

LAWS OF GUYANA

INDUSTRIES AID AND ENCOURAGEMENT ACT

CHAPTER 95:01

Act

12 of 1951

Amended by

47 of 1956

21 of 1957

29 of 1967

Current Authorised Pages

<i>Pages (inclusive)</i>	<i>Authorised by L.R.O.</i>
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Note
on
Subsidiary Legislation

This Chapter contains no subsidiary legislation.

CHAPTER 95:01

INDUSTRIES AID AND ENCOURAGEMENT ACT

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Interpretation.
3. Licences to import certain articles for the promotion of industry.
4. Form of application for a licence.
5. Bond.
6. Period of exemption from customs duties and taxes.
7. Restrictions on disposal of articles.
8. Revocation of licence.

FIRST SCHEDULE—List of articles for promotion of industry.

Exemption from payment of duty.

SECOND SCHEDULE—Form of application for licence.

1953 Ed.
c. 109

12 of 1951

An Act to promote the establishment and development of certain industries.

[7TH April, 1951]

Short title.

1. This Act may be cited as the Industries Aid and Encouragement Act.

Interpretation.
[13 of 1996]

2. In this Act, “the Commissioner” means the Commissioner-General of the Revenue Authority appointed under the Revenue Authority Act.

Licences to import certain articles for the promotion of industry.

3. The Minister may, upon the application of any person, grant such person a licence to import or clear from a bonded warehouse free of any customs import duties and taxes such of the items in the First Schedule as may be

First Schedule.
[29 of 1967] specified in the licence where he is satisfied that it is desirable so to do for the purpose of establishing a new industry or for the purpose of developing an existing industry, and where such items are to be used in direct connection with the establishment or development of such industry.

Form of application for a licence.
Second Schedule. 4. Every application for a licence shall be in the form set out in the Second Schedule, and shall be made to the Commissioner, who shall submit such application to the Minister.

Bond. 5. Every applicant to whom a licence is granted under section 3 shall, before importing or clearing from a bonded warehouse any item under section 6, enter into a bond with such sureties as the Commissioner may approve in such sum as the Commissioner may fix, conditioned for the due compliance by the licensee with section 7, and with the terms and conditions of any licence issued under section 3.

Period of exemption from customs duties and taxes.
[29 of 1967] 6. Every applicant to whom a licence is granted under section 3 shall be entitled to import any of the items to which such licence relates, free of any customs import duties and taxes for such period, not exceeding ten years in the case of a mining undertaking or five years in the case of any other undertaking, as the Minister may direct:

Provided that this section shall not apply to items imported as replacements or renewals of any existing machinery, plant or appliances, or for the purpose of rehabilitation of existing machinery, plant or equipment.

Restrictions on disposal of articles.
[29 of 1967] 7. No item which has been imported into Guyana under section 6 shall be sold, given away or otherwise disposed of by the licensee without payment of all customs import duties and taxes which would, but for section 6, have been payable, except with the permission of the Commissioner and in the following circumstances:

- (a) where the items have been disposed of to some other person to whom a licence to import such items free of customs import duties and taxes has been granted under section 3; or
- (b) after the expiration of five years from the date on which such items have been entered for use in Guyana.

Revocation of
licence,
(29 of 1967)

8. Where the Minister is satisfied that any items imported free of customs import duties and taxes under this Act have been used for purposes other than those specified in the application made by the licensee, or where he is satisfied that the licensee has contravened any of the provisions of this Act or any of the terms and conditions of the licence, he may revoke the licence, and thereupon the licensee shall become liable for the payment of all customs import duties and taxes chargeable in respect of any items imported or cleared from a bonded warehouse by him prior to the revocation of the licence, to which he would, but for section 6, have been liable.

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[47 of 1956
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FIRST SCHEDULE

LIST OF ARTICLES FOR PROMOTION OF INDUSTRY EXEMPTION FROM PAYMENT OF DUTY

1. Machinery and appliances.
2. Launches, tugs, barges and pontoons (where similar suitable vessels cannot be obtained in Guyana).
3. Trucks, lorries and waggons for transporting materials exclusively within the curtilage of a factory, mill or mine.

4. Building materials for the erection of mills or factories or of offices or store houses to be used in connection with mills or factories and within the curtilage thereof.

5. Building materials for the erection of store houses for items imported free of duty and tax under this Act.

6. Building materials for hotels providing mainly for the accommodation of tourists and having—

- (a) if situated in a municipal area, not less than thirty bedrooms; and
- (b) if situated outside of a municipal area, not less than twenty bedrooms, and such items of furniture and equipment therefor as the Minister may approve.

7. Materials for the construction of houses for employees and for ancillary basic township services where the Minister is satisfied that such facilities do not exist and where such facilities are provided by the industry itself.

SECOND SCHEDULE

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[29 of 1967]

FORM OF APPLICATION FOR A LICENCE

To the Commissioner General of the Guyana Revenue Authority.

I/We (a)....., of

(a) Insert full name and address.

....., desire to import into Guyana the goods listed below for use solely in the project described in the Schedule hereto which will be operated at (b)

(b) Precise situation of

..... and hereby make

project.
c. 95:01

application to the Minister for a licence to import such items under section 3 of the Industries Aid and Encouragement Act to enable the goods to be entered free of duty and free of Bill of Entry Tax.

LIST OF GOODS

(c) If the goods are not of Commonwealth or Caricom manufacture or production a separate note should be submitted explaining why the goods were not obtained from Commonwealth or Caricom sources.

Description of goods	Country of Origin	Approximate Quantity	Approximate Cost
	(c)		

I/We declare the particulars set forth above to be true and that none of the goods in the above list will be used as replacements or renewals or for rehabilitation of existing plant or equipment.

(d) To be signed by an individual or, in the case of a private company or firm by one of the partners, or in the case of any other company by a director or by a secretary, or by an employee authorised by one of the aforementioned persons.

(d)
(Signed).....
Applicant.

Dated at Georgetown, Guyana, this.....day of, 20.....

SCHEDULE

1. Name of Business, Company or Undertaking
.....
2. Address
3. Invested capital and proprietorship of the business
(i.e., particulars of shares, debentures
and domicile of the principal proprietors)
4. Date of the formation or proposed formation of the
business, company or undertaking
5. Purpose for which the company or business is or
has been formed including an extract where appropriate)
from the memorandum and/or articles of association a
description of the process of production which is to
employed.....
6. Date on which production is likely to commence or
did commence with figures of—
 - (a) estimated and actual (if any) output
.....
 - (b) estimated and actual (if any)
consumption of principal materials
.....
 - (c) number of workers estimated to be or
actually (if any) employed in Guyana
.....
7. Statement as to the market or markets in which the
output is to be sold indicating in particular where that market
obtains its present supplies and whether these or any product
directly competitive with that manufactured by the applicant

is produced in Guyana and, if so, where

.....

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