

**THE OFFICIAL GAZETTE** **27<sup>TH</sup> JULY, 2021**  
**LEGAL SUPPLEMENT — C**

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**BILL No. 14 of 2021**

*Tuesday 27<sup>th</sup> July, 2021*

PARLIAMENT OFFICE  
Public Buildings,  
Georgetown,  
Guyana.

27<sup>th</sup> July, 2021.

The following Bill which will be introduced in the National Assembly is published for general information.

*S.E. Isaacs,*  
Clerk of the National Assembly.



**BILL No. 14 of 2021**

**PETROLEUM (EXPLORATION AND PRODUCTION) (AMENDMENT) BILL 2021**

**ARRANGEMENT OF SECTIONS**

**SECTION**

1. Short title.
2. Amendment of section 52 of the Principal Act.

**A BILL****Intituled****AN ACT** to amend the Petroleum (Exploration and Production) Act.

A.D. 2021 Enacted by the Parliament of Guyana:-

Short title. 1. This Act, which amends the Petroleum (Exploration and Production) Act,  
Cap. 65:04 may be cited as the Petroleum (Exploration and Production) (Amendment) Act  
2021.

Amendment of  
section 52 of  
the Principal  
Act.

2. Section 52 of the Principal Act is amended as follows-

- (a) in subsection (1)(b)(ii), by substituting for the semi-colon a colon;
- (b) by inserting immediately after subsection (1)(b)(ii) the following proviso-

“Provided that the land described in paragraph (b) (i) and (ii) is not State land, Government land, land wholly owned by State entities including companies and corporations or in which the controlling interest is vested in the State and any land identified by law or on a plan drawn and approved in accordance with any law for reserves;”;

- (c) in subsection (2), by substituting for the words “subsection (1) (a), (c) or (d)” the words “subsections (1) (a), (b), (c), (d) or (2A)”; and
- (d) by inserting after subsection (2), the following subsections-

“(2A) Nothing in this section shall prevent the Minister from obtaining written consent from any landowner or lawful occupier of any land described in subsection (1)(b).

(2B) A licensee may, with the consent of the Minister, use the land exempted under the proviso to subsection (1)(b)(i) and

(ii) to land, install or operate any pipelines or submarine, fibre optic or terrestrial cables or similar infrastructure and shall maintain, inspect, repair or renew such pipelines, cables or similar infrastructure. ”.

### **EXPLANATORY MEMORANDUM**

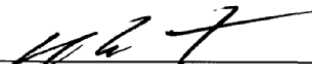
This Bill seeks to amend section 52 of the Petroleum (Exploration and Production) Act, Cap. 65:04. The amendment inserts a proviso to subsection (1)(b) (i) and (ii) to exempt State land, Government land, land wholly owned by State entities or in which the controlling interest is vested in the State and any land identified by law or on a plan for reserves from the restriction of section 52(1) (b).

The Bill also seeks to amend section 52 by inserting new subsections (2A) and (2B). Subsection (2A) provides that the Minister may obtain written consent from any landowner or lawful occupier of private land. Currently, only a licensee may obtain written consent from the lawful occupier of private land.

Subsection (2B) provides that a licensee may land, install or operate any pipelines or submarine, fibre optic or terrestrial cables or similar infrastructure. These infrastructural activities may only be done on State land, Government land, land wholly owned by State entities or in which the controlling interest is vested in the State and any land identified by law or on a plan drawn and approved in accordance with any law for reserves. This is necessary as the Principal Act is premised on onshore development with all of its accompanying heavy infrastructural works.

Consequently, subsection (2) was also amended to provide that any instrument of consent obtained under subsection (1)(b) or subsection (2A) may be given unconditionally or subject to such conditions as are specified in that instrument.

Overall, the amendment of section 52 ensures that the Government has oversight over the exercise of the licensee's rights over private land. Accordingly, the amendment further strengthens and protects private proprietary interests as enshrined in Article 142 of the Constitution of Guyana.

  
Hon. Vickram Bharrat, MP  
Minister of Natural Resources

