

LAWS OF GUYANA

POOR RELIEF ACT

CHAPTER 36:02

Act

12 of 1903

Amended by

7 of 1905

24 of 1918

40 of 1933

21 of 1938

21 of 1940

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**Note
on
Subsidiary Legislation**

This Chapter contains no subsidiary legislation.

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POOR RELIEF ACT
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CHAPTER 36:02

POOR RELIEF ACT

1929 Ed.
c. 90
1953 Ed.
c. 62

12 of 1903

An Act to make Provision for the Relief of the Poor.

[28TH MARCH, 1903]

Citation.

1. This Act may be cited as the Poor Relief Act.

Interpretation.
[40 of 1933]

2. (1) In this Act—

“board” means the board established by section 3;

“Commissioners” means the Poor Law Commissioners;

“district” means a poor relief district established by the Minister under section 11(1);

“local board” means a local board of guardians appointed by the Minister under section 11(4).

c. 28:01 (2) The City of Georgetown includes the area of Georgetown as defined in the Municipal and District Councils Act together with any other places which, by order of the Minister, are from time to time included in the City of Georgetown for the purposes of this Act.

ADMINISTRATION

Constitution of
Poor Law
Commissions.
[21 of 1938
21 of 1940] 3. (1) The administration of relief to the poor and of all public moneys provided by Parliament for that purpose shall be vested in a board consisting of not more than nine persons and called the Poor Law Commissioners.

(2) The members of the board shall be appointed by the Minister.

(3) Subject to subsection (4), every member of the board shall hold office for three years from the date of his appointment and shall be eligible for re-appointment.

(4) The Minister may at any time, if he thinks fit, terminate the appointment of any member of the board in case of his absence from Guyana or for any other reason.

(5) The Minister shall appoint any member to be chairman and may appoint any other member to be deputy chairman of the Board.

Powers of
Chairman;
quorum.
[21 of 1938
21 of 1940]. 4. (1) The entire executive power and responsibility for the purposes of this Act shall be vested in the chairman, and all executive acts hereinafter directed to be done by the Commissioners or by the board, unless the contrary intention appears from the context, shall be done by the chairman.

(2) The chairman shall consult the members in all matters, not being mere matters of routine, before taking action or making any order, unless the public service would be prejudiced by delay.

(3) At a meeting of Commissioners four of them, of whom the chairman must be one, shall form a quorum.

(4) In this section “chairman” includes deputy chairman.

Actions by or against the Commissioners

5. All actions or suits by or against the Commissioners may be brought in the name of the chairman, who may sue and be sued by or under the style and designation of the Chairman of the Poor Law Commissioners, and no action or suit brought, commenced, or prosecuted, by or against the chairman shall abate or be discontinued by his death:

Provided that the chairman shall be reimbursed and paid out of moneys provided by Parliament all damages, costs, charges, and expenses to or with which he may be put or become chargeable by reason of any action or suit, and he shall not be personally answerable or liable for the payment of them or any part of them.

Appointment of officers.

6. (1) There shall be a secretary to the board, an inspector of the poor for the City of Georgetown, and a superintendent, a matron, and a surgeon of the alms-house and any other officers, assistants, and servants necessary for its efficient management and superintendence.

(2) Any of the officers aforesaid, if the Minister so directs, shall reside in the alms-house.

Salaries of officers.

7. Everyone appointed to an office under this Act shall be paid at the rate or from the funds applicable for the purpose determined or provided by Parliament.

Orphan asylum may be attached to alms-house.

8. The Minister may at any time order that the orphan asylum shall be attached to the Georgetown alms—house and be under the control and management of the board.

Duties of
inspector.

9. (1) The inspector, or other officer directed by the Commissioners, shall issue to the outdoor paupers of Georgetown, at the intervals directed by the Minister, the amount of pecuniary relief allowed to them respectively by the Commissioners, and the inspector shall perform all other general duties from time to time ordered by the board.

Board minutes.

(2) The secretary shall keep the minutes and accounts and conduct the correspondence of the board and in addition perform all other duties assigned to him by the board.

Commissioners
may examine
persons
concerning
poor relief.

10. The Commissioners may summon before them any persons they think necessary for the purpose of being examined upon any matter relating to poor relief or any other matter placed by law under their control, or for the purpose of production and verification upon oath of any books, contracts, agreements, accounts, maps, plans, surveys, valuations, or writings, or copies thereof in anywise relating to that matter, and not relating to or involving any question of title to lands, tenements, or hereditaments, not being the property of a parish; and may examine upon oath anyone whom they so summon, or who voluntarily comes before them to be examined upon the matter, or, instead of administering an oath, may require the person examined to make and subscribe a declaration of the truth of the matter respecting which he has been or is so examined.

Establishment
of districts.
[40 of 1933
6 of 1981]

11. (1) The Minister may by notice published in the *Gazette* declare and establish in any part of Guyana outside the City of Georgetown districts for the purposes of administration of relief to the destitute poor in the district in the manner hereinafter mentioned.

(2) The notice shall set out the boundaries of every district.

(3) The Minister may from time to time by notice

published in the *Gazette* alter the limits of any district.

(4) The Minister may in any district appoint a local board consisting of not more than nine and not less than four persons of whom one shall be appointed chairman. The board shall be entrusted, under the Commissioners, with the duty of administering relief within the district.

(5) Every member of a local board shall hold office for two years subject to prior termination by the Minister for absence from Guyana or for other reason.

(6) No business shall be transacted by a board unless a majority of the members is present. The chairman shall have an original and a casting vote.

Paid officer
may not have
interest in
contract.
[6 of 1997]

12. No commissioner, or officer employed by or under the Commissioners in the management of an alms—house or of the out-door poor, in whose hands or under whose control the maintenance, ordering, management, or direction, of the destitute poor is placed shall, either in his own name or in the name of any other person, provide, furnish, or supply, for his own profit, any materials, goods, or provisions for the use of the alms—house or the poor during the time for which he acts or retains his appointment, shall be concerned directly or indirectly in furnishing or supplying them, or in any contract relating thereto, nor shall any paid officer on any pretence whatsoever take or receive, or permit to be taken or received on his account, any fee or reward from anyone obtaining that contract, and any commissioner or officer aforesaid who contravenes this section shall be liable to a fine of forty-eight thousand seven hundred and fifty dollars.

Rules relating
to poor law
administration.
[40 of 1933]

13. Subject to affirmative resolution of the National Assembly, the Commissioners, may make rules for—

- (a) the good government of any alms—house;

- (b) regulating the duties of the medical officer, inspector, superintendent, matron and all other assistants and servants;
- (c) the repression and punishment of insubordinate and disorderly conduct on the part of the inmates, and imposing fines for the misconduct of assistants and servants; and
- (d) the guidance of the local boards and any officers employed by the Commissioners in the administration of relief to the poor in carrying this Act into effect.

ALMS—HOUSES

Alms—houses.

14. The Commissioners shall have the charge, control, and superintendence of alms-houses in Guyana.

Vesting in the State of property in alms-house.

15. All the buildings, furniture, clothing, provisions, implements, utensils, and supplies, of whatever kind or description appertaining to or used in any alms—house for the accommodation or support of the poor shall be deemed and taken to be the property of the State and are hereby vested therein.

Order for person requiring relief to be placed in alms-house.

16. The Commissioners may, if they think fit, order anyone as a condition of his receiving relief under this Act, or as a condition of his receiving medical aid at the public charge, to be placed in an alms—house.

Provisions as to property of inmate of alms-house.

17. (1) Where anyone is admitted into or placed in an alms-house, all his movable and immovable property shall *ipso facto* vest in the Commissioners, who may take any proceedings necessary for obtaining possession of and

realizing it or any part of it.

(2) The property of which possession is taken by the Commissioners shall be administered by them for the support and maintenance of the person while he remains an inmate of an alms—house.

(3) This section shall apply to any property to which the person becomes entitled while he is an inmate of an alms-house.

Refusal of pauper in alms-house to work.

18. A pauper in an alms-house who is able to perform any work or service directed by the superintendent, or matron or other officer, under the rules made by the Commissioners and refuses to do so, and a pauper who introduces or attempts to introduce into an alms-house anything prohibited by the rules, or carries out or attempts to carry out any provisions, clothing, or other property, provided for his use or belonging to the State, without being thereto duly authorised, shall be liable on summary conviction to imprisonment for sixty days.

Regulation of alms-houses hereafter established.

19. Any alms-house for the relief of the aged and infirm poor hereafter established shall be subject to the rules hereinbefore laid down for alms—houses, but those rules may in that case be modified by any order made by the Commissioners under section 13.

RELIEF OF THE POOR

Payment of expenses of poor relief.

20. All and every the expense to be incurred for relief of the destitute poor in Guyana shall be paid and defrayed out of the funds placed for that purpose at the disposal of the Commissioners.

Accounts.
[40 of 1933]

21. The chairman of every local board shall keep accounts of its receipts and disbursements for poor relief, and whenever required by the Commissioners shall produce a

balance sheet of the accounts.

Register of
paupers.
[40 of 1933]

22. Every local board shall keep a register of the paupers to whom relief is granted or allowed within its district in the manner and form directed by the Commissioners. The register shall be furnished by the Commissioners.

Persons
entitled to
relief.

23. (1) Every aged or infirm person, and every child under the age of fourteen years, children in any training school excepted, who is destitute and unable to earn sufficient for his maintenance, shall be entitled to relief from the funds at the disposal of the Commissioners.

(2) Where relief has been afforded to anyone under this section and he is the owner of, or possesses, or inherits, or acquires in any way, or dies leaving property, the Commissioners shall be entitled to recover the amount of the relief so afforded from him or his estate, and the signature of the secretary to the board subscribed to any document setting forth or containing a statement of the amount claimed or due shall, without proof of the signature or of any other matter or thing, be held and be deemed to be in all courts and by all judges and magistrates *prima facie* evidence of the amount claimed being in every particular correct.

Inquiries into
circumstances
of recipients.
[40 of 1933]

24. The Commissioners whenever they deem it expedient may place at the disposal of a local board one or more paid inquirers for the purpose of inquiring into the circumstances of any recipient of poor relief and every applicant therefor; and the local board is hereby authorised to require for any such purpose the assistance of every Government Medical Officer, police constable, rural constable, bailiff or other public officer within its district.

Meetings of
local boards.
[40 of 1933]

25. (1) There shall be a meeting of every local board in the months of January and July in each year for the purpose of considering the cases of every recipient of and every

applicant for poor relief within its district, along with the reports of the inquiries made into their circumstances, and the board shall upon consideration of the reports, and upon personal inspection where necessary and practicable, fix the amount of relief to be given to every applicant, or direct that the relief previously issued be increased or reduced or discontinued.

(2) The chairman of a local board may summon a meeting of the board at any time for the purpose of considering necessitous cases as they arise.

Settlement of relief list.
[40 of 1933]

26. The chairman of every local board shall transmit to the Commissioners the minutes of the said board, together with the reports and a list of the amounts of relief granted, increased, reduced, or discontinued, and all relief during the ensuing six months shall be paid according to the list:

Provided that the Commissioners may in their discretion alter the amount of the relief or direct it to be discontinued, or may direct that any relief discontinued be restored.

General power of Commissioners to grant relief.

27. The Commissioners may at any time, in cases of necessity, grant assistance to those requiring it.

Remittances of amount required for poor relief to local boards.
[40 of 1933]

28. All sums required for poor relief in any district shall be from time to time remitted by the Commissioners to the chairman of the local board for distribution:

Provided that where a person requiring relief does not reside within the limits of any district the Commissioners shall deal with every such case as they think fit.

MISCELLANEOUS PROVISIONS

Punishment for giving false evidence.

29. Everyone who on any examination under the authority of this Act wilfully gives false evidence, or wilfully

makes or subscribes a false declaration, shall be guilty of perjury and liable to the pains and penalties thereof.

Refusal to
attend
summons of
Commissioners
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30. Everyone who refuses or wilfully neglects to attend in obedience to a summons of the Commissioners, or to give evidence before them, or wilfully alters, suppresses, conceals, destroys, or refuses to produce, any books, contracts, agreements, accounts, maps, plans, surveys, valuations, or writings, or copies thereof, required to be produced for the purposes of this Act, shall be liable to a fine of nineteen thousand five hundred dollars or to imprisonment for six months.

Procedure and
appeal.

31. All complaints or information for the recovery of any sum of money, or any fine, penalty, or forfeiture (save and except when otherwise specially provided) shall be made, heard, and determined as nearly as may be in the manner prescribed by the Summary Jurisdiction Acts.
