

**CHAPTER 59:01**

**LANDS DEPARTMENT ACT**

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1929 Ed.

c. 166

1953 Ed.

c. 170

30 of 1903

**An Act to provide for the establishment and regulation of the Department of Lands.**

[26TH SEPTEMBER, 1903]

Short title.  
[1 of 1972]

1. This Act may be cited as the Lands Department Act.

The Lands  
Department.  
[1 of 1972]

2. The Lands Department of the Ministry responsible for Agriculture (hereinafter referred to as “the department”) which shall be deemed to be the successor of the department hitherto known as the Lands and Mines Department, shall consist of the Commissioner of Lands (hereinafter referred to as “the Commissioner”), the Superintendent of Lands, the Cartographer, and such surveyors and other officers as may be requisite for the purposes of this Act.

Duties of  
officers.

3. The Commissioner and every officer appointed under this Act shall perform the duties from time to time imposed on them by Act, and any other duties they are directed or required to perform by the Minister.

Officer not to  
engage in  
other business.

4. No officer in the department shall be directly or indirectly concerned or interested in keeping or carrying on any business other than that of his department, or in any traffic or barter with the Amerindians.

PROVISIONS AS TO STATE LANDS

Charge of  
State lands.  
c. 67:01  
[1 of 1972]

5. The department shall have the charge of, and act as guardian over all, State lands, rivers, and creeks of Guyana, except as comprised within a State forest declared under the Forests Act.

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6. (1) Subject to the provisions of subsection (2), the department shall execute all surveys of State land of which a grant, or licence, or permission of occupancy is to be issued, and of which a survey is required.

Surveys of State lands.

(2) The Minister may in any case permit any duly qualified surveyor other than a surveyor of the department to execute the survey.

7. The department shall keep proper registers of all grants of state lands, or any licences connected therewith, heretofore issued, so far as they can be ascertained, and shall keep proper registers of all the grants and licences hereafter to be issued.

Keeping of registers of grants and licences.

PROVISION AS TO GOVERNMENT LANDS

8. The department shall have the charge of all Government lands except lands occupied with buildings under the charge of the Ministry responsible for public works, which last-mentioned lands with the buildings shall be under the charge of that Ministry.

Charge of Government lands.

9. The department shall keep proper and separate registers of all Government lands.

Registers.

10. (1) Government lands shall only be rented or sold with the sanction of the President and on the terms and conditions determined by him.

Rental or sale. [9 of 1977 6 of 1997]

(2) Wherever labour is employed on Government lands which are subject to a lease or permission, any person on producing proof to the holder of the lease, licence or permission, or to his agent, that he is a representative of a trade union registered under the Trade Union Act, or an official of an organisation approved by order of the Minister responsible for labour for the purposes of this section, may enter at any reasonable time any such Government lands for the purpose of—

c. 98:03

(a) holding discussions with persons employed thereon on the conditions of their employment;

(b) making representations to the employer on behalf of the persons so employed; or

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(c) recruiting persons so employed as members of the trade union or organisation, as the case may be.

(3) The requirement to permit an entry authorised by subsection (2) shall be deemed a condition of every lease, licence or permission to which that subsection applies and a breach of that condition on more than one occasion shall render the lease, licence or permission liable to be cancelled or revoked, as the case may be.

(4) Any person who hinders or obstructs a representative or official referred to in subsection (2) in the exercise of his powers of entry under that subsection or in the carrying out of the purposes thereof shall be liable on summary conviction to a fine of eight thousand two hundred and fifty dollars and to imprisonment for three months.

(5) Any person who falsely holds himself out as a person authorised to enter upon Government lands by virtue of this section (the burden of proof that he is so authorised being upon him) shall be liable on summary conviction to a fine of twenty-seven thousand five hundred dollars and to imprisonment for six months.

(6) The provisions of subsections (2) to (5) inclusive shall in so far as they apply to a representative of a trade union or an official apply *mutatis mutandis* to a Member of the National Assembly for the purposes of the exercise by him of the privileges and powers conferred by subsection 2(a) upon such a representative or official.

Conveyances.

**11.** (1) Where Government land is to be purchased or sold, conveyance thereof for and on behalf of the Government, after the authority of the President has been obtained, may be taken or made by the Commissioner or other officer authorised by the President to do so.

(2) No conveyance of any Government land shall be made to and in favour of anyone until it has been registered by the Commissioner.

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12. Where the President authorises a conveyance of any of the Government lands being made, the President may direct the conveyance to be made without the payment of a fee or on the payment of any specified fee not exceeding the fee for the time being payable by law.

President may direct conveyance of Government lands without payment of fee.  
[4 of 1972]

REGISTERS AND FEES

13. (1) All registers required to be kept by the department under this or any other Act shall be open to the public during office hours on payment of the prescribed fee, subject to any regulations from time to time made by the Minister.

Right of inspection of registers.

(2) Anyone who satisfies the Commissioner that he has an interest therein, may obtain a certified copy of any register or document in the possession of the department, on payment of the prescribed fee.

14. The prescribed fees shall be those specified in the Schedule as amended from time to time by order of the Minister subject to negative resolution of the National Assembly.

Fees.  
Schedule.

MISCELLANEOUS

15. The Commissioner, or any officer of the department, or any other person authorised in writing by the Commissioner, or any forest officer under the Forest Act, may institute or conduct, or institute and conduct, any prosecution for offences relating to State lands, or Government lands, or under any Act or regulation relating thereto, or any proceeding for the recovery of rent or acre money or other moneys payable in respect of State or Government lands, or under any Act or regulation relating thereto.

Power of Commissioner to prosecute offences and take other proceedings.  
c. 67:01

16. The Commissioner, with the sanction of the President, and after notice in the *Gazette* for three successive Saturdays of his intention to do so, may remove and sell, or destroy, any house, erection, or construction on State or Government land, the owner of which is not known or after reasonable inquiry cannot be found.

Power over houses on State or Government land.

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TEMPORARY PROVISIONS

Temporary provisions.  
[1 of 1972]

**17.** Any reference to the Lands and Mines Department or the Commissioner of Lands and Mines in any written law, instrument or document of any kind, subsisting or in force at the coming into operation of this section, shall, after the coming into operation of this section be construed and have effect as a reference to the department or the Commissioner, respectively.

s. 14  
[O. 52/1985  
6 of 1997]

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**SCHEDULE**

TARIFF OF FEES

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1. Copy of any document other than a diagram per page.....	10.00	
2. Copy of a diagram .....	30.00	
and upwards at the discretion of the Commissioner.		
3. Inspecting or searching records kept in the department, for the first hour or part thereof .....	10.00	
For each succeeding hour or part thereof .....	5.00	

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