

GUYANA
BILL No. 3 of 2017
DEEDS AND COMMERCIAL REGISTRIES AUTHORITY (AMENDMENT)
BILL 2017

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Amendment of section 5 of the Principal Act.
3. Amendment of section 6 of the Principal Act.
4. Amendment of section 10 of the Principal Act.

A Bill
Intituled

AN ACT to amend the Deeds and Commercial Registries Authority Act.

A.D. 2017

Enacted by the Parliament of Guyana:-

Short title. **1.** This Act, which amends the Deeds and Commercial Registries Authority Act
No. 4 of 2013, may be cited as the Deeds and Commercial Registries Authority
2013 (Amendment) Act 2017.

Amendment of
section 5 of the
Principal Act.

2. Section 5 of the Principal Act is amended as follows –

(a) by substitution for subsection (2), of the following –

“(2) (a) The Governing Board shall consist of the following members –

- (i) a Chairman appointed by the Minister;
(ii) the Registrar of Deeds;
(iii) the Registrar of the Commercial Registry;
(iv) a nominee of the Ministry of Finance;
(v) another nominee of the Ministry of Finance who is a valuation officer under the Valuation for Rating Purposes Act;
Cap. 28:04 (vi) a nominee of the Ministry of Communities;
(vii) a nominee of the Ministry of Business;
(viii) a nominee of the Guyana Revenue Authority;
(ix) a nominee of the Guyana Bar Association;
(x) a nominee of the Berbice Bar Association; and
(xi) a nominee of the Private Sector.

(b) The members referred to in paragraph (a)(ii) and (iii) do not have the right to vote.”;

(b) by the insertion immediately after subsection (2), of the following subsection –

“(3) Notwithstanding subsection (2), where the Governing Board has not been appointed or is not functioning, the

Minister shall perform the functions of the Governing Board.”.

Amendment of section 6 of the Principal Act.

3. Section 6(4) of the Principal Act is amended by the substitution for the words “section 5(2)(f), (g) or (h)”, of the words “section 5(2)(a)(viii),(ix), (x) and (xi)”.

Amendment of section 10 of the Principal Act.

4. Section 10(4) of the Principal Act is amended by the substitution for the word “three”, of the word “five”.

EXPLANATORY MEMORANDUM

This Bill substitutes for section 5(2) of the Principal Act a new section 5(2) to provide for a much needed change of membership of the Governing Board of the Deeds and Commercial Registries Authority and provides that where the Governing Board has not been appointed or is not functioning, the Minister shall perform the functions of the Board.

The changes in names from the Ministry of Housing and Water to the Ministry of Communities, and from the Guyana Bar Association of Legal Professionals to the Berbice Bar Association are reflected in the membership of the Board. Three new members have been added to the Board increasing its membership from eight to eleven. The three new members are another nominee of the Ministry of Finance, a nominee of the Ministry of Business and a nominee of the Guyana Revenue Authority. It is hoped that these three new members would bring a wider and more varied experience and expertise to the deliberations of the Board.

Certain consequential amendments were made to section 6 of the Act in re-lettering because of the re-lettering of the membership of the Board in section 5(2).

The quorum for a meeting has been increased from three to five members.

Hon. Basil Williams, S.C., M.P.
Attorney General and Minister of Legal Affairs