

LAWS OF GUYANA

BALATA ACT

CHAPTER 69:07

Act

40 of 1903

Amended by

9 of 1977

6 of 1997

Current Authorised Pages

<i>Pages (inclusive)</i>	<i>Authorised by L.R.O.</i>
1 - 6 ...	1/2012

**Note
on
Subsidiary Legislation**

This Chapter contains no subsidiary legislation.

CHAPTER 69:07

BALATA ACT

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Interpretation.
3. No sale of balata without a licence.
4. No purchase of balata without a licence.
5. Licensees to keep books.
6. Licence issued to owner of private land to specify quantity of balata to be sold under it.
7. (1) Issue of licences.
(3) Penalty for selling without.
8. Imported balata excepted from Act.
9. Prosecution of offences.

1929 Ed.
c. 160
1953 Ed.
c. 225

40 of 1903

**An Act for the Prevention of Fraudulent Dealings with
Balata and substances of the like nature.**

[14TH NOVEMBER, 1903]

Short title.

1. This Act may be cited as the Balata Act.

Interpretation.
[9 of 1977]

2. In this Act—

“balata” includes rubber and any substance of a like nature;

c. 67:01

“officer” includes any forest officer under the Forests Act, any district commissioner and any member of the police

force.

No sale of
balata without
a licence.

3. (1) No one shall sell or export balata unless he takes out a licence for so doing.

(2) The licence shall not be issued to anyone unless—

- (a) he is the holder of a licence for obtaining balata, issued under the State Lands Regulations for the time being in force;
- (b) he satisfies a district commissioner that he is the owner or lawful occupier of land on which bullet trees are growing; or
- (c) he is the duly authorised agent of the persons aforesaid.

(3) A district commissioner shall not be bound to issue any licence under this section.

No purchase of
balata without
a licence.

4. (1) No one shall purchase balata unless he takes out a licence for so doing.

(2) A district commissioner shall not be bound to issue a licence under this section.

Licenseses to
keep books.
[6 of 1997]

5. (1) Everyone licensed to sell, export, or purchase balata shall, keep a book in which shall be entered—

- (a) the name and address of the person to whom he sells, or from whom he purchases it, or for whom as agent he sells or exports it;

- (b) the quantity of balata so sold, purchased, or exported;
- (c) the price at which it was sold and purchased;
- (d) the date of the sale, purchase, or export; and
- (e) if he is the seller or exporter thereof, the place from which it was obtained.

(2) The book shall be open at all reasonable times to the inspection of any officer.

(3) Anyone licensed as aforesaid who neglects to keep the book, or duly to enter therein the particulars hereinbefore required, or who refuses to allow it to be inspected by an officer, shall be liable on summary conviction to a fine of nineteen thousand five hundred dollars.

Licence issued to owner of private land to specify quantity of balata to be sold under it. [6 of 1997]

6. (1) Whenever a licence is issued under section 3 to anyone who is the owner or lawful occupier of land on which bullet trees are growing, the licence shall specify on the face thereof the quantity of balata which the person licensed may sell or export under it, and anyone so licensed who during the currency of his licence sells or exports a greater quantity of balata than that specified in his licence, shall be liable to a fine of nineteen thousand five hundred dollars.

(2) The quantity of balata to be specified in a licence as the quantity which may be sold or exported thereunder shall be the quantity which the district commissioner issuing the licence considers may reasonably be expected to be collected from the land owned or occupied by the person so to be licensed during the period for which the licence is to be issued, and for the purpose of estimating that

quantity, the district commissioner, before issuing the licence, may require that land and the bullet trees upon it to be inspected by an officer at the expense of the applicant for the licence.

Issue of
licences.
[6 of 1997]

7. (1) Licences to sell, export, or purchase balata may be issued by the district commissioner.

c. 80:01

(2) A licence shall expire on the 31st March next after its issue, and the person to whom it is issued shall pay for it the sum fixed by the Tax Act for the time being in force.

Penalty for
selling without.

(3) Everyone who sells, exports, or purchases balata without having a licence in force for so doing under this Act shall be liable on summary conviction to a fine of forty-eight thousand seven hundred and fifty dollars.

Imported
balata
excepted from
Act.

8. This Act shall not apply to any balata imported into Guyana from any country or place outside Guyana.

Prosecution of
offences.

9. Any offence created or penalty imposed by this Act may be prosecuted or recovered under the Summary Jurisdiction Acts.
