

LAWS OF GUYANA

POUNDS ACT

CHAPTER 71:04

Act

1 of 1866

Amended by

14 Of 1890

7 of 1950

19 of 1953

17 of 1973

14 of 1988

29 of 2007

8 of 2010

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**CHAPTER 71:04
POUNDS ACT**

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1929 Ed.
c. 93
1953 Ed.
c. 82

**CHAPTER 71:04
POUNDS ACT**

1 of 1866

An Act to establish Pounds in Guyana and to make provisions relating thereto.

[1ST JULY, 1866]

Short title.

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

Minister may establish pounds.

2. The Minister may from time to time, by order, establish pounds in those parts of Guyana which to him seem fit; but all pounds already established shall continue to be kept subject to this Act unless the Minister at any time otherwise directs.

Appointment of keepers.

3. There shall be such number of pound keepers as are required for the purposes of this Act:

Provided that every member of the police force for the time being in charge of a police station at which a pound is established shall, without any further or other appointment, act as and be *ex officio* the keeper of that pound while in charge of the station.

Impounding of stray on private premises.
[17 of 1973
14 of 1988
29 of 2007
8 of 2010]

4. The owner or person in possession of any private premises or land where on any stray is found trespassing may take, or by someone authorised by him in writing send, the stray to the nearest pound, and for so doing he shall receive from the keeper thereof the sum of ninety dollars for every horse, mare, gelding, colt, filly, pony, mule, bull, cow, ox, heifer, steer, buffalo or ass, and five thousand dollars for every horse, mare, gelding, colt, filly, pony, mule, bull, cow, ox, heifer, steer, buffalo, ass, café, sheep, goat or kid.

Poundage
money and
expenses.
[17 of 1973
14 of 1988
29 of 2007]

5. (1) The pound-keeper shall, before delivery, demand and receive from the person claiming any stray the sum of three thousand dollars for every horse, mare, gelding, colt, filly, pony, mule, bull, cow, ox, heifer, steer, buffalo or ass, and two thousand dollars for every calf, sheep, goat, kid or as poundage money, in addition to the reward mentioned in section 4 and in addition to the expense of feeding and advertising the stray.

(2) The pound-keeper shall be entitled to charge the sum of two thousand dollars a day for feeding each horse, mare, gelding, colt, filly, pony, mule, bull, cow, ox, heifer, steer, buffalo, ass, calf, sheep, goat or kid and no more, but no poundage shall be liable to be paid in respect of the young of any mare, cow, ass, goat, sheep, buffalo or pig, under six months old, sent to the pound with its mother or dam.

Impounding of
stray on public
premises.
[14 of 1988
29 of 2007]

6. Any horse, mare, gelding, pony, mule, ass, bull, cow, ox, heifer, steer, colt, filly, buffalo, kid, calf, sheep, or goat tethered, grazing, or straying on any public premises, public land or public place may be seized and impounded by any police officer or constable, or by anyone authorised in writing by the Chief Executive Officer of a regional democratic council; and the same pound fees shall be paid and received in respect of any of the animals as are hereinbefore provided in respect of strays on private premises or land.

Pigs may be
destroyed.
[29 of 2007]

7. (1) the owner or person in possession or control of any private land or premises (the owner) may, without prejudice to his right of any civil action, destroy a pig straying or found on the land or premises subject to the following conditions—

- (a) the owner shall notify, in writing, the owner of the pig and the police of the

damage done to the land or premises;

- (b) the police shall notify, in writing, the owner of the pig of the damage done by the pig to the land or premises;
- (c) the owner, on being informed by the police of the steps taken by the police, may, if the pig is found or strays on his land or premises, destroy the pig and shall return the carcass to the owner of the pig.

(2) A police officer or constable, or any person authorised in writing by the Commissioner of Police may destroy a pig found on any public premises, public land or public place and hand over the carcass to the owner of the pig where the owner can be identified.

Release or
rescue of stray.
[14 of 1988
29 of 2007]

8. Everyone who—

- (a) releases or attempts to release any stray taken for the purpose of being impounded under the authority of this Act on the way to the pound;
- (b) damages or destroys a pound, or any lock or bolt belonging to it, or with which it is fastened; or
- (c) rescues or releases, or attempts to rescue or release, any stray impounded under the authority of this Act until or before the stray is discharged by due course of law,

is liable to a fine of not less than ten thousand dollars nor more than twenty thousand dollars.

Ill-using stray
on way to
pound.
[29 of 2007]

9. No one taking an animal to the pound shall ride it or in any way beat or ill-use it; and anyone who takes an animal to the pound by any way other than the nearest way thereto shall forfeit all right to the poundage, and is liable to a fine of not less than ten thousand dollars nor more than twenty thousand dollars.

Improperly
impounding
animal as stray.
[14 of 1988
29 of 2007]

10. Everyone who—

- (a) drives off any animal from the premises of the owner;
- (b) breaks a gap in any fence or enclosure with the view of making any animal a stray; or
- (c) with the like view, takes any animal from private premises or land of which he is not the owner or occupier, or person authorised by the owner or occupier in writing,

is liable to a fine of not less than ten thousand dollars nor more than twenty thousand dollars for every animal so driven off, or taken or attempted to be so driven off or taken, and if the animal is received into the pound, is in addition liable to repay the full expenses of poundage to the owner of it.

Stray not to be
detained before
being sent to
pound.
[14 of 1988]

11. (1) No one taking any stray with the intention of impounding it shall detain it more than three hours before sending it to the nearest pound, unless it is taken up after sunset, in which case he shall send it to that pound before

29 of 2007] eight o'clock on the following morning.

(2) Everyone who detains a stray for a longer period than three hours is liable in respect of each stray so detained to a fine of not less than ten thousand dollars nor more than twenty thousand dollars.

Record of strays
impounded.
[14 of 1988
29 of 2007]

12. (1) Every pound-keeper shall keep a book in which he shall enter the date when each stray is received, the name of everyone sending it, and also the name of the person taking or delivering it to the pound, with its colour, description and marks, the place whence it was sent, and the sum paid to the party impounding; and the book is open to inspection by anyone during the day without fee.

(2) Any pound-keeper who—

- (a) neglects to make those entries;
- (b) wilfully makes any false, erroneous, or incorrect entry;
- (c) refuses or declines to produce his book when it is demanded as aforesaid; or
- (d) demands any fee for so doing,

is liable to a fine of ten thousand dollars.

Feeding
impounded
stray.
[14 of 1988
29 of 2007]

13. Every pound-keeper shall procure for, furnish, and give to each stray in his pound a sufficient quantity of good grass and feed and water daily, and if he neglects or omits to do so, he is liable to a fine of ten thousand dollars, and in addition thereto is liable to immediate dismissal.

Publication of
weekly list of
strays.
[29 of 2007]

14. Every pound-keeper shall publish once every week in the *Gazette* a correct list of all strays in his pound, describing them in every particular as recorded in his book, and in default thereof is liable to a fine of ten thousand dollars for each omission or neglect.

Receiving and
delivering
strays.
[17 of 1973
29 of 2007]

15. (1) Every pound-keeper, or someone appointed by him as his deputy (for whose acts or omissions in respect of any matter or thing under this Act he shall be responsible), shall constantly be at hand between the hours of six o'clock in the morning and six o'clock in the evening to deliver all strays; and, in default thereof, the pound-keeper is liable to a fine of ten thousand dollars for each time he or his deputy is so absent.

(2) A person required to carry out duties as a pound-keeper shall be at hand at all times to receive all strays, and, in default thereof, he is liable on summary conviction to a fine of ten thousand dollars.

Prohibition of
hiring out or
using of
impounded
stray.
[29 of 2007]

16. Any pound-keeper who —

- (a) hires out, lets, uses, works or employs any stray animals impounded;
- (b) allows any stray to be taken out of the pound wrongfully; or
- (c) suffers any stray while impounded to be ill-used or injured,

is liable for each offence to a fine of not less than ten thousand dollars nor more than twenty thousand dollars.

Sale of unclaimed stray after notice.

17. (1) Any stray which has been impounded and is not redeemed within one week shall be sold.

(2) The pound-keeper shall advertise for sale for one week in the *Gazette* all strays (except sheep and goats), and shall notify their sale for two days beforehand upon a board to be placed in some conspicuous place at or near the pound.

(3) The sale shall take place between the hours of eleven and three o'clock in the day.

Pound-keeper may not purchase stray. [14 of 1988 29 of 2007]

18. If any pound-keeper or his deputy either directly or indirectly purchases any unclaimed stray sold out of his pound the purchase shall be void and, in addition, he is liable to a fine of not less than ten thousand dollars nor more than twenty thousand dollars.

Accounting by pound-keeper who is a police officer.

19. Every member of the police force who is a pound-keeper shall regularly, and at least once in each month, pay over to the Commissioner of Police the proceeds of all sales of strays made by him after deducting any amounts paid for rewards, and those proceeds shall be paid to the Accountant General.

Accounting by pound-keeper not being police officer.

20. Every pound-keeper who is not a member of the police force shall regularly, and at least once in each month, pay over to the Accountant General the balance of the proceeds of all sales of strays made by him, after deducting the sums of money paid for rewards, the expenses of poundage and of advertising and feeding strays and other incidental legal charges, and a commission for his own use and benefit of five per cent on the amount of those sales.

Failure of pound-keeper to account.

21. Any pound-keeper who fails or neglects duly and faithfully to comply with the provisions of section 19 or 20 applicable to his case, is for each failure or neglect liable

[29 of 2007] to a fine of not less than ten thousand nor more than twenty thousand dollars; and if he does not pay over moneys in his hands on account of the sale of strays to the proper officer and within the time in that behalf prescribed, he shall, in addition to that fine, forfeit and pay double the amount of the money so kept back by him.

Payment to owner of balance of sale of stray. **22.** If anyone proves, to the satisfaction of a magistrate, after the sale of any stray, that he was the owner of that stray, the Commissioner of Police or the Accountant General, as the case may be, shall, upon the order of the magistrate, pay over to the owner the balance of the proceeds of the sale of the stray paid into his hands.

Unsold stray may be destroyed. [17 of 1973] **23.** Any stray duly advertised and put up for sale under this Act but not sold shall be disposed of by the pound-keeper in accordance with the directions of the Minister.

Rules and regulations as to fees. [19 of 1953 17 of 1953] **24.** The Minister responsible for public order may from time to time make regulations, consistent with this Act, for increasing, reducing, varying or in respect of any area for such period as the Minister responsible for public order shall think fit for suspending, the payment or collection of all or any of the pound fees and other charges and expenses specified in this Act, and for regulating the mode of accounting therefor, and generally for the guidance and government of pound-keepers in the discharge of their duties.

Procedure and appeal. **25.** All proceedings for penalties and forfeitures under this Act shall be in accordance with the Summary Jurisdiction Acts.

Minister may prohibit the impounding of animals in an **26.** (1) Anything in this Act to the contrary notwithstanding, the Minister responsible for public order may, when he deems it expedient to so do, by order, direct

emergency.
[7 of 1950
17 of 1973]

that during the subsistence of such order, no animals specified therein shall be received in any pound to which such order relates.

(2) Any such order may provide that its provisions shall be deemed to have come into effect from such day, not being more than thirty days prior to the publication of such order, as the Minister responsible for public order may think fit.

(3) The Minister responsible for public order may, by a subsequent order, amend, vary or revoke any order made by him under subsection (1).

[Subsidiary]

SUBSIDIARY LEGISLATION

Pro. 6/1960
2/1966A
O. 44/1985
2, 27, 60/1986
29, 82/1989
7, 78/1990
19/2005

POUNDS ORDER

made under section 2

- Citation. 1. This Order may be cited Pounds Order.
- Establishment of pounds. Schedule 2. Pounds are hereby established at the places specified in the Schedule.

cl 2

SCHEDULE

- Proc. 6/1960 Lesbeholden, in the Community Area within the Lesbeholden section of Black Bush Polder in the county of Berbice.
- Proc. 2/1966A Yakusari and Mibikuri, in the Community Areas within the Yakusari and Mibikuri sections of Black Bush Polder in the county of Berbice.
- Proc. 3/1966A Schepmoed, adjacent of the Government compound in the Mara Land Development Scheme in the county of Berbice.
- Proc. 230/1970 Campus of the University of Guyana at Turkeyen on the East Coast of Demerara in the county of Demerara.
- Proc. 28/12/1918 Agricultural Department, in the southern part of the Botanic Gardens, Georgetown.
- Proc. 10/1956 (Under Police Control)¹
- 11/1956 Berbice
Springlands

¹ 1953 Edition, Vol. V111 p.896

LAWS OF GUYANA

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Pounds

[Subsidiary]

Pounds Order

413/1973

No. 51.
Tarlogie.
Whim.
Albion.
Reliance.
Sisters.
Blairmont.
Fort Wellington.
Weldaad.

Demerara

Mahaicony
Cane Grove.
Mahaica.
Cove & John.
Vigilance.
Beterverwagting.
Sparendaan.
Kitty.
Providence.
Madewini Gate (Timehri)
East Linden.
West Linden.
Wales.
La Grange.
Vreen-en-hoop.
Den Amstel.
Leonora.

Essequibo

Parika
Leguan.
Sans Souci (Wakenaam).
Aurora.
Suddie.
Anna Regina.
Charity.
Bartica.

Mabaruma.

O. 44/1985 Mara ranch: The Livestock Development Company ranch at Mara *cum annexis*, situated on the right bank of the Berbice river in the county of Berbice.

Ebini ranch: The Livestock Development Company ranch at Ebine *cum annexis*, situated on the right bank of the Berbice river in the county of Berbice.

Kabawer ranch: The Livestock Development Company ranch at Kabawer *cum annexis*, situated on the right bank of the Abary river in the county of Berbice.

Gold Digging Steer Finishing Unit: The Livestock Development Company Steer Finishing Unit at Gold Digging *cum annexis*, situated on the west bank of the Berbice river in the county of Berbice.

Moblissa Dairy: The Livestock Development Company Dairy at Moblissa *cum annexis*, situated on the right bank of the Demerara river in the county of Demerara.

Pirara Ranch: The Livestock Development Company Ranch at Pirara *cum annexis*, situated on the left bank of the Ireng river in the county of Essequibo.

Livestock Farm: The Livestock farm owned by the Government of Guyana at Mon Repos, situated on the East Bank of Demerara river in the county of Demerara.

O. 2/1986 Windsor Forest Village office compound, West Coast Demerara, Demerara.

O. 27/1986 Coastal Plains Field Research Unit compound at Burma, East Coast, Demerara.

O. 60/1986 Hope Estate, East Coast Demerara, Demerara.

LAWS OF GUYANA

16 **Cap. 71:04**

Pounds

[Subsidiary]

Pounds Order

- O. 29/1989 More Point police outpost, Mahicony River, Region No. 5, Mahaica/Berbice Region.
- O. 81/1981 Lethem police station compound, Lethem, Region No. 9.
- Guyana Sugar Corporation, Leonora Estate, West Coast Demerara, Region No. 3, Essequobo Islands/west Demerara.
- Guyana Sugar Corporation, Enmore Estate, East Coast Demerara, Region No. 4, Demerara/Mahaica.
- Guyana Sugar Corporation, La Bonne Intention Estate, East Coast Demerara, Region No. 4, Demerara/Mahaica.
- Guyana Sugar Corporation, Liliendaal Dairy Complex, East Coast Demerara, Region No. 4, Demerara/Mahaica.
- Guyana Sugar Corporation, Ogle Estate, East Coast Demerara, Region No. 4, Demerara/Mahaica.
- Guyana Sugar Corporation, Bath Settlement, West Coast Berbice, Region No. 5, Mahaica/Berbice.
- Guyana Sugar Corporation, Blairmont Estate, West Coast Berbice, Region No. 5, Mahaica/Berbice.
- Guyana Sugar Corporation, Skeldon Estate, Corentyne, Berbice, Region No. 6, East Berbice/Corentyne.
- O. 7/1990 Village Office Compound at Lot 235 Health Centre Road, Ithaca Village, West Bank Berbice, Region No. 5.
- O. 78/1990 The reserve between Grant 1803 and 1780, west of the Public Road, at Crabwood Creek in Region No. 6 of East Berbice/Corentyne Region.
- O. 19/2005 No. 51/Good Hope in the County of Berbice.
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