proportionate amount of capital costs.
43. Amount of annual payments.
44. Assessment of rates.
45. Assessment of rate in respect of works constructed and maintained or maintained for the benefit of a section only of a drainage and irrigation area.
46. Submission of rate of assessment to the Minister.
47. Power of Minister to approve or vary any assessment.
48. Publication of approved rates.
49. Power of Minister to modify any rate.
50. Rates payable in moieties due on 1st February and 1st July respectively.
51. Unpaid rates or moieties may bear interest at a rate *per annum* set at two per cent above the prime lending rate.
52. State or Government lands occupied by lessee or licensee to be rateable.
53. Payment of rates in respect of villages.
54. Payment and recovery of estate rates.
55. Enforcement of rates not exceeding \$7,500.
56. Board may purchase property at execution sale.
57. Protection for tenant or other person whose movable property is levied on for rates.
58. Preferent lien for rates due.

PART VII

OFFENCES AND PROSECUTIONS

59. Offences and penalty.
60. Trespass by cattle.
61. Convicted offender liable to pay expenses incurred by the Board in repairing damage.
62. Procedure.

SECTION

63. Persons authorised to prosecute on behalf of the Board.

PART VIII

SPECIAL PROVISIONS RELATING TO CERTAIN SPECIFIED DRAINAGE
AND IRRIGATION AREAS

64. Continuation of certain drainage and irrigation areas.
65. Abolition of certain drainage and irrigation areas.
66. Special provision for the payment of liabilities outstanding on
the 1st January, 1940.
67. Declaration of Canals No. 1 and No. 2 Polder to be a drainage
and irrigation area and description of the boundaries
thereof.

PART IX

PROVISIONS RELATING TO THE ABSORPTION OF DISTRICT
DRAINAGE BOARDS BY THE BOARD

68. Saving debts and claims of boards established by Acts repealed
by this Act.
69. Saving contracts, agreements, etc.
70. Causes and rights of action to survive.
71. Books belonging to boards and authorities established by Acts
repealed by this Act to be delivered to the Board.
72. Bank accounts of boards and authorities established by Acts
repealed by this Act to vest in Board.
73. All assessments made and notices published or served under
any Act repealed by this Act to be deemed to be made,
published or served under this Act.

PART X

GENERAL PROVISIONS

74. Accountant General to advance money on loan to the Board.

LAWS OF GUYANA

8

Cap. 64:03

Drainage and Irrigation

SECTION

- 75. Power of Board to sell or lease lands surplus to its requirements.
- 76. Power of Minister to vary, and prescribe additional, fees.
- 77. Power of Board to make by-laws.
- 78. Power to enter upon lands for the purposes of survey.
- 79. Power of Board to remove and rebuild, or alter certain works.
- 80. Power of Board to require proprietor of an estate adjoining a drainage and irrigation area to maintain certain properties on his estate.
- 81. Right of Board to institute proceedings without payment of fees.
- 82. Signature of secretary to be *prima facie* evidence.

FIRST SCHEDULE—Areas.

SECOND SCHEDULE—Ordinances specified.

THIRD SCHEDULE—Forms.

FOURTH SCHEDULE—Fees.

FIFTH SCHEDULE—Areas.

SIXTH SCHEDULE—Boundaries of areas.

CHAPTER 64:03

DRAINAGE AND IRRIGATION ACT

1953 Ed.
c. 192

25 of 1940

An Act to establish the Drainage and Irrigation Board; to define its duties and prescribe its powers and for purposes connected with the matters aforesaid.

[1ST JANUARY, 1941]

Short title.

1. This Act may be cited as the Drainage and Irrigation Act.

Interpretation.
[28 of 1952
7 of 1966A
24 of 1969
25 of 1973]

2. In this Act—

“boat” includes any type of craft used for the purpose of navigating inland waters;

LAWS OF GUYANA

Drainage and Irrigation

Cap. 64:03

9

“capital costs” includes all expenditure incurred in, and incidental to, the making of any survey and the preparation of any plans, specifications and estimates, and the amount expended as compensation;

“cattle” means any horse, mare, gelding, colt, filly, mule, ass, buffalo, bull, cow, ox, steer, heifer, calf, sheep, goat or swine;

“council area” has the meaning assigned by section 2 of the Municipal and District Councils Act; c. 28:01

“chairman” means the chairman of the Drainage and Irrigation Board established under this Act;

“estate” means any land belonging to a proprietor (other than State or Government land not held under any lease, licence or permission) which is not included within the boundaries of a village or of a council area;

“improved land” means land which is drained or irrigated or the surface of which has been levelled, graded or raised;

“local authority” means the council of any town established under section 33 of the Municipal and District Councils Act, or of any local government district established under the Municipal and District Councils Act, or any village council and any country authority established under the Local Government Act; c. 28:02

“proprietor” includes the person in possession of an estate, the attorney of a proprietor, the secretary of a company owning an estate and the manager of an estate;

“the Registrar” means the Registrar of Deeds appointed under the Deeds Registry Act; c. 5:01

“secretary” means the secretary of the Drainage and Irrigation Board established under this Act;

LAWS OF GUYANA

10

Cap. 64:03

Drainage and Irrigation

“vice-chairman” means the vice-chairman of the Drainage and Irrigation Board established under this Act;

c. 28:02

“village” means any village district or country district duly declared under the Local Government Act,

“work” means any reservoir, canal, trench, drain, culvert, sluice, koker, koker runs or training walls of outfall channels, aqueduct, weir, dam, lock, syphon stop off, paal off, fence, gate, barrier, bridge, road, watch-house or building used for housing sluice operations, rangers and pumping station attendants, which has been or which may hereafter be made, erected, constructed or used for the purpose of drainage or irrigation and includes any machinery, power station or pumping station used in connection with any of the foregoing.

PART I

THE DRAINAGE AND IRRIGATION BOARD

Establishment
of Drainage
and Irrigation
Board.

3. There is hereby established a Drainage and Irrigation Board (hereinafter referred to as “the Board”) which shall have the sole control and management of the drainage and irrigation works which, by virtue of this Act, are, or afterwards become, the property of the Board.

Transfer of
assets and
liabilities.
[22 of 1983]

4. (1) The assets (including rights and interests) and liabilities within the area of each Regional Democratic Council, which, but for the passing of the Drainage and Irrigation Board (Transfer of Functions) Act 1983, would be the assets and liabilities of the Board shall, in respect of the assets (including rights and interests) without further assurance be transferred to, and vested in the Board, and in respect of the liabilities be discharged by, and be enforceable against the Board.

(2) All unpaid rates together with interest thereon and all fees, charges and debts of whatsoever description due or payable to each Regional Democratic Council in respect of its drainage and irrigation area before the coming into operation of this Act shall be payable to or recoverable by the Board.

(3) The Board may, for the purpose of discharging the functions conferred on it by this Act, continue to employ on such terms and conditions as may be agreed on between the Board and the person concerned such of the persons employed with each Regional Democratic Council immediately before the coming into operation of this Act, and in respect of any person so employed the Board shall be the successor of the Regional Democratic Council with regard to his leave or superannuation rights or benefits whether accrued, earned, inchoate or contingent:

Provided that any person who is so employed by the Board shall be employed on terms and conditions which taken as a whole are no less favourable than those applicable to him immediately before the said day.

5. (1) The Board shall consist of—

(a) The officers for the time being performing the duties of the Chief Hydraulics Officer, the Commissioner of Lands and Surveys, the Chief Hydrometeorological Officer, the Permanent Secretary of the Ministry of Agriculture, the General Manager of the Mahaica — Mahaicony — Abary Agricultural Development Authority established under the Mahaica — Mahaicony — Abary Agricultural Development Authority Act and the Chairman of the Sea Defence Board established under the Sea Defence Act (hereinafter referred to as “ex-officio members”);

(b) two members to be nominated by the Minister from the members of local authorities situated wholly or partly within the drainage and irrigation areas described in the First Schedule or declared under section 18(1); and

Constitution of the Board.

[3 of 1943
30 of 1955
7 of 1966A
24 of 1969
11 of 1970
3 of 1975
13 of 1994
O. 74/1953]

c. 69:11
c. 64:02

First Schedule.

(c) such number of other members, being not less than four, to be nominated by the Minister.

Any member appointed under paragraph (b) or (c) shall be known as a “nominated member”.

(2) Subject to this section each member, other than an *ex officio* member, shall hold office for a period of two years from the date of his appointment and shall be eligible for re-appointment.

(3) The chairman and the vice-chairman of the Board shall be appointed from the members of the Board by the Minister.

(4) Five members (including the presiding member) or such greater number as may be fixed by the Minister shall form a quorum at any meeting of the Board.

(5) The Minister may at any time revoke the appointment of a member.

(6) Any nominated member who—

(a) resigns from the Board in writing addressed to the Minister; or

(b) departs from Guyana without leave of the Minister; or

(c) remains out of Guyana after the expiration of his leave;

or

(d) fails without reasonable excuse (the sufficiency of which shall be determined by the Minister) to attend four consecutive meetings of the Board,

shall cease to be a member of the Board.

(7) If a member of a local authority who was nominated as a member of the Board under subsection (1)(b) ceases to be a member of such authority he shall cease to be a member of the Board.

LAWS OF GUYANA

Drainage and Irrigation

Cap. 64:03

13

6. The Board shall appoint a secretary and such servants 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 the secretary or servants) as the Board may think fit:

Appointment
of secretary
and servants.
[15 of 1976]

Provided that the appointment of a secretary shall be subject to the approval of the Minister.

7. The Drainage and Irrigation Board may sue and be sued in that name.

Power to sue
and to be sued.

8. All instruments required to be executed by the Board shall be deemed to be validly executed if signed by the chairman or the vice-chairman and countersigned by the secretary.

Execution of
instruments.

9. (1) The chairman, or in the chairman's absence from Georgetown, the vice-chairman, may convene a meeting of the Board whenever he considers such meeting necessary.

Meetings of
Board.

(2) Subject to the preceding subsection, the Board shall, at each meeting, make such arrangements for the next meeting as it may deem fit.

10. (1) The Board shall keep books of account in respect of each drainage and irrigation area and shall cause to be entered therein all moneys received and expended by the Board in connection with such area.

Board to keep
accounts.

(2) The Board shall account to the Accountant General for all moneys received by the Board under this Act and may operate a bank account for the purposes of this Act.

(3) All books of account kept by or for the Board shall be subject to examination and audit at any time by the Auditor-General.

LAWS OF GUYANA

14

Cap. 64:03

Drainage and Irrigation

PART II

CERTAIN PROPERTY TO VEST IN THE BOARD

Certain
existing works
to vest in the
Board.
First Schedule.
Second
Schedule.

11. (1) The Board shall cause plans to be prepared on which are marked or delineated all works within the areas specified in the First Schedule which have been constructed, reconstructed, repaired or maintained out of funds raised by rates collected in accordance with any Ordinance specified in the Second Schedule or out of moneys provided by Parliament.

(2) One copy of each such plan shall be authenticated by the signature of the chairman or vice-chairman and shall be deposited with the Registrar who shall file the same as of record in the Deeds Registry and shall make such annotations on the records as may be necessary.

(3) With effect from the time any such plan is deposited with the Registrar in accordance with this section the land whereon or wherein all works marked or delineated on such plan are constructed shall forthwith vest in the Board and shall be the property of the Board.

PART III

DECLARATION OF DRAINAGE AND IRRIGATION AREAS

Minister may
order Board to
ascertain if
land suitable
for drainage,
etc., and to
make plans,
specifications
and estimate.

12. (1) Where it appears to the Minister that it will be for the benefit of any area of land that it shall be drained and irrigated, or drained or irrigated, he may order the Board to ascertain and determine whether the area, or any part thereof, or any other area whether including in whole or in part the first named area, is suitable for and will be benefited by drainage and irrigation, or drainage or irrigation, as may be directed in the order.

(2) Every order made under the preceding subsection shall be published twice within eight days in the *Gazette* and on each of those days in such daily newspaper as the Minister directs.

(3) After the expiration of a fortnight from the last publication of the notice the Board shall cause a survey of the area to be made and plans thereof to be prepared.

(4) If the Board is of opinion that the area is suitable and will be benefited in the respect stated in the order it shall—

(a) cause to be marked or delineated on the plans the works necessary to provide adequate drainage or irrigation facilities for the area; and

(b) cause plans and specifications of the works, together with an estimate of the cost, to be prepared.

(5) All expenses incurred by the Board in pursuance of an order under this section shall in the first instance be defrayed out of the moneys provided by Parliament for the purposes of this Act, and shall, if the area is thereafter declared a drainage and irrigation area, form part of the total cost of the works of that declared area.

13. After the preparation of the plans, specifications and estimate required by subsection (4)(b) of the last preceding section the Board shall submit them to the Minister together with a recommendation regarding the proportion of the capital costs of the works specified in paragraph (a) of that subsection which should, in the opinion of the Board, be borne by the proprietors of estates within the proposed drainage and irrigation area.

Plans, etc., to be submitted to Minister together with recommendation regarding proportion of costs to be borne by proprietors.

14. Having considered the documents and recommendation submitted by the Board the Minister shall by order prescribe the proportion, if any, of the capital costs of the proposed works which shall, subject to the area subsequently being declared a drainage and irrigation area, be borne by the proprietors of estates within that area. Such order may at any time be modified by subsequent order of the Minister.

Power of Minister to prescribe proportion of capital costs to be borne by proprietors.

LAWS OF GUYANA

16

Cap. 64:03

Drainage and Irrigation

Meeting of
proprietors and
local
authorities.

15. (1) After the order has been made the Board shall, subject to subsection (3), summon a meeting of the proprietors and local authorities within the areas comprised in the plans.

(2) The meeting shall be held within the proposed drainage and irrigation area or at some place in proximity thereto.

(3) Not less than twenty-one days before the meeting the Board shall—

(a) cause a notice thereof to be published in the *Gazette* and in such daily newspaper as the Minister may direct;

(b) cause a copy of the notice to be posted at the office of the district commissioner in charge of the district in which the area is situated and at each post office and police station within the area; and

(c) send by post a copy of the notice to the chairman of every local authority within the area.

(4) Prior to the meeting the Board shall cause a copy of the notice to be re-published once at least in the *Gazette* and in the daily newspaper specified under subsection (3)(a), the first re-publication to be within ten days after the first publication.

(5) The Board shall then appoint some person to lay before the meeting the plans, specifications, estimate and a copy of the order and to explain them fully to the persons attending the meeting.

Plans,
specifications,
order and
estimate to be
open to
inspection
[3 of 1975
13 of 1994]

16. (1) After the meeting one copy of the plans, specifications, estimates and order shall be deposited in the office of the Chief Hydraulics Officer.

(2) All documents deposited as required by this section shall be open to inspection by the public during office hours, without payment of fee, for a period of one month from the date of such deposit.

(3) Any proprietor of an estate within, or adjoining, any proposed drainage and irrigation area and any local authority having administrative control over any portion of either such area may, within the aforesaid period of one month, address a letter of protest to the Board and such letter shall state the grounds on which the objection is based.

17. As soon as conveniently possible after the expiration of the period of one month the Board shall submit to the Minister a copy of each letter of protest received by the Board under subsection (3) of the last preceding section and such comments as the Board may desire to offer on any such letter of protest.

Documents to be submitted to the Minister.

18. (1) After consideration of the letters of protest the Minister may direct that any amendment of the plans he may deem necessary be made and that the plans, as amended, together with revised specifications and estimate, be submitted for consideration.

Power of Minister to direct that documents be laid before National Assembly.

(2) If no amendment be deemed necessary or after consideration of the revised plans, specifications and estimate, as the case may be, the Minister may direct that copies of the aforesaid documents together with copies of the letters of protest be laid before the National Assembly.

(3) If the Minister for any reason considers it inexpedient that the area shall be declared a drainage and irrigation area the Board shall be so informed and notice of such decision shall be published in the *Gazette* and in the daily newspaper named in the order made under section 12(1).

19. (1) If and when Parliament approves the expenditure necessary for the execution of the works in any proposed drainage and irrigation area the Minister may, by order declare the area to be a drainage and irrigation area.

Declaration of drainage and irrigation area.

(2) In every order made under the last preceding subsection the declared drainage and irrigation area shall be described by a name and the boundaries thereof shall be defined.

LAWS OF GUYANA

18

Cap. 64:03

Drainage and Irrigation

(3) The Minister may from time to time, by order, vary the boundaries of any declared drainage and irrigation area.

Lands
whereon
works are to
be constructed
to vest in the
Board.
[34 of 1944]

20. (1) After publication of the order made under subsection (1) of the last preceding section the Board shall cause a copy of each plan, duly authenticated by the signature of the chairman or vice-chairman, to be deposited with the Registrar who shall file the same as of record in the Deeds Registry and shall make such annotations on the records as may be necessary.

(2) With effect from the time any such plan (hereinafter in this Part referred to as a “deposited plan”) is deposited with the Registrar in accordance with this section all lands wherein or whereon any works shown upon such plan are to be constructed, together with the adjoining areas described in section 21, shall vest in the Board free from encumbrance and shall be the property of the Board.

Additional
lands to vest in
the Board.

(3) Where, prior to the 9th December, 1944—

(a) any plan has been deposited with the Registrar under subsection (1) of this section; and

(b) any land within twelve feet of any work marked or delineated on such plan is not the property of the Board,

such land shall, with effect from the 9th December, 1944, vest in the Board free from any encumbrance and shall be the property of the Board.

Certain lands
adjacent to
works to vest
in the Board.
[34 of 1944
30 of 1955]
Cap. 262
1953 Ed.
c. 64:02

21. (1) Save as provided by section 13(2) of the Railways Purchase Ordinance and by section 12(1) of the Sea Defence Act, and subject to subsection (2), all lands within twelve feet of the toe of any dam or within a like distance of any part of any work, power house or watch house marked or delineated on any deposited plan, and being the property of the Board shall, with effect from the time such plan is deposited with the Registrar under the last preceding section, vest in the Board free from any encumbrance and shall be the property of the Board.

(2) Where a fence is adjacent to a work (other than a fence) the distance of twelve feet referred to in subsection (1) shall be measured from the work:

Provided that where, at the commencement of this subsection, the distance between a work (other than a fence) and an adjacent fence is greater than twelve feet, the land between the work and the fence shall nevertheless continue to vest in the Board and shall continue to be the property of the Board.

22. After the commencement of this Act no fence shall be erected at a distance greater than twelve feet from an adjacent work (other than a fence).

Erection of
fences.
[30 of 1955]

23. (1) When any plan is deposited with the Registrar under section 20 any person who would have a right to oppose if transport of the land defined in subsection (2) of the aforesaid section were about to be passed by the owner thereof shall have the same right to enter opposition to the registration but that opposition shall be deemed to apply only to the payment of the compensation to the parties interested.

Right to enter
opposition to
apply to
compensation
only.

(2) When the matters alleged in the opposition are disputed by any of the persons claiming the compensation or any part thereof, the person so claiming may enter a defence to the opposition and thereafter the proceedings shall continue as in ordinary opposition suits; and the court shall have full power to make any order in relation to the opposition suit, both as to granting time or otherwise appearing to the court to be necessary in order to have the questions at issue between the parties determined.

24. (1) When any area has been declared a drainage and irrigation area under this Part the members of the Board and the servants and agents of the Board, together with such animals, vehicles and boats as may reasonably be required, shall be entitled at all times to enter upon and pass over any part of such area for the purpose of constructing the works authorised in respect of such area.

Powers of
Board in
connection
with the
construction of
works.

(2) For the purposes of the construction of any work in any drainage and irrigation area the Board may take and remove earth or other materials from any part of such area:

Provided that earth or materials shall not be taken from any cultivated land or cultivated pasture or from any improved land if obtainable elsewhere in the area.

PART IV

CONSTRUCTION OF NEW WORKS IN A DRAINAGE AND IRRIGATION AREA

Construction
of new works
in a drainage
and irrigation
area.

[21 of 1941
22 of 1983
13 of 1994]

25. (1) When it appears to the Board to be necessary or expedient that any new work be constructed to improve the drainage or irrigation in any drainage and Irrigation area the Board shall cause a plan and specification of such work, together with an estimate of the cost thereof, to be prepared.

(2) The Board shall then cause one copy of the plan, specification and estimate to be deposited in the office named in section 16(1).

(3) The Board shall next publish a notice in the *Gazette* and in one daily newspaper stating that the plan, specification and estimate have been deposited under the last preceding subsection.

(4) Section 16(2) and (3), section 17, and section 18(1) shall, *mutatis mutandis*, apply to procedure under this section.

(5) If the Minister approves the construction of the proposed work he may, by order, direct the Board to construct the said work.

(6) Section 18(3) shall, *mutatis mutandis*, apply to procedure under this section.

(7) The Board shall forthwith deposit with the Registrar a copy of such plan duly authenticated by the signature of the chairman or vice-chairman and the Registrar shall file the same as of record in the Deeds Registry and shall make such annotations on the record as may be necessary.

(8) With effect from the time any such plan is deposited with the Registrar under the preceding subsection all lands wherein or whereon any works marked or delineated upon such plan are constructed shall forthwith vest in the Board and shall be the property of the Board.

(9) Section 21 shall, *mutatis mutandis*, apply in respect of the lands adjacent to any work marked or delineated on any plan deposited with the Registrar under this section.

26. (1) If at any time it appears to the Board that there is imminent danger of the lands, or any part of the lands, within any drainage and irrigation area being flooded the Board shall forthwith report the fact to the Minister.

Special powers
in case of
threatened
flood.

(2) Anything in the preceding section notwithstanding the Minister may, after considering any report made under the preceding subsection, direct the Board, by order, forthwith to take such action and construct or erect such works as may in the opinion of the Board be necessary to avert the threatened flood or to mitigate the results should such flooding occur.

(3) For the purpose of complying with any order made under this section all members of the Board and the servants and agents of the Board, and such animals, vehicles and boats as may be reasonably necessary for the purpose, may enter, or be taken, upon any lands in Guyana and may dig any trench, drain or canal therein and may construct or erect any work thereon.

LAWS OF GUYANA

(4) As soon as conveniently possible after the completion of any work constructed or erected under this section the Board shall cause plans to be prepared whereon the lands occupied by the said works, together with the adjacent lands as defined in section 21, are marked or delineated and shall submit the said plans to the Minister.

(5) Upon receipt of any plan submitted in accordance with the provisions of the preceding subsection the Minister may, by order, direct that the lands marked or delineated on the said plan shall vest in the Board.

(6) The Board shall forthwith deposit with the Registrar a copy of such plan duly authenticated by the signature of the chairman or vice-chairman and the Registrar shall file the same as of record in the Deeds Registry and shall make such annotations on the record as may be necessary.

(7) With effect from the time any such plan is deposited with the Registrar under the preceding subsection all lands wherein or whereon any works marked or delineated upon such plan are constructed shall forthwith vest in the Board and shall be the property of the Board.

(8) Section 21 shall, *mutatis mutandis*, apply in respect of the lands adjacent to any work marked or delineated on any plan deposited with the Registrar under this section.

PART IVA

ACQUISITION OR MAINTENANCE OF CERTAIN WORKS IN A DRAINAGE AND IRRIGATION AREA

Certain
existing works
not
constructed
nor maintained
by the Board
to vest in the

27. (1) Where the Board considers it desirable that any work not constructed and maintained by the Board and which is within a drainage and irrigation area shall vest in and shall become the property of the Board on the ground that such work is required by the Board for the purposes of drainage and irrigation, the Board shall cause plans to be prepared on which such work is marked or delineated.

LAWS OF GUYANA

Drainage and Irrigation

Cap. 64:03

23

(2) The Board shall cause one copy of the plan to be deposited in the office named in section 16(1).

Board in
certain
circumstances.
[30 of 1955
28 of 1983
13 of 1994]

(3) The Board shall next publish a notice in the *Gazette* and in one daily newspaper stating that the plan has been deposited under the preceding subsection.

(4) Sections 16(1), 17 and 18(1) shall *mutatis mutandis* apply to procedure under this section.

(5) If the Minister approves that the work shall vest in and become the property of the Board, he may by order direct that the work shall vest in and become the property of the Board.

(6) If the Minister for any reason considers it inexpedient that the work shall vest in and become the property of the Board, the Board shall be so informed and notice of such decision shall be published in the *Gazette* and in one daily newspaper.

(7) Section 25(7) and (8) shall apply to procedure under this section.

(8) Section 21 shall, *mutatis mutandis*, apply in respect of the lands adjacent to any work marked or delineated on any plan deposited with the Registrar under this section.

28. (1) Where it appears to the Board to be necessary or expedient that any work, not being—

- (a) a work vested in the Board under section 11;
- (b) a work constructed by the Board under section 25 or 26,

Maintenance
of certain
works in a
drainage and
irrigation area.
[30 of 1955
22 of 1983
13 of 1994]

be maintained to improve the drainage or irrigation in a drainage and irrigation area, the Board shall cause a plan and if necessary specification of such work to be prepared.

(2) The Board shall cause one copy of the plan and specification to be deposited in the office named in section 16(1).

(3) The Board shall next publish a notice in the *Gazette* and in one daily newspaper stating that the plan and specification have been deposited under the preceding subsection.

(4) Sections 16(3), 17, 18(1), 25(7), (8) and (9), shall *mutatis mutandis* apply to procedure under this section.

PART IVB

DEPOSIT OF FURTHER PLANS

Power of the Board to deposit additional plans.
[28 of 1952
30 of 1955
22 of 1983
13 of 1994]

29. (1) Anything in this Act to the contrary notwithstanding, where, prior to the 15th November, 1952, any works, or any part of any works, constructed and maintained by the Board do not appear on any copy of any plan deposited with the Registrar as required by section 25(7), the Board may, subject to this section, deposit with the Registrar such additional plans, authenticated by the signature of the chairman or vice-chairman, as may be necessary to show all such works as aforesaid, and the Registrar shall file the same as of record in the Deeds Registry and shall make such annotations on the records as may be necessary.

(2) Where any works or any part of any works in respect of which any additional plan has been deposited under subsection (1) were constructed—

(i) prior to the deposit of the copy of the appropriate plan with the Registrar as required by section 25(7) the lands wherein or whereon such works were constructed shall be deemed to have vested in the Board with effect from the time the copy of the appropriate plan was so deposited;

(ii) subsequent to the deposit of the copy of the appropriate plan with the Registrar as required by section 25(7) the lands wherein or whereon such works are constructed shall vest in the Board with effect from the time such additional plan has been so deposited.

(3) Section 21 shall, *mutatis mutandis*, apply in respect of the lands adjacent to any work marked or delineated on any plan deposited with the Registrar under this section; save, however, that such lands which thereby vest in the Board shall, where they relate to any works or any part of any works which were constructed prior to the time the copy of the appropriate plan was deposited with the Registrar as required by section 25(7) be deemed to have vested in the Board with effect from the time the copy of the appropriate plan was so deposited.

(4) Where any plans have been deposited by the Board under this section, the Board shall forthwith cause to be posted outside of the office of the local authority of the area wherein the works are situate a notice in writing specifying the works in respect of which the Board has deposited such additional plans and describing as far as possible all lands thereby vested in the Board under this section.

30. (1) The Board shall cause to be prepared for each drainage and irrigation area a composite plan from the plans in respect of such area deposited with the Registrar (under sections 11(2), 25(7), 29 and 32), which shall show all works constructed and maintained by the Board at the commencement of this section as recorded on the aforesaid plans.

(2) Each composite plan prepared as aforesaid duly authenticated by the signature of the chairman or vice-chairman shall forthwith be deposited with the Registrar who shall file the same as of record in the Deeds Registry and shall make such annotations on the records as may be necessary.

(3) Every such composite plan shall be deemed to have superseded the plans from which it has been prepared.

31. (1) Where subsequent to 13th August, 1955 (the date of commencement of the Drainage and Irrigation (Amendment) Ordinance) 1955, a plan has, with respect to any drainage and irrigation area, been deposited with the Registrar—

- (a) under section 25(7); or
- (b) under section 26(6); or
- (c) under section 28(2); or

Preparation of a composite plan from existing plans deposited with the Registrar prior to commencement of this Act.
[21 of 1941
28 of 1952
30 of 1955]

Preparation of a composite plan from plans deposited with the Registrar subsequent to the commencement of this Act.

LAWS OF GUYANA

26

Cap. 64:03

Drainage and Irrigation

[21 of 1941
28 of 1952
30 of 1955]

(d) under section 32(2); or
(e) under section 29(1); or
(f) under section 27(4),

the Board shall, if it considers it desirable so to do, from the composite plan of such area deposited with the Registrar under section 30(2), or if any composite plan in respect of such area has been deposited under subsection (2) of this section then the last such composite plan so deposited and the relevant plan or plans of such area referred to at paragraphs (a), (b), (c), (d), (e) and (f) of this subsection, prepare a composite plan showing all works vested in and which are the property of the Board in that area.

(2) Each composite plan prepared as aforesaid duly authenticated by the signature of the chairman or vice-chairman shall forthwith be deposited with the Registrar who shall file the same as of record in the Deeds Registry and shall make such annotations on the records as may be necessary.

(3) Every such composite plan shall be deemed to have superseded the plans from which it has been prepared.

PART IVC

DIVESTING BOARD OF LANDS AND CEASURE OF DRAINAGE AND IRRIGATION AREAS

Procedure
where the
Board desires
to divest itself
of property.
[28 of 1952]

32. (1) Where subsequent to the 15th November, 1952, the Board considers it desirable that any work or any land within a drainage and irrigation area vested in the Board under the provisions of this Act should cease to be the property of the Board on the ground that such work and land are no longer required by the Board for the purposes of drainage or irrigation, the Board shall cause a notice to be published on two successive Saturdays in the *Gazette* and in one daily newspaper circulating in Guyana that the Board desires to divest itself of such land under this Act.

(2) After the last publication of the notice referred to in the preceding subsection, the Board shall cause to be deposited with the Registrar and the Commissioner of Lands (hereinafter referred to as “the Commissioner”), a plan of the aforesaid work and land, together with a statement signed by the Secretary that the provisions of this section have been complied with, and from the time of such deposit the work shall cease to be the property of the Board and the land on which or over which such work has been constructed, together with any adjacent land vested in the Board under this Act shall vest in the State as Government land, and the Registrar and the Commissioner shall make such annotations on the records as may be necessary.

33. Where within twelve months after the last publication of the notice referred to in section 32(1) or of the order referred to in section 34, as the case may be, any person satisfies the Minister that he would, but for this Act, be entitled to any land vested in the State as Government land under section 32 and in respect of which no compensation has been paid by virtue of section 35(1), the Minister may direct the Commissioner to advertise and pass transport of such land to such person, and the Registrar and the Commissioner shall make such annotations on the records as may be necessary.

Power of Minister to direct that certain lands should be restored to original owners.
[28 of 1952
30 of 1955]

34. (1) Where it appears to the Minister desirable so to do, he may, by order published in the *Gazette*, declare that any drainage and irrigation area declared by or under this Act or any other Act, whether passed before or after the commencement of this Act, shall cease to be a drainage and irrigation area.

Power of Minister to declare that any drainage and irrigation area has ceased to be a drainage and irrigation area.
[28 of 1952
30 of 1955]

(2) From the time of the publication in the *Gazette* referred to in subsection (1) any work within the aforesaid area shall cease to be the property of the Board and the lands on which or over which such works have been constructed shall together with any adjacent lands vested in the Board under this Act vest in the State as Government land, and the Registrar shall make such annotations on the records as may be necessary.

PART V

COMPENSATION

No right to compensation in respect of land acquired by the Board in certain cases.

35. (1) There shall be no right of compensation in respect of any land acquired by the Board under this Act which—

(a) at the time of such acquisition is covered by any reservoir, canal, trench, sluice, weir, koker, aqueduct, dam or road; or

(b) is required for the construction of a facade trench; or

(c) is required for the construction of a facade supply canal across any estate, or across the layout of the allotments in any village or through any undivided land in a village which is owned and occupied in common.

(2) This section shall not apply to any building erected upon, or cultivated crops growing on, any land acquired by the Board.

Right to be paid compensation in certain cases.

36. Subject to the last preceding section any person (hereinafter in this Part referred to as “a claimant”) who—

(a) is deprived of any land by reason of its becoming vested in the Board under either Part III or Part IV; or

(b) suffers actual loss or damage after the commencement of this Act which is caused by the construction of any work or by the making of any survey under this Act,

shall be entitled to receive compensation from the Board in respect of such land or loss or damage, as the case may be.

Amount of compensation.

37. The amount of compensation to be paid to any claimant shall be the estimated value of the land acquired from, or the amount of the actual loss or damage sustained by, such claimant:

Provided that in any case where it is possible to remove any structure, plant or machinery from any such land and to re-erect it elsewhere the amount of compensation to be paid in respect of such structure, plant or machinery may, at the discretion of the Board, be the actual cost of dismantling, removing and re-erecting the same.

38. In any case where the value of a portion of any estate which becomes vested in the Board under this Act—

- (a) exceeds two-thirds of the value of the whole estate; and
- (b) in the circumstances of the case the portion not acquired by the Board cannot be beneficially occupied,

Right of claimant to require Board to acquire whole estate in certain cases.

the claimant may require the Board to acquire and pay compensation in respect of the whole estate.

39. (1) When the amount to be paid as compensation under this Part cannot be agreed upon by the Board and the claimant, the latter may lodge a plaint in the magistrate's court of the magisterial district within which the land is situate claiming compensation from the Board and the magistrate shall assess the amount of compensation to be paid in accordance with this Part.

Power of magistrate to assess compensation in cases where Board and claimant unable to agree.

(2) For the purposes of this section the magistrate shall have the same powers, authority and jurisdiction, and the procedure shall be the same, as if the matter were a proceeding to recover a debt in a magistrate's court without limit as to the amount.

40. If either the Board or the claimant is dissatisfied with the decision of a magistrate under the last preceding section an appeal may be made by the dissatisfied party in the manner, and subject to the conditions, provided by the Summary Jurisdiction (Appeals) Act in regard to civil causes.

Right of appeal from decision of magistrate.
c. 3:04

41. Save where the context otherwise requires, in this Part the expression "land" includes all buildings and structures erected on such land and anything growing thereon.

Interpretation.

LAWS OF GUYANA

30

Cap. 64:03

Drainage and Irrigation

PART VI

GENERAL FINANCIAL PROVISIONS

Liability to
pay
maintenance
costs and a
proportionate
amount of
capital costs.
[30 of 1955
3 of 1964
13 of 1994]

42. The proprietors of estates in, and all local authorities having administrative control over any part of, any drainage and irrigation area, shall be liable to pay by way of rates—

(a) the proportion of the capital costs of the works specified in the order made under section 14;

(b) the same proportion of the costs of constructing any new work directed by an Order made under section 25(5) or under section 26;

(c) the total cost of maintaining, repairing or replacing any works—

(i) which vest in the Board by virtue of section 11; or

(ii) which may be constructed in compliance with any order made under either section 25 or section 26; or

(iii) which may be maintained by the Board under section 28; or

(iv) which vest in the Board by virtue of section 27.

Amount of
annual
payments.
[16 of 1942
30 of 1955]

43. (1) The payment to be made in respect of the liabilities under paragraphs (a) and (b) of the last preceding section shall be such equated annual amount as will repay the proportion of the capital costs of the works together with the interest thereon at such rate of interest and within such period of time as may be fixed by the Minister.

(2) All amounts received by the Board under the preceding subsection shall be paid by the Board to the Accountant General.

(3) Subject to the provisions of section 45 of this Act, the payment to be made under paragraph (c) of the last preceding section shall be—

(a) the amount estimated by the Board prior to the 1st November in each year in respect of the year next following; and

(b) any amount which may, with the approval of the Minister, have been expended by the Board in excess of the amount estimated in respect of the previous year.

(4) The total sum obtained by the addition of the amounts calculated under subsection (1) and estimated and expended under subsection (3) shall be the amount to be paid annually by each drainage and irrigation area.

44. The amount calculated as prescribed by subsection (4) of the last preceding section shall be assessed at a uniform rate on each acre of land, and in proportion on each part of an acre, within each drainage and irrigation area and the amount so assessed shall be the annual rate to be paid by the proprietors within each area:

Assessment of rates.
[21 of 1941]

Provided that no plot whereon any church, chapel or school building devoted to the purposes of religion or education is erected or registered burial ground shall be liable to assessment under this section.

45. Notwithstanding sections 42, 43 and 44, where works are constructed and maintained or maintained for the purpose of improving the drainage or irrigation in any section of a drainage and irrigation area, the amount calculated under section 42(b) and (c)(ii) and (iii) in respect of the abovementioned works shall be assessed at a uniform rate on each acre of land, and in proportion of each part of an acre, within that section of that drainage and irrigation area only, and the amount so assessed shall be an additional annual rate to be paid only by the proprietors within that section of that area:

Assessment of rate in respect of works constructed and maintained or maintained for the benefit of a section only of a drainage and irrigation area.
[30 of 1955]

Provided that no plot whereon any church, chapel or school building devoted to the purposes of religion or education is erected, or registered burial ground shall be liable to assessment under this section.

LAWS OF GUYANA

32

Cap. 64:03

Drainage and Irrigation

Submission of
rate of
assessment to
the Minister
[3 of 1981]

46. Prior to the 1st November in each year the Board shall submit the rate assessed in respect of each drainage and irrigation area to the Minister for his approval.

Power of
Minister to
approve or
vary any
assessment.
[3 of 1981]

47. The Minister may either approve the rate assessed as submitted by the Board or vary it after giving the Board an opportunity of making any representation on the proposed variation.

Publication of
approved rates.
[3 of 1981]

48. All rates approved by the Minister shall be published in the *Gazette* and in such daily newspaper as the Board may deem necessary.

Power of
Minister to
modify any
rate.
Rates payable
in moieties due
on 1st
February and
1st July,
respectively.

49. The Minister shall have power at any time to modify any rate assessed by the Board and approved by the Minister under this Act.

50. (1) All rates may be paid in equal moieties which shall be due for payment on the 1st February and the 1st July respectively in the year next following the date of the annual assessment.

(2) Each moiety shall be paid on or before the last day of the month in which payment is due and failure to pay the first moiety on or before the last day of February in any year shall render the whole amount immediately payable.

Unpaid rates
or moieties
may bear
interest at a
rate per annum
set at two per
cent above the
prime lending
rate.
[13 of 1994]

51. The Board may, at its discretion, direct that any unpaid rate or moiety shall bear interest at rate *per annum* set at two per cent above the prime lending rate existing at the time of billing from the date payment became due up to the date of payment or enforcement under the provisions of this Act, as the case may be.

State or
Government
lands occupied
by lessee or
licensee to be
rateable.
[28 of 1952]

52. (1) State or Government lands within any drainage and irrigation area held under any lease or occupied or used under any licence or permission shall be liable to be rated but only the right, title or interest of the lessee, licensee or permittee of such land shall be taken in execution.

(2) Where during the year or any part of the year to which the annual rate assessed and approved as aforesaid relates, State or Government lands which were not assessed at the time of the assessment of the annual rate are held under any lease, or are occupied or used under any licence or permission, such lands shall be assessed and shall be liable to be rated to the amount of such annual rate as aforesaid in respect of the year or the part of the year as the case may be.

53. (1) It shall be the duty of the local authority to levy the rates and interest (if any) imposed in pursuance of this Act in respect of any council area or village and such rates and interest shall be a preferment charge on all rates levied and collected in respect of the council area or the village by the local authority.

Payment of rates in respect of villages.
[24 of 1969
25 of 1973]

(2) All moneys received under this section by the council of a town established under section 33 of the Municipal and District Councils Act, or of a local government district established under the Municipal and District Councils Act shall be transmitted to the Board and all moneys so received by any other local authority shall be transmitted to the district commissioner, who shall transmit them to the Board.

c. 28:01

54. (1) All rates, together with interest (if any), in respect of an estate shall be paid by the proprietor to the Board or to an officer appointed by the Board, and in default of payment by the proprietor the Board may recover the rates with interest (if any) and costs by parate or summary execution (except as hereinafter provided) against the proprietor of that estate without naming him or by an action in a magistrate's court or in the High Court, and all proceedings and process shall be at the instance of the Board.

Payment and recovery of estate rates.
[17 of 1974]

(2) The whole or any part of the rates and interest (if any) due in respect of an estate may be enforced against the estate and any other estate or estates belonging to the same proprietor within any drainage and irrigation area.

LAWS OF GUYANA

34

Cap. 64:03

Drainage and Irrigation

c. 7:02
c. 60:02

(3) The provisions of the Limitation Act and the Title to Land (Prescription and Limitation) Act shall not, in so far as they prescribe a period of limitation within which a sum of money may be recovered, apply to a claim by the Board for a sum of money and whether or not such sum would have been irrecoverable prior to the enactment of this subsection by virtue of either of the said enactments.

(4) Where by virtue of subsection (3) a sum of money is claimed as rates due in respect of an estate from the proprietor thereof for a period when he was not the proprietor any sum of money paid by him in satisfaction of that claim shall, subject to any agreement to the contrary, be deemed to be money paid by him at the request of the person who was the proprietor during the said period.

Enforcement
of rates not
exceeding
\$7,500.
[13 of 1994]

55. (1) Where the amount of the rates due in respect of an estate does not exceed the sum of seven thousand, five hundred dollars the same shall not be recovered by parate or summary execution in the first instance, but the Board may make application to the magistrate of the magisterial district in which the estate is situate, who may grant a warrant of distress for the recovery of the amount, whereunder and by virtue whereof the movable property upon that estate or in any house or houses thereon may be levied on and sold for the amount of the rates and interest (if any) and costs.

(2) The movable property aforesaid shall be sold in some public place by some person duly authorised by the magistrate, and notice of the sale shall be given in the manner directed by the magistrate not less than eight clear days previously, and the proceeds thereof, after payment of the costs, shall be applied in payment of the rates and interest, and the surplus (if any) shall be paid over to the proprietors.

(3) A magistrate may at any time revoke or suspend the operation of a warrant.

(4) Every warrant of distress issued under this section shall be in the form in the Third Schedule.

Third
Schedule.

LAWS OF GUYANA

Drainage and Irrigation

Cap. 64:03

35

(5) All warrants of distress issued under this section shall be executed in the same manner as warrants of distress issued by a magistrate in the exercise of his summary jurisdiction.

(6) The fees specified in Part A of the Fourth Schedule shall be payable for any process of distress issued hereunder.

Part A
Fourth
Schedule.

(7) Process of parate or summary execution shall be for any rates where the amount thereof does not exceed one hundred dollars if there is produced with the summation a certificate signed on behalf of the Board to the effect that there is no movable property whereon to levy, or that that property has proved insufficient, or in any case where a levy has been made, if there is produced a return to the same effect by the officer making the levy.

(8) The fees for the process of parate or summary execution, including all travelling expenses, distance money, acts, conditions of sale, copies of documents, printing, and all other matters not hereinafter enumerated shall be those specified in Part B of the Fourth Schedule.

Part B
Fourth
Schedule.

(9) All fees paid under any process in pursuance of this section shall be recoverable as costs in the matter of that process.

56. Provided the purchase price does not exceed the amount due for rates and costs, the Board may purchase at execution sale any movable or immovable property put up for sale for non-payment of rates hereunder.

Board may
purchase
property at
execution sale.

57. (1) Where any movable property which has been levied on and sold belongs to some person other than the proprietor of the estate liable for the payment of the rates, such person shall be entitled to recover from the proprietor the full value of the property so levied on and sold, together with an addition of ten per cent thereof by way of damages, with costs.

Protection for
tenant or other
person whose
movable
property is
levied on for
rates.

LAWS OF GUYANA

36

Cap. 64:03

Drainage and Irrigation

(2) It shall be lawful for the occupier of any estate in respect of which the rates are due to pay the amount of such rates and to deduct the same from any rent payable by him in respect of such estate.

Preferent lien
for rates due.

58. (1) The chairman, for and on behalf of the Board, shall have a preferment lien upon every estate in any declared drainage and irrigation area, subject to any existing lien in favour of the State, for the payment of the amount of any rates due under this Act in respect of that estate.

(2) The lien shall remain in full force and shall continue to be enforceable against the estate notwithstanding any change of ownership of the estate.

PART VII

OFFENCES AND PROSECUTIONS

Offences and
penalty.
[13 of 1994
6 of 1997]

59. Any person who—

(a) obstructs, resists or assaults any member of the Board or any person employed by the Board or by any agent of the Board acting in the execution of his duty under this Act; or

(b) wilfully performs any act whereby the efficient operation of any work is impaired; or

(c) maliciously damages any work or any part thereof; or

(d) unlawfully interferes with any work or any part thereof;
or

(e) unlawfully obstructs any water from any work or unlawfully obstructs or otherwise interferes with the flow of any water in any drainage and irrigation area,

shall be liable to a fine of forty-five thousand dollars.

Trespass by
cattle.
[13 of 1994
6 of 1997]

60. (1) Any person who, having the custody or control of cattle, permits such cattle to trespass upon any work or upon any of the lands adjacent to any work specified in section 21 of this Act shall be liable to a fine of one thousand dollars:

Provided that it shall be a good defence to a charge made under this section to prove that the trespass was not due to the wilful act or neglect of the person charged or of his servants or agents.

(2) Any cattle found trespassing upon any work or area specified in the preceding subsection may be seized and impounded by any member of the police force or of the rural constabulary, or by any person authorised in writing in that behalf by the Board.

(3) Any cattle impounded under this section shall be impounded in the nearest pound and the Pounds Act shall apply to that impounding. c. 71:04

(4) Any swine found straying upon any work or area specified in subsection (1) may be destroyed by any person authorised to impound cattle by that subsection and the carcasses of the swine shall be the property of the Board.

61. (1) Where the Board incurs expense in repairing any injury done to the property of the Board by any act which is an offence under this Act or where any property of the Board is damaged by any such act and any person is convicted thereof the magistrate shall order the offender to pay to the Board the amount of such expense or damage.

Convicted offender liable to pay expenses incurred by the Board in repairing damage.

(2) A certificate duly signed by the chairman or vice-chairman and countersigned by the Secretary shall be *prima facie* evidence of the amount of the expense or the damage incurred or suffered by the Board.

(3) An order made under this section shall be of the same force and effect and shall be enforceable in the same manner as if it were a judgment of a magistrate's court in a civil action.

62. All prosecutions and proceedings for offences under this Act may be instituted under the Summary Jurisdiction Acts. Procedure.

Persons authorised to prosecute on behalf of the Board.

63. Any prosecution for an offence under this Act may be instituted by any member of the police force, by any person employed by the Board or by any person authorised in writing in that behalf by the Board.

PART VIII

SPECIAL PROVISIONS RELATING TO CERTAIN SPECIFIED DRAINAGE AND IRRIGATION AREAS

Continuation of certain drainage and irrigation areas.
First Schedule.
Abolition of certain drainage and irrigation areas.
Fifth Schedule.

64. The drainage and irrigation areas specified in the First Schedule shall continue to be drainage and irrigation areas and the orders by which they were respectively declared to be such shall remain in full force and operation as though those orders were made under this Act.

65. The drainage and irrigation areas specified in the Fifth Schedule shall cease to be drainage and irrigation areas and the orders specified in the second column of the said Schedule are hereby revoked to the extent required by this section:

Provided that the local authority of the area formerly known as the Kitty Drainage Area shall pay to the Accountant General annually the sum required to liquidate the outstanding balance of the proportionate cost of the works, together with the interest thereon, constructed prior to the commencement of this Act within the area under any Act repealed by this Act.

Special provision for the payment of liabilities outstanding on the 1st January, 1940.
First Schedule.

66. (1) Save as in this section provided the total outstanding liabilities on the 1st January, 1940, of the proprietors and local authorities in the drainage and irrigation areas specified in the First Schedule hereto incurred under any Act repealed by this Act shall be liquidated by means of the payment of twelve equal annual instalments.

(2) The first instalment shall become due for payment on or before the 31st January, 1941, and thereafter one instalment shall become due for payment before the 31st January in each succeeding year until the twelfth and final instalment has been so paid.

(3) Sections 53 to 58 (inclusive) shall be applicable to the payment, collection and recovery of any instalment under this section.

(4) This section shall not apply to Golden Grove to Victoria, Craig, Lancaster to Manchester, Ulverston to Salton and Limlair to Kildonan Drainage and Irrigation Areas.

(5) All moneys received by the Board under this section shall be paid by the Board to the Accountant-General.

67. (1) The Polder known as Canals No. 1 and No. 2 Polder is hereby declared to be a drainage and irrigation area under this Act and shall be called the Canals Polder Drainage and Irrigation Area.

(2) The boundaries of the Canals Polder Drainage and Irrigation Area shall be those described in the Sixth Schedule.

Declaration of Canals No. 1 and No. 2 Polder to be a drainage and irrigation area and description of the boundaries thereof. Sixth Schedule.

PART IX

PROVISIONS RELATING TO THE ABSORPTION OF DISTRICT DRAINAGE BOARDS BY THE BOARD

68. All debts and money due from or to any board or authority established by any Act repealed by this Act, or any persons on their behalf, shall be payable and paid by or to the Board and shall be recoverable from or by the Board by the same ways and means, and subject to the same conditions, as the same would or might have been recoverable from or by any such board or authority had this Act not been enacted.

Saving debts and claims of boards established by Acts repealed by this Act.

69. All deeds, grants, leases, purchases, sales, covenants, agreements and contracts which have been executed, made or entered into by, with, to or in relation to any board or authority established by any Act repealed by this Act, and all obligations and liabilities which have been incurred by or to any such Board or authority prior to the commencement of this Act shall be as valid and of as full force and effect in favour of, against or in relation to the Board as if the same had

Saving contracts, agreements, etc.

been executed, made, or entered into by, with, or to, or in relation to, or had been incurred by or to or had arisen in relation to, the Board by name.

Causes and rights of action to survive.

70. All causes and rights of action accrued before the commencement of this Act, and then in any manner enforceable by, for or against any board or authority established by any Act repealed by this Act shall be and shall remain as good, valid and effectual for or against the Board as they would or might have been for or against any such board or authority if this Act had not been enacted.

Books belonging to boards and authorities established by Acts repealed by this Act to be delivered to the Board.

71. All persons who, at the commencement of this Act, have in their possession or under their control any books, documents, papers, plans or effects belonging to any board or authority established by any Act repealed by this Act, or to which any such board or authority would have been entitled, shall be liable to account for and deliver up the same to the Board, or to such person as the Board may appoint to receive the same, in the same manner, and subject to the same consequences on refusal or neglect, as if such persons and servants had been appointed by and become possessed of such books, documents, papers, plans or effects of the Board.

Bank accounts of boards and authorities established by Act repealed by this Act to vest in Board.

72. (1) Where any board or authority established by any Act repealed by this Act has an account with any bank in Guyana the said account shall, with effect from the commencement of this Act, be transferred to the name of the Board as the holder of such account and any sum standing to the credit of any such board or authority shall, with effect from the date aforesaid, vest in the Board as fully and effectually as if all operations in connection with the said account had been transacted, or entered into, by the Board by name.

(2)(a) Any sum transferred from any board to the Board under this section shall be credited by the Board to the account of the drainage and irrigation area over which such board had control prior to the commencement of this Act;

(b) Any sum transferred from the polder authority of the area known as the Canals No. 1 and No. 2 Polder to the Board shall be credited to the account of the Canals Polder Drainage and Irrigation Area.

73. (1) All assessments made and all notices published or served under any Act repealed by this Act relating to rates payable in the year 1941 shall remain as valid and effectual as if they had been made, published or served under this Act and shall, for all purposes connected with the payment, or recovery, of rates be deemed to have been made, published or served under this Act.

All assessments made and notices published or served under any Act repealed by this Act to be deemed to be made, published or served under this Act.

(2) Any payment of rates made in advance under any Act repealed by this Act shall be deemed to be a payment of such rates made in advance under this Act.

PART X

GENERAL PROVISIONS

74. (1) The Accountant-General shall advance on loan, free of interest, to the Board—

Accountant-General to advance money on loan to the Board. [16 of 1942 15 of 1976]

(a) at the beginning of each financial year, such sum of money as the Minister may approve for the purpose of providing the Board with funds pending the collection of rates due for payment during the year;

(b) at the beginning of each financial year, such sum of money as the Minister may approve for the purpose of providing the Board with funds to meet the payments of any pensions, gratuities or other like benefits to be made by the Board under section 5; and

(c) during any year, such further sum as may be necessary for the purpose of providing the Board with funds to meet any expenditure approved by the Minister in excess of the amount estimated for that year.

(2) Any sum of money advanced on loan under subsection (1)(a) shall be repaid to the Accountant General by the Board during the year in which the advance was made.

(3) Any sum of money advanced on loan under subsection (1)(b) shall be repaid to the Accountant-General by the Board during the year in which the advance was made except where the Minister has approved otherwise.

(4) Any sum of money advanced on loan under subsection (1)(c) shall be repaid to the Accountant-General by the Board during the year next following that in which the advance was made.

Power of Board to sell or lease lands surplus to its requirements.

75. (1) The Board shall have power to sell, or grant leases of, any lands which are vested in the Board but are not required by the Board for any of the purposes of this Act.

(2) For the purpose of giving effect to any sale of land by the Board, the Board may authorise any person in writing to pass and execute a transport thereof before the court.

(3) All sums received by the Board either as consideration for the sale of any lands, or as rent, under this section shall be paid to the Accountant-General.

Power of Minister to vary, and prescribe additional, fees.

76. The Minister may, by order—

- (a) substitute other fees for those prescribed in Parts A and B of the Fourth Schedule; and
- (b) prescribe fees for any process in respect of which no fee has been prescribed in either Part of the aforesaid Schedule.

Power of Board to make by-laws.
[15 of 1976]

77. Subject to negative resolution of the National Assembly, the Board may with the approval of the Minister make by-laws, which may be made applicable to all, or any, drainage and irrigation areas, for any of the following purposes—

- (a) regulating the distribution, or restricting the use, of water;
- (b) regulating the drainage of any area;
- (c) regulating the manner in which water shall be supplied to, or received by, those entitled thereto;

- (d) regulating the manner in which water shall be discharged into any drainage or irrigation trench;
- (e) preventing the pollution of water contained in, or passing through, any work;
- (f) preventing damage or injury to any work;
- (g) prohibiting or regulating traffic on, over or along any dam, canal, trench or reservoir;
- (h) compelling the owners or occupiers of lands in any drainage and irrigation area to repair and maintain any works on such lands;
- (i) prescribing the fees to be paid in respect of any service rendered, or any privilege granted, by the Board;
- (j) prescribing the category of servants employed by the Board to be paid pensions, gratuities or other like benefits and the terms and conditions under which such payments are to be made; and
- (k) generally to give effect to the objects and purposes of this Act.

78. (1) For the purposes of any survey required or considered by the Board to be necessary for the purpose of this Act the members of the Board and all servants and agents of the Board, together with such animals, vehicles and boats as may reasonably be required for the purposes of such survey, may enter, or be taken, upon any lands in Guyana.

Power to enter upon lands for the purposes of survey.
[29 of 1961]

(2) For the purposes of any survey made under this section the Board may erect or set up such trigonometrical stations, beacons, paals or poles and do all other things as may be reasonably necessary for such survey.

79. If in the opinion of the Board it is reasonably necessary for the efficient construction or operation of any work within any drainage and irrigation area that any bridge, culvert, koker, sluice, aqueduct or weir (not being the property of the Board) be removed or altered the Board may remove and rebuild, or alter, as the case may be, any such structure.

Power of Board to remove and rebuild, or alter certain works.

Power of Board to require proprietor of an estate adjoining a drainage and irrigation area to maintain certain properties on his estate.

80. (1) Where the proprietor of any estate adjoining any drainage and irrigation area wilfully or negligently fails to repair or maintain any dam, sluice, koker, canal or trench on his estate and such failure endangers the safety, or materially impairs the efficiency, of any work being the property of the Board the Board may, by notice in writing, require the said proprietor forthwith to effect such repairs to his dam, sluice, koker, canal or trench as may be specified in the said notice.

(2) Where any proprietor—

(a) fails within such time as is prescribed in any notice under the preceding subsection to commence the repairs specified in the notice; or

(b) having commenced effecting the repairs specified in any such notice unreasonably delays completing such repairs,

the Board may itself effect the necessary repairs or complete the repairs, as the case may be, and any expenditure incurred by the Board under this subsection shall be recoverable from the proprietor of the estate concerned.

Right of Board to institute proceedings without payment of fees.

81. No fees shall be charged in respect of any action, proceeding, prosecution or process instituted or ordered under this Act, or under the by-laws made hereunder, by, or on the application of, the Board.

Signature of secretary to be *prima facie* evidence.

82. The signature of the Secretary of the Board subscribed to any document containing a statement of the amount due for rates shall without proof of any other matter or thing be held and be deemed to be in all courts *prima facie* evidence of the amount claimed being due and correct.

“Delegation of Board’s function.
[7 Of 2000]

83. The Board may in writing delegate any of its functions under this Act (except the power to make by-laws under section 77) to any person, subject to such terms and conditions, if any, as it considers fit.”

LAWS OF GUYANA

Drainage and Irrigation

Cap. 64:03

45

FIRST SCHEDULE

ss. 4, 11(1), 64
and 66.

AREAS

<i>Areas</i>	<i>References</i>
Craig Drainage Area	O. in C. 24/12/1927
Plaisance Drainage Area	O. in C. 16/6/1930
Triumph-Beterverwagting Drainage and Irrigation Area	O. in C. 24/12/1927
Buxton-Friendship Drainage and Irrigation Area	O. in C. 24/12/1927
Golden Grove Drainage and Irrigation Area	Cap. 193, 1953 Ed. second schedule.
Ann's Grove Drainage and Irrigation Area	Cap. 193, 1953 Ed. second schedule.
Mahaica Country District Drainage Area	O. in C. 12/8/1929
Helena Country District Drainage and Irrigation Area	O. in C. 24/12/1927
Sarah to Mahaicony Drainage and Irrigation Area	Cap. 194, 1953 Ed.
Park to Abary Drainage and Irrigation area	Cap. 193, 1953 Ed. third schedule.
Mahaicony to Abary Drainage and Irrigation Area	Cap. 193, 1953 Ed. third schedule.
Sisters Village Drainage and Irrigation Area	Cap. 193, 1953 Ed. third schedule.
Lots Nos. I to 25, East Coast, Berbice, Drainage and Irrigation Area	O. in C. 16/12/1929
Gibraltar to Courtland Drainage and Irrigation Area	Cap. 193, 1953 Ed. third schedule.
Bloomfield to Whim Drainage and Irrigation Area	Cap. 193, 1953 Ed. third schedule
Lancaster to Manchester Drainage and Irrigation Area	O. in C. 24/12/1927
Ulverston to Salton Drainage and Irrigation Area	O. in C. 24/12/1927
Limlair to Kildonan Drainage and Irrigation Area	O. in C. 16/12/1929

LAWS OF GUYANA

46

Cap. 64:03

Drainage and Irrigation

Areas	Reference
Lots 52 to 74, Corentyne, Drainage and Irrigation Area	Cap. 195, 1953 Ed. second schedule.
Crabwood Creek Drainage and Irrigation Area	Cap. 193, 1953 Ed. third schedule.
Johanna Cecelia to Annandale Drainage and Irrigation Area	O. in C. 20/2/1928 22/11/1940. 6/4/1940.
Zorg-en-Vlygt to Aberdeen Drainage and Irrigation Area	O. in C. 20/2/1928 22/11/1940
Three Friends to Walton Hall Drainage and Irrigation Area	O. in C. 20/2/1928 22/11/1940
Vreed-en-Hoop to La Jalousie Drainage and Irrigation Area	O. in C. 22/10/1928
Canals Polder Drainage and Irrigation Area	c.64:03, sixth schedule.
Northern Klien Pouderoyen Drainage Area	O. in C. 24/4/1953.

s. 11(1)

SECOND SCHEDULE ORDINANCES SPECIFIED

The Drainage and Irrigation Ordinance (Cap. 165 of the 1929 Edition).
The Folder Ordinance (Cap. 174 of the 1929 Edition).

s. 55(4)

THIRD SCHEDULE FORMS

FORM OF WARRANT OF DISTRESS

..... Drainage and Irrigation Area
Toand all other constables.

WHEREAS application has been duly made to me on behalf of the
Drainage and Irrigation Board for a warrant of distress against the
movable property upon or in (here describe the premises) in the said
area for the purpose of levying the sum of dollars due in respect

c. 64:03

LAWS OF GUYANA

Drainage and Irrigation

Cap. 64:03

47

of rates under the Drainage and Irrigation Act, with costs, and whereas proof has been duly given to me by the said Board that the said amount is due in respect of rates under the said Act:

This is therefore to require and command you to levy the said sum ofdollars with costs upon the said movable property according to law.

Dated thisday of19.....

(Signed)

Magistrate.

.....District. ss.55(6), 55(8)

FOURTH SCHEDULE FEES

PART A

TABLE OF FEES PAYABLE FOR PROCESS OF DISTRESS

	Dollars
1. Entering and recording application for warrant of distress including swearing to return of service of notice	65
2. Issuing warrant of distress including levy and sale of property thereunder and the return	65

s. 55(8)

PART B

TABLE OF FEES FOR PROCESS AND TRANSPORT

	\$	c.
For summation and service thereof	65	00
For writ of execution, to be endorsed on summation	65	00
For act of levy, inventory and advertisements of sale	65	00
For selling, a commission of two and one-half per cent on the amount of purchase money		
For transport where property is purchased for less than \$500, to include all charges for recording	65	00

LAWS OF GUYANA

48

Cap. 64:03

Drainage and Irrigation

s. 65

FIFTH SCHEDULE AREAS

Area	Order in Council
Gibraltar and Courtland Drainage Area	Dated the 24 th December, 1927, and published in the <i>Gazette</i> of the 7 th January, 1928.
Kitty Drainage Area	Dated the 24 th December, 1927, and published in the <i>Gazette</i> of the 7 th January, 1928.
Bush Lot Drainage and Irrigation Area	Dated the 24 th March, 1930, and published in the <i>Gazette</i> of the 29 th March, 1930.

s. 67

SIXTH SCHEDULE BOUNDARIES OF AREAS

BOUNDARIES OF THE CANALS POLDER DRAINAGE AND IRRIGATION AREA

The area known as Canals Nos. 1 and 2 Polder on the left bank of the Demerara river bounded—

On the north by the common boundary between the Polder Canal known as “A” line and the Boerasirie Service Canal and Plantation Versailles commencing from the watershed between the Boerasirie river and Hubabu river to the Demerara river;

On the south commencing from the Demerara river and extending along the southern boundary of Plantation DeJonge Rachael, the common boundary between Licence of Occupancy No. A 26 and Licence of Occupancy No. A 38, prolonged to a point opposite the north-western extremity of Licence of Occupancy No. A 366, thence approximately in a direction S 40° W. (true) to the watershed between the Jumby and Tiger Creeks, tributaries of the Hubabu river, and the Kamuni river, thence along the said watershed between the Jumby and Tiger Creeks and Kamuni river to the watershed between the Boerasirie river and Hubabu river; and

On the east commencing from the eastern extremity of northern boundary and extending along the Demerara river, the southern boundary of Polder Canal known as “A” line, the eastern boundary of Plantation La Parfaite Harmonie, the common boundary between Plantation Meer Zorgen and La Grange Village, the Demerara river, the southern boundary of Canal No. 1, the common boundary between Mindenburg or Bagotville Village and Plantation L’heureuse Aventure, the common boundary between Mindenburg or Bagotville Village and Plantation Nismes, the Demerara River, the common boundary between Plantation Toevlugt and Plantation La Retraite, the common boundary between Plantation L’heureuse Aventure and Plantation La Retraite, the common boundary between Plantation La Retraite and Plantation Middlesex, the northern boundary of Canal No. 2, the Demerara river, the common boundary between Plantation Belle Vue and Plantation Good Intent, the common boundary between Plantation Belle Vue and Licence of Occupancy No. A 453, the common boundary between Licence of Occupancy No. A 453 and Plantation Cottage or Little Alliance, the common boundary between Licence of Occupancy No. A 453 and Plantation GoedeVer Wagting, the common boundary between Plantation De-Gezusters and Plantation GoedeVer Wagting, the Demerara river to the southern boundary of Plantation DeJonge Rachael;

On the west commencing at the western extremity of the southern boundary aforesaid and extending along the watershed between the Boerasirie river and Hubabu river to the western extremity of the northern boundary aforesaid.

Note

In order to avoid the procedure required for declaring a drainage and irrigation area by order under section 19 of the Act, a number of such areas were from time to time declared by special enactment of the Legislature. Although these enactments contained one or more ancillary provisions (e.g. relating to vesting lands in the Board, the validation of acts by Government agents, the payment of rates, the application of certain provisions of the Ordinance, the deposit of plans, or the

distribution among proprietors of the costs of works and any such ancillary provisions contained in the various special enactments are briefly indicated below), the prime object of these enactments was to declare the areas concerned to be drainage and irrigation areas for the purposes of the Drainage and Irrigation Act. The course adopted here therefore has been to omit the texts of the enactments from this publication but to set out below the descriptions of the areas declared by these enactments to be drainage and irrigation areas.

1953 Ed.
c. 193

DRAINAGE AND IRRIGATION (DECLARATION OF AREAS)
ORDINANCE, 1945

[*Special provisions:* Extension of Area; vesting of lands in Board]

2 of 1945
O. in C.
11/1947
33/1953

DRAINAGE AND IRRIGATION AREAS DECLARED BY
VARIOUS ENACTMENTS

CRABWOOD CREEK DRAINAGE AND IRRIGATION AREA

(This area was previously declared as the Crabwood Creek Drainage and Irrigation Area and was extended by the above-mentioned Ordinance)

Bounded as follows—

An area of land on the left bank of the Corentyne river in the county of Berbice, commencing at the junction of the river defence and the northern boundary of the Government Reserve south of Grant No. 847— known as “New Calcutta”—and Lease A234, and extending thence along the northern boundary of the aforesaid Government Reserve to the southern boundary of the water path held by Bookers Sugar Estates, Limited, under Lease A741, thence along the southern boundary of Lease A741 to a point 12 feet west of the western edge of the irrigation trench dug by the Rice Expansion Committee, thence in a southerly direction along a line parallel to and distant 12 feet west of the western edge of the aforesaid irrigation trench, to a point 12 feet south of the southern toe of the dam to be constructed and as constructed by the Rice Expansion Committee, thence in an easterly direction along a line parallel to and distant 12 feet south of the

southern toe of the aforesaid dam to the river defence, thence along the river defence on the west bank of the Corentyne river to the point of commencement.

DRAINAGE AND IRRIGATION (DECLARATION OF AREAS)
ORDINANCE 1945

1953 Ed.
c. 193

[*Special provisions*: Extension of Area; vesting of lands in Board]

27 of 1952

LOTS 57 TO 74 CORENTYNE DRAINAGE AND IRRIGATION AREA

(This area was previously declared as the Lots 57 to 74 Corentyne Drainage and Irrigation Area and was extended by the abovementioned Ordinance)

Bounded as follows—

Commencing at the sea defence at the south-eastern extremity of the southern boundary of Lot No. 56, and extending thence along the southern boundary of Lot No. 56, and the prolongation thereof to its intersection with a point of 50 feet west of the centre line of the back empolder dam constructed by the Rice Expansion Committee near the western extremity of the second depths of Lots Nos. 57 to 72, thence in a southerly direction along a line parallel to and distant 50 feet west of the centre line of the aforesaid back empolder dam to its intersection with the northern boundary or prolongation thereof, of the second depth of Lot No. 73, held by Plantation Springlands under Lease A1959, thence along the prolongation of and/or northern boundary of Lease A1959 to its north-eastern corner thence along the eastern boundary of Lease A1959 to its south-eastern corner, thence westwards along the southern boundary of the aforesaid Lease A1959 to its intersection with the projection northwards of the eastern boundary of L. of O. A290, thence along the aforesaid projection of, and the eastern boundary of L. of O. A290 to its intersection with the northern boundary of Lot No. 75, thence along the northern boundary of Lot No. 75 to the sea defence, thence northward along the said sea defence to the point of commencement.

LAWS OF GUYANA

52

Cap. 64:03

Drainage and Irrigation

1953 Ed.
c. 195

**DRAINAGE AND IRRIGATION (EXTENSION OF AREA)
ORDINANCE 1952**

27 of 1952

[*Special provisions*: rates; sec. 56 to apply; lands vested in Board]

LOTS NOS. 52 TO 74 CORENTYNE DRAINAGE AND IRRIGATION AREA

(This area was previously declared as the Lots 57 to 74 Corentyne
Drainage and Irrigation Area but was varied by the
abovementioned Ordinance)

Bounded as follows—

Commencing at the intersection of the sea defence and the prolongation eastwards of a line parallel to and distant 24.71 feet north of the southern boundary of N½ Lot No. 1 of Lot No. 52 Corentyne, the said lot being shown on a plan by H. O. Durham, Sworn Land Surveyor, dated the 22nd February, 1918, and deposited in the Deeds Registry, New Amsterdam, Berbice, on the 20th July, 1918, and extending thence in a westerly direction along the aforesaid prolongation of and the line parallel to and distant 24.71 feet north of the southern boundary of the aforesaid N½ Lot No. 1 of Lot No. 52 Corentyne, and its prolongation westwards to the western toe of the dam on the western side of the irrigation supply canal, known as the Seaford canal, thence in a southerly direction along the western toe of the dam on the western side of the irrigation supply canal known as the Seaford canal to the northern toe of the dam on the northern side of the irrigation water supply canal from the Canje river, thence in a westerly direction along the northern toe of the dam on the northern side of the irrigation supply canal from the Canje river to its intersection with the prolongation south-eastward of the back boundary of Grant No. 7456, thence in a north-westerly direction along the aforesaid prolongation of the back boundary of Grant No. 7456 to the south-eastern corner of Grant No. 7456, thence in a south-westerly direction along the southern boundary of Grant No. 7456 to the right bank of the Canje river, thence in a south-easterly direction along the right bank of the Canje river for a distance of 500 feet, thence in an easterly direction along a line parallel to the irrigation supply canal from the Canje river

to its intersection with the north-eastern boundary of Grant No. 736 thence in a northerly direction along a line perpendicular to the irrigation water supply canal from the Canje river, to the southern toe of the dam on the southern side of the irrigation supply canal from the Canje river, thence in an easterly direction along the southern toe of the dam on the southern side of the irrigation supply canal from the Canje river to the western toe of the dam on the western side of the irrigation supply canal known as the Seaford canal, thence in a southerly direction along the western toe of the dam on the western side of the irrigation supply canal known as the Seaford canal to its intersection with the northern boundary or its prolongation thereof of the second depth of Lot No. 73, held by Plantation Springlands under Lease A1959, thence along the prolongation of and/or the northern boundary of Lease A1959, to its north-eastern corner, thence along the eastern boundary of Lease A1959 to its south-eastern corner, thence westwards along the southern boundary of the aforesaid Lease A1959 to its intersection with the projection northwards of the eastern boundary of L. of O. A290, thence along the aforesaid projection of and the eastern boundary of L. of O. A290 to its intersection with the northern boundary of Lot No. 75, thence along the northern boundary of Lot No. 75 to the sea defence, thence northwards along the said sea defence to the right bank of the No. 66 Creek, thence in a westerly direction along the right bank of the No. 66 Creek to the eastern toe of the dam known as the Seaford dam, thence in a westerly direction to the junction of the western toe of the dam on the western side of the irrigation supply canal, known as the Seaford canal, and the southern toe of the dam on the southern side of the irrigation supply canal from the Canje river, thence in a northerly direction along the western toe of the dam on the western side of the irrigation supply canal known as the Seaford canal to the northern toe of the dam on the northern side of the irrigation supply canal from the Canje river, thence in an easterly direction to the junction of the eastern toe of the dam, known as the Seaford Dam, and the left bank of the No. 66 Creek, thence in an easterly direction along the left bank of the No. 66 Creek to the sea defence, thence in a northerly direction along the sea defence to the point of commencement.

DRAINAGE AND IRRIGATION (DECLARATION OF

LAWS OF GUYANA

54

Cap. 64:03

Drainage and Irrigation

AREA) (NO. 2) ORDINANCE 1961

15 of 1961

[*Special provisions*: validation of acts; vesting of lands in Board;
Compensation]

BLACK BUSH POLDER DRAINAGE AND IRRIGATION AREA

Bounded as follows—

Commencing at a concrete monument marked N2, situate on the centre of the Whim East Dam in the third depth at its junction with the back empolder dam of the Bloomfield/Whim Drainage and Irrigation Area, and extending thence in a northerly direction along the centre line of the Whim East Dam to its intersection with the northern toe of the State Dam in the second depth of Pln. Lancaster situate 1693.65 feet north of the southern boundary of the second depth of Pln. Lancaster held under lease A 103 or approximately 500 feet north of the southern boundary of the second depth of Pln. Whim held under Grant 1989 thence in a south easterly direction along the northern toe of the State Dam aforesaid in the second depth of Pln. Lancaster and the northern toe of the State Dam across the second depths of Pln. Liverpool to Pln. Hogstye to its intersection with the prolongation southwards into the second depth of the common boundary between Plns. Hogstye and Adventure thence in a northerly direction along the aforesaid prolongation of and the common boundary between Plns. Hogstye and Adventure to the line of lowest low water at the Atlantic Ocean thence in a south-easterly direction along the line of lowest low water to its intersection with a line parallel to and distant 275 feet from the common boundary between Plns. Hogstye and Adventure, thence in a southerly direction along the aforesaid line parallel to and distant 275 feet from the common boundary between Plns. Hogstye and Adventure and its prolongation into the second depth of Pln. Adventure to its intersection with the northern toe of the State Dam in the second depth of Pln. Adventure, thence in a south-easterly direction along the aforesaid northern toe of the State Dam in the second depth of Pln. Adventure and the northern toe of the State Dam across the second depths of Pln. Limlair to Pln. Kildonan to its inter-

section with the eastern boundary of Lease A 92 in the second depth of Pln. Kildonan thence in a southerly direction along the aforesaid eastern boundary of Lease A 92 in the second depth of Pln. Kildonan for a distance of 500 feet thence N 171° 29' 45'' (true) for a distance of 5364.75 feet to a point on the prolongation southwards of the western boundary of Lease A 108, in the second depth of Pln. Bush Lot or No. 28 situate 77.6 feet south of the back boundary of the aforesaid Lease A 108 thence N 131° 2' 55'' (true) for a distance of 11,718.27 feet thence N 131° 3' 12'' (true) for a distance of 2404.5 feet thence N 131° 0' 2'' (true) for a distance of 2233.98 feet thence N 81° 41' 2'' (true) for a distance of 1546.39 feet thence N 92° 53' 38'' (true) for a distance of 3300.5 feet thence N 182° 53' 38'' (true) for a distance of 60 feet thence along a line bearing N 92° 53' 38'' (true) for a distance of 1200.62 feet to its intersection with the prolongation in the second depth of the common boundary between Plns. Haversham and Epsom at a point 11,099 feet from the centre line of the public road, thence in a north-easterly direction along the aforesaid prolongation of and the common boundary between Plns. Haversham and Epsom to the line of lowest low water at the Atlantic Ocean thence in a south-easterly direction along the aforesaid line of the lowest low water to its intersection with a line parallel to and distant 300 feet from the common boundary between Plns. Haversham and Epsom, thence in a south-westerly direction along the aforesaid line parallel to and distant 300 feet from the common boundary between Plns. Haversham and Epsom and its prolongation into the second depth of Pln. Epsom to a point distant 11,183.39 feet from the centre line of the public road thence N 272° 53' 38'' (true) for a distance of 316.61 feet thence N 134° 51' 44'' (true) for a distance of 8501.1 feet to the prolongation into the second depth of the south-eastern boundary of Pln. Joppa at a point 8900 feet from the centre line of the public road, thence in a north-easterly direction along the aforesaid prolongation of and the south-eastern boundary of Pln. Joppa to the line of lowest low water at the Atlantic Ocean, thence in a south-easterly direction along the line of lowest low water to its intersection with a line parallel to and distant 340 feet from the south-eastern boundary of Pln. Joppa, thence in a south-westerly direction along the aforesaid line parallel to and distant 340 feet from the south-eastern boundary of Pln. Joppa and its prolongation into the second depth of Pln. Good Hope to a point licensee or licensee to be rateable. 17,659.14 feet from the centre line of the public road, thence N 213° 16' 16'' (true) for a distance of

909.21 feet thence N 203° 24' 16'' (true) for a distance of 1029.62 feet, thence N 193° 58' 38'' (true) for a distance of 828.30 feet thence N 100° 18' 12'' (true) for a distance of 60.12 feet thence N 186° 37' 46'' (true) for a distance of 1009.24 feet thence N 176° 21' 06'' (true) for a distance of 956.03 feet thence N 177° 33' 56'' (true) for a distance of 643.08 feet thence N 193° 48' 56'' (true) for a distance of 527.69 feet, thence N 206° 37' 18'' (true) for a distance of 653.34 feet thence N 168° 01' 30'' (true) for a distance of 7,517.64 feet to a point on the northern boundary of the Lots Nos. 52 to 74 Drainage and Irrigation Area, situate 18,237.75 feet from the centre line of the public road thence in a westerly direction along the northern boundary of the Lots 52 to 74 Drainage and Irrigation Area, and its prolongation for a distance of 19,939.42 feet thence N 331° 49' 15'' (true) for a distance of 23,804.6 feet to a point called "X", thence N 247° 51' 30'' (true) for a distance of 31,030 feet thence N 227° 39' 38'' (true) for a distance of 6500 feet thence N 137° 39' 38'' (true) for a distance of 330 feet thence N 227° 39' 38'' (true) for a distance of 520 feet thence N 317° 16' 45'' (true) along the right bank of the Canje River for a distance of 553.4 feet thence N 47° 39' 38'' (true) for a distance of 400 feet to the southern boundary of Grant No. 5060, thence N 77° 52' 23'' (true) along the aforesaid southern boundary of Grant No. 5060 for a distance of 159 feet, thence N 47° 39' 38'' (true) for a distance of 6552 feet, thence along a line bearing N 67° 51' 30'' (true) for a distance of approximately 31,018 feet to its intersection with the prolongation of the line bearing N 331° 49' 15'' (true) through the aforesaid point called "X" thence N 331° 49' 15'' (true) for a distance of 18,857.3 feet thence N 353° 9' 41'' (true) back to the point of commencement.

DRAINAGE AND IRRIGATION (DECLARATION OF AREA)
ORDINANCE 1959

16 of 1959

[*Special provisions*: validation of acts, vesting of lands in Board]

MANARABISI CATTLE PASTURE DRAINAGE AND IRRIGATION AREA

Bounded as follows—

Commencing at the junction of the western toe of the dam on the western side of the irrigation supply canal known as the Seaford Canal with the northern toe of the dam on the northern side of the irrigation water supply canal from the Canje River and extending thence in a northerly direction along the western toe of the aforesaid dam on the western side of the irrigation supply canal known as the Seaford Canal and the prolongation of the line along the toe to the northern toe of the northern empolder dam of the Manarabisi Cattle Pasture thence in a westerly direction along the northern toe of the aforesaid northern empolder dam of the Manarabisi Cattle Pasture and the prolongation thereof to its intersection with the prolongation northward of a line 12 feet west of and parallel to the western toe of the back empolder dam of the Manarabisi Cattle Pasture, thence in a southerly direction along the aforesaid prolongation of and the aforesaid line 12 feet west of and parallel to the western toe of the aforesaid back empolder dam of the Manarabisi Cattle Pasture to its intersection with a line parallel to and distant 12 feet from the northern toe of the northern dam of the irrigation water supply canal from the Canje River, thence in an easterly direction along the aforesaid line parallel to and distant 12 feet from the northern toe of the northern dam of the aforesaid irrigation water supply canal from the Canje River to the western toe of the dam on the western side of the irrigation water supply canal known as the Seaford Canal, thence in an easterly direction to the junction of the eastern toe of the dam on the eastern side of the irrigation water supply canal known as the Seaford Canal and the southern toe of the northern dam along the relief trench draining into the No. 66 Creek, thence in an easterly direction along the aforesaid southern toe of the northern dam along the relief trench draining into the No. 66 Creek to its junction with the left bank of the No. 66 Creek, thence along the left bank of the No. 66 Creek to the left bank of the Corentyne River thence in a southerly direction along the left bank of the Corentyne River to the right bank of the No. 66 Creek, thence in a westerly direction along the right bank of the No. 66 Creek, to its junction with the northern toe of the southern dam of the relief trench draining into the No. 66 Creek, thence along the aforesaid northern toe of the southern dam of the relief trench draining into the No. 66 Creek to its junction with the eastern toe of the dam on the eastern side of the irrigation water supply canal known as the Seaford Canal, thence in a westerly direction to the

junction of the western toe of the dam on the western side of the irrigation water supply canal known as the Seaford Canal with a line parallel and distant 12 feet from the southern toe of the southern dam of the irrigation water supply canal from the Canje River, thence along the aforesaid line parallel to and distant 12 feet from the southern toe of the southern dam of the irrigation water supply canal from the Canje River to its intersection with a line 12 feet distant and parallel to the western toe of the back empolder dam of the Manarabisi Cattle Pasture, thence in a southerly direction along the aforesaid line 12 feet distant and parallel to the western toe of the back empolder dam of the Manarabisi Cattle Pasture to its junction with the prolongation westwards of a line 12 feet distant and parallel to the southern toe of the southern empolder dam of the Manarabisi Cattle Pasture, thence in an easterly direction along the aforesaid prolongation of and the aforesaid line 12 feet south of and parallel to the southern toe of the southern empolder dam of the Manarabisi Cattle Pasture to the prolongation southward of a line along the western toe of the dam on the western side of the irrigation water supply canal known as the Seaford Canal thence in a northerly direction along the prolongation of the aforesaid line along the western toe of the dam on the western side of the irrigation water supply canal known as the Seaford Canal and the western toe of the dam on the western side of the irrigation water supply canal known as the Seaford Canal back to the point of commencement.

1953 Ed.
c. 193

DRAINAGE AND IRRIGATION (DECLARATION OF AREAS) ORDINANCE 1945

2 of 1945
O. in C.
11/1947
33/1953

[*Special provisions*: Extension of Area; vesting of lands in Board]

BLOOMFIELD TO WHIM DRAINAGE AND IRRIGATION AREA

(This area was previously declared as the Bloomfield to Whim Drainage and Irrigation Area and was extended by the abovementioned Ordinance)

Bounded as follows—

An area of land commencing at a paal “M.P.H.” marking the southern extremity of the eastern boundary of the Government Reserve between Permission No. 4514 held by the Local Authority of the Lancaster-Liverpool-Manchester country district, and the third depth of Plantation Whim and extending thence along the eastern boundary of the aforesaid Government Reserve to a point 50 feet north of the projection of the centreline of the facade trench at the northern end of the third depth of Plantations Whim and Auchlyne, thence along a line parallel to and distant 50 feet north of the projection of and centre line of the aforesaid facade trench to the eastern boundary of the Ketting between Plantations Whim and Auchlyne, thence along the eastern boundary of the Ketting to the sea defence, thence along the sea defence to the western boundary of the Ketting, thence in a southerly direction along the western boundary of the Ketting to a point 50 feet north of the centre line of the aforesaid facade trench, thence along a line parallel to and distant 50 feet north of the centre line of the facade trench to the eastern boundary of the Ketting between Plantations Letter Kenny and Bloomfield, thence in a northerly direction along the eastern boundary of the aforesaid Ketting to the sea defence, thence along the sea defence to the western boundary of the Ketting, thence in a southerly direction along the western boundary of the Ketting to a point 50 feet north of the centre line of the aforesaid facade trench, thence along a line parallel to and distant 50 feet north of the centre line of the facade trench to the eastern boundary of Lic. No. 2873 thence along the eastern boundaries of Lic. No. 2873, Lic. A619 and Lease A2105 to a point 40 feet south of the southern edge of the irrigation trench constructed by the Rice Expansion Committee at the southern end of the third depth of Plantations Bloomfield to Whim, thence along a line parallel to and distant 40 feet from the southern edge of the aforesaid irrigation trench to the prolongation of the eastern boundary of the Government Reserve between Permission No. 4514 and the third depth of Plantation Whim, thence in a northerly direction along the prolongation of the aforesaid eastern boundary of the Government Reserve to paal M.P.H. at the point of commencement.

LAWS OF GUYANA

60

Cap. 64:03

Drainage and Irrigation

10 of 1966A

**ROSEHALL VILLAGE CORENTYNE DRAINAGE AND
IRRIGATION AREA (EXTENSION) ORDINANCE 1966**

[Special provisions: rates]

ROSEHALL VILLAGE CORENTYNE DRAINAGE AND IRRIGATION AREA

Bounded as follows—

On the north by the Atlantic Ocean.

On the east by the common boundary between Rosehall Village District and Plantation Port Mourant for a distance of approximately 2600' from the Atlantic Ocean to the junction of the aforesaid common boundary between Rosehall Village District and Plantation Port Mourant with the westwards prolongation of a line 12 feet north of and parallel to the northern toe of the empolder dam known as 'Dragline Dam' and proceeds, thence in an easterly direction along the aforesaid line 12 feet north of and parallel to the Empolder Dam known as "Dragline Dam" to its intersection with the eastern boundary of area 'CC' as shown on a plan by C. E. Chee-a-tow, Sworn Land Surveyor, dated 25th June, 1962, and recorded at the Lands Department as plan 10,456, thence in a southerly direction along the eastern boundaries of Area 'CC', Reserve 'E' and Area 'BB' to its junction with the south-western boundary of Area 'BB' thence in a north-westerly direction along the south-western boundary of Area 'BB', thence in a southerly direction along the eastern boundary of Area 'AA' and continuing in a southerly direction along the eastern boundaries of that portion of land marked 'Bookers Sugar Estates' as shown on a plan by I. S. Mohamed, Sworn Land Surveyor, dated 23rd March, 1959, and recorded at the Lands Department as plan No. 8804, thence in a north westerly direction along the southern boundary of the aforesaid portion of land marked 'Bookers Sugar Estates' as shown on the aforesaid plan by I. S. Mohamed, Sworn Land Surveyor, and continuing along the western prolongation of the aforesaid southern boundary of the portion of land marked 'Bookers Sugar Estates' to its intersection with the common boundary between Rosehall Village District and Plantation Port Mourant, thence in a southerly direction along the aforesaid common

boundary between Rosehall Village District and Plantation Port Mourant to its junction with the common boundary between Rosehall Village District and Plantation Albion.

On the south and west by the aforesaid common boundary between Rosehall Village District and Plantation Albion.

**DRAINAGE AND IRRIGATION (DECLARATION OF AREAS)
ORDINANCE 1945**

1953 Ed.
c. 193

[*Special provisions*: Extension of Area; vesting of lands in Board]

2 of 1945
O. in C.
11/1947
33/1953

GIBRALTAR TO COURTLAND DRAINAGE AND IRRIGATION AREA

(This area was previously declared as the Gibraltar to Courtland Drainage and Irrigation Area and was extended by the abovementioned Ordinance)

Bounded as follows—

The area about Gibraltar and Courtland on the east coast of Berbice bounded on the north by the Atlantic Ocean from the common boundary between Gibraltar and Borlam to the eastern boundary of Courtland, on the east by the eastern boundary of Courtland and its junction with the Atlantic Ocean and extending thence southwards across the Grand Canal to the eastern boundary of Lot No. 40, and thence along the said eastern boundary of Lot No. 40 to the dam situate about 2,880 feet from the centre of the Grand Canal, on the south by the abovementioned dam from the eastern boundary of Lot No. 40 extending westwards to the common boundary between Lots Nos. 38 and 40, on the west by the common boundary between Lots Nos. 38 and 40 from its junction with the abovementioned dam, to the Grand Canal, thence along the common boundary between Gibraltar and Borlam to its junction with the Atlantic Ocean.

LAWS OF GUYANA

62

Cap. 64:03

Drainage and Irrigation

1953 Ed.
c. 193

DRAINAGE AND IRRIGATION (DECLARATION OF AREAS) ORDINANCE 1945

2 of 1945
O. in C.
11/1947
33/1953

[*Special provisions*: Extension of Area; vesting of lands in Board]

SISTERS VILLAGE DRAINAGE AND IRRIGATION AREA

(This area was previously declared as the Sisters Village Drainage and Irrigation Area and was extended by the abovementioned Ordinance)

Bounded as follows—

On the north by the Berbice river between the eastern boundary of Plantation Friends and the western boundary of Plantation Brothers; on the east by the aforesaid western boundary of Plantation Brothers between its junction with the Berbice river and the southern boundary of the Reserve between Sisters Village and Plantation Sisters; on the south by the aforesaid southern boundary of the Reserve between Sisters Village and Plantation Sisters from the western boundary of Plantation Brothers to the eastern boundary of Plantation Friends; on the west by the aforesaid eastern boundary of Plantation Friends from the southern boundary of the Reserve between Sisters Village and Plantation Sisters to its junction with the Berbice river.

1953 Ed.
c. 193

DRAINAGE AND IRRIGATION (DECLARATION OF AREAS) ORDINANCE 1945

2 of 1945
O. in C.
11/1947
33/1953

[*Special provisions*: Extension of Area; vesting of lands in Board]

PARK TO ABARY DRAINAGE AND IRRIGATION AREA

(This area was previously declared as the Park to Abary Drainage and Irrigation Area and was extended by the abovementioned Ordinance)

Bounded as follows—

That area on the east coast of Demerara to the east of and exclusive of Plantation Park about Plantation Fellowship to Plantation Abary, commencing on the right bank of the Mahaicony river at a point 12 feet below the northern edge of the western outfall channel of the Bellamy Canal, and its boundaries extending thence along a line distant 12 feet north of and parallel to the northern edge of the aforesaid outfall channel to the sea defence, thence along the sea defence to its intersection with a line distant 12 feet north of and parallel to the northern edge of the eastern outfall channel of the Bellamy Canal, thence along the aforesaid line distant 12 feet north of and parallel to the northern edge of the aforesaid outfall channel to the left bank of the Abary river, thence upwards along the left bank of the Abary river to a point distant 12 feet south of the southern edge of the aforesaid eastern outfall channel, thence along a line distant 12 feet south of and parallel to the southern edge of the aforesaid eastern outfall channel to the eastern boundary of Plantation Abary, thence along the eastern boundary of Plantation Abary to its intersection with the centre line of the sand reef approximately 2,200 feet south of the railway line, thence along a straight line to the south-eastern corner of Plantation Retrieve, thence along the northern boundary of Plantation Retrieve to its intersection with the western boundary of Plantation Fellowship, thence northward along the western boundary of Plantation Fellowship to a point 12 feet south of the southern edge of the Bellamy Canal, thence westward along a line distant 12 feet south of and parallel to the southern edge of the Bellamy Canal to the right bank of the Mahaicony river, thence downwards along the right bank of the Mahaicony river to the point of commencement.

PARK TO ABARY DRAINAGE AND IRRIGATION
(EXTENSION OF AREA) ORDINANCE 1961

16 of 1961

[*Special provisions: rates*]

PARK TO ABARY DRAINAGE AND IRRIGATION AREA

(This area was formerly declared as the Park to Abary Drainage and Irrigation Area but was extended by the abovementioned Ordinance)

L.R.O. 3/1998

Bounded as follows—

That area on the East Coast of Demerara lying between the Mahaicony and Abary Rivers commencing on the right bank of the Mahaicony River at a point 12 feet south of the southern toe of the southern dam of the Bellamy Canal and extending thence along a line 12 feet south of and parallel to the aforesaid southern toe of the southern dam of the Bellamy Canal to its intersection with the western boundary of Plantation Fellowship thence southwards along the aforesaid western boundary of Plantation Fellowship to its intersection with the back or southern boundary of Plantation Fellowship, thence along the back or southern boundaries of Plantations Fellowship, Grove, Huntley, Airy Hall and Dundee to its intersection with the side-line dam between Plantation Dundee and Novar, thence along the aforesaid side-line dam and its southwards prolongation to its junction with the southern boundary of the Government Reserve south of Plantation Novar and Grant 7163, thence eastwards along the aforesaid southern boundary of the Government Reserve south of Plantation Novar and Grant 7163 to its intersection with the side-line dam between Plantations Champagne and Recess, thence southwards along the aforesaid side-line dam between Plantations Champagne and Recess and continuing along its prolongation southwards to its junction with the southern boundary of the Government Reserve south of L. of O. A 112 and A3084 thence in an easterly direction along the aforesaid southern boundary of the Government Reserve south of L. of O. A 112 and A3084 to its intersection with the western boundary of the Government Reserve between Plantation Champagne and L. of O. A115 and thence southwards along the aforesaid western boundary of the Government Reserve between Plantation Champagne and L. of O. A115 and its prolongation to its intersection with the southern boundary of the Government Reserve south of L. of O. A115, thence eastwards along the aforesaid southern boundary of the Government Reserve south of L. of O. A115 to its intersection with the eastern boundary of the Government Reserve east of L. of O. A115 thence northwards along the aforesaid eastern boundary of the Government Reserve east of L. of O. A115 to its intersection with the back or southern boundary of Lease A5010, thence eastwards along the southern boundary of Lease A5010 and L. of O. A10 to its junction with the eastern boundary of Plantation Abary, thence northwards along the

aforesaid eastern boundary of Plantation Abary to a point 12 feet south of the southern toe of the southern dam of the Bellamy Canal thence eastwards along a line 12 feet south of and parallel to the aforesaid southern toe of the southern dam of Bellamy Canal to its intersection with the left bank of the Abary River, thence down-stream along the left bank of the Abary River to a point 12 feet north of the northern toe of the northern dam of the Bellamy Canal, thence westward along a line 12 feet north of and parallel to the aforesaid northern toe of the northern dam of the Bellamy Canal to its intersection with the right bank of the Mahaicony River, thence upstream along the right bank of the Mahaicony River to the point of commencement.

DRAINAGE AND IRRIGATION (DECLARATION OF AREAS)
ORDINANCE 1945

1953 Ed.
c. 193

[*Special provisions*: Extension of Area; vesting of lands in Board]

2 of 1945
O. in C.
11/1947
33/1953
O. 64/1959

MAHAICONY TO ABARY DRAINAGE AND IRRIGATION AREA

(This area was previously declared as the Mahaicony to Abary Drainage and Irrigation Area and was extended by the abovementioned Ordinance)

Bounded as follows—

An area of land commencing at the southeastern extremity of the northern boundary of the Government Reserve between Grants Nos. 1773 and 1774 situate on the western bank of the Abary river and extending along the entire depth of the said northern boundary, thence along the northern boundary of the Reserve between Leases A1581, A1485 and A1378, thence along the northern boundary of the Reserve between Cape Clear, its extra depth, and Leases A1378, A3568, Grants 4503 and 2053 to the Mahaicony river, thence in a southerly direction along the eastern bank of the Mahaicony river, to a point 12 feet south of the southern dam of Jugdeo's Canal, thence along a line parallel to the centre line of the aforesaid southern dam of Jugdeo's Canal to the Abary river, thence in a northerly direction along the western bank of the Abary river to the point of commencement.

LAWS OF GUYANA

66

Cap. 64:03

Drainage and Irrigation

1953 Ed.
c. 194

**DRAINAGE AND IRRIGATION (DECLARATION OF AREAS)
ORDINANCE 1945**

5 of 1949

**DRAINAGE AND IRRIGATION (DECLARATION OF AREA)
1949**

[Special provisions: land vested in Board]

SARAH TO MAHAICONY DRAINAGE AND IRRIGATION AREA

(This area was previously declared as the Sarah to Mahaicony
Drainage and Irrigation Area and was extended by the
abovementioned Ordinance)

Bounded as follows—

Commencing at the intersection of the common boundary between Plantations Now or Never and Sarah with a line parallel to and distant 12 feet north-east of the north-eastern edge of the facade drainage trench, seaward of the public road, and extending thence in a south-easterly direction along the aforesaid line, parallel to and distant 12 feet north-east of the north-eastern edge of the aforesaid facade drainage trench to its intersection with a line parallel to, and distant 12 feet north of the northern edge of the continuation of the aforesaid facade drainage trench through Plantations Taymouth Manor and Farm; thence along the aforesaid line parallel to and distant 12 feet north of the northern edge of the aforesaid facade drainage trench through Plantations Taymouth Manor and Farm to the left bank of the Mahaicony river; thence in a southerly direction along the left bank of the Mahaicony river to its intersection with a line parallel to and distant 12 feet south of the wire fence on the southern side of the aforesaid facade drainage trench; thence westward along the aforesaid line parallel to and distant 12 feet south of the aforesaid wire fence to the common boundary between Plantations Taymouth Manor and Ormsary; thence in a southerly direction along the aforesaid common boundary between Plantations Taymouth Manor and Ormsary and the prolongation thereof to its intersection with the prolongation eastward of the back boundary of Grant No. 7153, thence along the back boundaries of Grants No. 7153 and 7164 and the back boundary of

Grant No. 7155 to its intersection with the prolongation southward of the common boundary between Plantations Now or Never and Sarah, thence northward along the aforesaid prolongation of, and the common boundary between Plantations Now or Never and Sarah to the point of commencement.

**DRAINAGE AND IRRIGATION (DECLARATION OF AREA)
ORDINANCE 1961**

9 of 1961.
O. 80/1961

[Special provisions: vesting of lands and works in Board]

CANE GROVE DRAINAGE AND IRRIGATION AREA

Bounded as follows—

On the North—by the common boundary between Plantations Veereeniging and Mary's Hope from the eastern dam of the New Shanks Canal to the left bank of the Mahaica River.

On the East—by the left bank of the Mahaica River from the common boundary between Plantations Veereeniging and Mary's Hope to the common boundary between Plantations Huntley and Orange Nassau.

On the South—by the common boundary between Plantations Huntley and Orange Nassau from the left bank of the Mahaica River to the eastern dam of the East Demerara Water Conservancy; by the eastern dam of the East Demerara Water Conservancy from the common boundary between Plantations Huntley and Orange Nassau to the northern dam of the East Demerara Water Conservancy; and by the northern dam of the East Demerara Water Conservancy from the eastern dam of the East Demerara Water Conservancy to the eastern dam of the New Shanks Canal.

On the West—by the eastern dam of the New Shanks Canal from the northern dam of the East Demerara Water Conservancy to the common boundary between Plantations Veereeniging and Mary's Hope.

LAWS OF GUYANA

68

Cap. 64:03

Drainage and Irrigation

1953 Ed.
c. 193

**DRAINAGE AND IRRIGATION (DECLARATION OF AREAS)
ORDINANCE 1945**

2 of 1945

[Special provisions: Extension of Area; vesting of lands in Board

ANN'S GROVE DRAINAGE AND IRRIGATION AREA

(This area was previously declared as the Ann's Grove to Lancaster
Drainage and Irrigation Area and was extended by the above-
mentioned Ordinance)

Bounded as follows—

That area surrounding the village of Ann's Grove on the east coast of Demerara bounded on the north by the permanent sea defence commencing at the common boundary between Ann's Grove and Dochfour and extending thence eastwards to the common boundary between Lancaster and Plantation Mosquito Hall; on the east commencing at the eastern extremity of the northern boundary as aforesaid and extending thence southwards along the common boundary between Lancaster and Plantation Mosquito Hall to a point where a prolongation westwards of the leper hospital southern fence meets it, and extending thence along the line of corrugated iron fencing to its eastern extremity, and extending thence S. 25° 59' E. (true) for a distance of 215.2 feet; and extending thence N. 76° 27' W. (true) to the common boundary between Lancaster and Plantation Mosquito Hall and extending thence southwards along the common boundary between Lancaster and Plantation Mosquito Hall to the northern boundary of Cambridge and Good Intent, thence westwards along the northern boundary of Good Intent to the eastern boundary of Grove, thence southwards along the eastern boundary of Grove to the northern boundary of Hand-en-Veldt, thence westwards along the northern boundary of Hand-en-Veldt to the eastern boundary of Orange Nassau, thence southwards along the eastern boundary of Orange Nassau to the northern boundary of Good Hope, thence westwards along the northern boundary of Good Hope to the eastern boundary of Greenfield, thence southwards along the eastern boundary of Greenfield to the northern boundary of Belmont, thence westwards along the northern boundary of Belmont to the eastern boundary of

Clonbrook, thence southwards along the eastern boundary of Clonbrook to the Shanks Canal, thence along the eastern edge of the Shanks Canal to the northern boundary of the East Demerara Water Supply Canal, on the south by the northern boundary of the East Demerara Water Supply Canal from Shanks Canal westwards to the common boundary between Ann's Grove and Dochfour, on the west by the common boundary between Ann's Grove and Dochfour from the southern boundary aforesaid northwards to the point of commencement.

DRAINAGE AND IRRIGATION (DECLARATION OF AREAS)
ORDINANCE 1945

1953 Ed.
c. 193

[*Special provisions*: rates; sec. 66 to apply; lands vested in Board]

2 of 1945

GOLDEN GROVE DRAINAGE AND IRRIGATION AREA

(This area was previously declared as the Golden Grove to Victoria Drainage and Irrigation Area and was extended by the above-mentioned Ordinance)

Bounded as follows—

That area surrounding the village of Golden Grove on the east coast of Demerara bounded on the north by the permanent sea defence commencing at the western boundary of the company path between Haslington and Golden Grove and extending thence eastwards to the common boundary between Victoria and Belfield, on the east by the common boundary between Victoria and Belfield from the permanent sea defence to the Dochfour intake trench and thence along the said intake trench to the northern boundary of the East Demerara Water Supply Canal, on the south by the northern boundary of the East Demerara Water Supply Canal from the Dochfour intake trench to the western boundary of the company path between Haslington and Golden Grove, on the west by the western boundary of the company path between Haslington and Golden Grove from the southern boundary aforesaid, northwards to the point of commencement.

DRAINAGE AND IRRIGATION (DECLARATION OF AREA)

LAWS OF GUYANA

70

Cap. 64:03

Drainage and Irrigation

30 of 1958

ORDINANCE 1958

[*Special provisions*: validation of acts; vesting of lands in Board]

GARDEN OF EDEN DRAINAGE AND IRRIGATION AREA

Situate on the right bank of the Demerara River and bounded as follows—

On the north by the common boundary between Plantation Garden of Eden and the Company Path situate between Plantations Garden of Eden and Friendship and its prolongation eastwards to the western boundary of the reserve adjacent to and west of the western dam of the East Demerara Water Conservancy.

On the east by the western boundary of the reserve adjacent to and west of the western dam of the East Demerara Water Conservancy.

On the south by the common boundary between Plantations Garden of Eden and Brickery and its prolongation eastwards to the western boundary of the reserve adjacent to and west of the western dam of the East Demerara Water Conservancy.

On the west by the right bank of the Demerara River.

**DRAINAGE AND IRRIGATION (DECLARATION OF AREA
AND VALIDATION OF ACTS) ORDINANCE 1954**

43 of 1954

[*Special provisions*: deposition of plans; validation of acts]

NORTHERN KLIEN POWDEROYEN DRAINAGE AND IRRIGATION AREA

Bounded as follows—

That area of the northern portion of Pln. Klien Pouderoyen on the West Bank of the Demerara River commencing on the West Bank of the Demerara River at the eastern extremity of the common boundary between Northern Klien Pouderoyen and Pln. Vreed-en-Hoop, and its boundaries extending thence southward along the West Bank of the

Demerara River to a line 82 feet from and parallel to the common boundary between Northern Klien Pouderoyen and Pln. Vreed-en-Hoop, thence westwards along the aforesaid line to its intersection with the eastern edge of the trench west of and adjacent to the Public Road, thence in a southerly direction along the eastern edge of the trench aforesaid to its intersection with the prolongation eastward of a line 14 feet north of and parallel to the existing barbed wire fence, the aforesaid line being 50 feet north of and parallel to the northern boundary of the section known as Lot C as shown on plan by S. S. M. Insanally dated 6th February, 1930, on record in the Lands Department, thence westward along the prolongation of and the latter line aforesaid 50 feet north of and parallel to the northern boundary of the section known as Lot C, to its intersection with the prolongation northward of the eastern boundary of Lot I in the section known as Killarney, as shown on plan by D. O. Leila dated 21st March, 1947, on record in the Lands Department, thence southward along the prolongation of and the eastern boundary of Lot 1 Killarney aforesaid to the common boundary between Northern and Southern Klien Pouderoyen, thence westwards along the aforesaid boundary between Northern and Southern Klien Pouderoyen to the common boundary on the west between Northern Klien Pouderoyen and Pln. Windsor Forest, thence northward along the aforesaid common boundary between Northern Klien Pouderoyen and Pln. Windsor Forest to the common boundary on the north between Northern Klien Pouderoyen and Pln. Windsor Forest, thence eastwards along the aforesaid common boundary between Northern Klien Pouderoyen and Pln. Windsor Forest, and the common boundary between Northern Klien Pouderoyen and Pln. Vreed-en-Hoop to the point of commencement.

DRAINAGE AND IRRIGATION (DECLARATION OF AREA)
ORDINANCE 1962

3 of 1962

[*Special provisions*: rates; merger in this area of the North Klien Pouderoyen (Extension) Area—see O. in C. 34/1960 and the Northern Klien Pouderoyen Drainage and Irrigation Area—see O. in C. 40/1953 and Ordinance 3 of 1962]

NORTHERN KLIEN POUDEROYEN DRAINAGE AND IRRIGATION AREA

L.R.O. 3/1998

Bounded as follows—

That area of the northern portion of Plantation Klien Pouderoyen on the West Bank of the Demerara River, commencing on the West Bank of the Demerara River at the eastern extremity of the common boundary between Northern Klien Pouderoyen and Plantation Vreed-en-Hoop, and its boundaries extending thence southward along the West Bank of the Demerara River to its intersection with the prolongation eastwards of the northern boundary of a piece of land containing 3.69 English Acres held by the Colony of British Guiana under Transport No. 1005 dated 28th August, 1928, as shown and laid down on a plan by E. S. E. Parker, Sworn Land Surveyor dated 13th July, 1928, thence westwards along the aforesaid prolongation of and the northern boundary of the aforesaid piece of land to its north-western extremity, thence in a southerly direction along the line comprising the western boundary of the aforesaid piece of land held under Transport No. 1005 dated 28th August, 1928, Transport No. 204 dated 9th March, 1927 and Transport No. 202 dated 9th March, 1927 to its intersection with the prolongation eastwards of the common boundary between Lot C Klien Pouderoyen held under Transport No. 240 dated 16th February, 1948 and North Klien Pouderoyen, thence westward along the aforesaid prolongation of and the common boundary between Lot C Klien Pouderoyen and North Klien Pouderoyen aforesaid and the common boundary between the northern and southern Klien Pouderoyen to the common boundary on the west between Northern Klien Pouderoyen and Plantation Windsor Forest, thence northwards along the aforesaid common boundary between northern Klien Pouderoyen and Plantation Windsor Forest to the common boundary on the north between Northern Klien Pouderoyen and Windsor Forest, thence eastward along the aforesaid common boundary between Northern Klien Pouderoyen and Plantation Windsor Forest and the common boundary between Northern Klien Pouderoyen and Plantation Vreed-en-Hoop to the point of commencement.

DRAINAGE AND IRRIGATION (BOERASIRIE EXTENSION)

LAWS OF GUYANA

Drainage and Irrigation

Cap. 64:03

73

PROJECT) (SPECIAL PROVISIONS) ORDINANCE 1954
[*Special provisions*: distribution of costs]

4 of 1954
7 of 1966A

VERGENOEGEN— BONASIKA DRAINAGE AND IRRIGATION AREA

Bounded as follows—

An area of land on the right bank of the Essequibo River commencing at the common boundary between Plantations Tuschen and Vergenoegen and extending thence along the right bank of the Essequibo River to the right bank of the Bonasika River, thence along the right bank of the Bonasika River to the right bank of the Warimia Creek, thence along the right bank of the Warimia Creek to a line parallel to and distant 50 feet downstream of the downstream toe of the new conservancy dam of the Boerasirie Conservancy, thence along the aforesaid line parallel to and distant 50 feet downstream of the downstream toe of the aforesaid new conservancy dam to the left bank of the Boerasirie River, thence along the left bank of the Boerasirie River to the common boundary between Plantations Tuschen and Vergenoegen, thence along the aforesaid common boundary between Plantations Tuschen and Vergenoegen to the point of commencement.

DRAINAGE AND IRRIGATION (BOERASIRIE EXTENSION
PROJECT) (SPECIAL PROVISIONS) ORDINANCE 1954
[*Special provisions*: distribution of costs]

4 of 1954
7 of 1966A

POTOSI— KAMUNI DRAINAGE AND IRRIGATION AREA

Bounded as follows—

An area of land on the left bank of the Demerara River commencing at its junction with a line parallel to and distant 50 feet north of the northern toe of the northern dam of the new conservancy relief drain at Potosi, thence along the aforesaid line to its junction with a line parallel to and 50 feet downstream of the downstream toe of the new conservancy dam of the Boerasirie Conservancy thence along the aforesaid line to the watershed between the Kamuni and Hubabu Rivers, thence along the aforesaid watershed to a line parallel to and distant 50 feet west of the western boundary of the waterpath of

LAWS OF GUYANA

74

Cap. 64:03

Drainage and Irrigation

Plantation Wales, thence along the aforesaid line to the left bank of the Kamuni River thence along the left bank of the Kamuni River to the left bank of the Demerara River, thence along the left bank of the Demerara River to the point of commencement.

DRAINAGE AND IRRIGATION (DECLARATION OF AREA) (NO. 3) ORDINANCE 1961

17 of 1961
7 of 1966A

[*Special provisions*: construction of Tapakuma works; application of Part VI; rates]

TAPAKUMA DRAINAGE AND IRRIGATION AREA

That area lying between the Essequibo River and the Pomeroon River, the boundaries of which shall be as follows:

Commencing at the intersection of a line situate 150 feet north of and parallel to the centre line of the Somerset and Berks Canal with the Atlantic Coastline and extending in a southerly direction along the Atlantic Coastline to its junction with the common boundary between Plantation Annandale and Plantation Zorg-en-Vlygt, thence westwards along the aforesaid common boundary between plantation Annandale and plantation Zorg-en-Vlygt and its prolongation westwards to its intersection with the watershed between the Capoey basin and the Paray Basin, thence along the watershed circling the Paray Basin and continuing northwards across the Tapakuma River at a point approximately 4,000 feet below the junction of the Paray Creek with the Tapakuma River to a point approximately 6,200 feet north of the Tapakuma River, thence in a northerly direction along a straight line to the south-western end of the abandoned dam known as Bush Hog dam, thence in a north-easterly direction along a line coincident with the western toe of the aforesaid abandoned dam known as Bush Hog Dam and its prolongation to its junction with the northern toe of the northern dam of the canal known as Dredge Creek, thence in an easterly direction along the northern toe of the aforesaid northern dam of the canal known as Dredge Creek to its intersection with a line distant 150 feet north of and parallel to the centre line of the Somerset

LAWS OF GUYANA

Drainage and Irrigation

Cap. 64:03

75

and Berks canal, thence in a north-easterly direction along the aforesaid line distant 150 feet north of and parallel to the centre line of the Somerset and Berks canal back to the point of commencement.
