

Reg. 10/8/1910  
13/1948  
1/1949

## STATE LANDS (AMERINDIANS) REGULATIONS

*made under section 41*

- Citation.** 1. These Regulations may be cited for all purposes as the State Lands (Amerindians) Regulations.
- Definitions of Amerindian.** 2. (1) For the purpose of these Regulations, and subject to the special provisions hereinafter contained, the term Amerindian means a person whose parents are both of pure Amerindian blood, and belong to the Amerindian tribes of Guyana.
- (2) The term half-caste shall mean the child of an Amerindian whose other parent is not an Amerindian. Half-castes shall, save in the exceptional cases mentioned hereafter, forfeit all the privileges of an Amerindian.
- Female Amerindian.** 3. (1) A female Amerindian who is married to or living as the reputed wife of any person other than an Amerindian shall forfeit all the privileges of an Amerindian, as defined in these Regulations:
- Provided that after the death of the husband this regulation shall not apply, nor in the case of a reputed wife after cohabitation ceases.
- (2) Any half-caste who has been duly registered under the Indian Regulations, 1890, shall be personally entitled during his life-time to all the privileges of an Amerindian, but his descendants shall not be considered Amerindians.
- Question as to race.** 4. If any question arises at any time as to whether any person is an Amerindian, the onus of proof shall rest on such person.
- Occupation of land.** 5. Any Amerindian may occupy a portion of the ungranted and unlicensed State lands in any part of Guyana for the purpose of residence only, but may not clear the forest from and cultivate any ungranted State lands other than those specified in these Regulations.
- Clearing of land.** 6. No Amerindian shall be at liberty to clear any forest land belonging to the State for the purpose of cultivation, unless such land has been previously in the occupation of a licensed woodcutter and worked out, or previously cleared and cultivated. The localities on the several rivers within which this restriction is to be in force, are as follows:

For the Essequibo River Watershed  
From the foot of the Aretaka Rapids, downwards;

For the Mazaruni River Watershed—  
 From the foot of the Waramambo Falls, downwards;  
 For the Cuyuni River Watershed—  
 From the foot of the Acayu Falls, downwards;  
 For the Demerara, Berbice, and Corentyne Rivers Water-  
 shed—  
 From the foot of the Great Falls of each of these rivers  
 downwards.

For the other rivers of Guyana in which there are no falls or other obstructions to free navigation or the transportation of timber, the limits shall be on the main rivers and on their respective creeks and their tributaries, as far inland as they may be navigable for the transportation of timber in ordinary weather.

7. Any Amerindian may without permission cut, dig or remove from the ungranted and unlicensed State lands any substance or thing which he may require for putting up any building or shed for the purpose of residence.

Removal of things from land.

8. Any Amerindian may without permission cut or gather any troolie or other palm leaves, posts, spars, or wattles, or make kokers from hollow trees, and may cut to make buck-shells or canoes trees of any size, and dispose of all such articles as he may think fit:

Removal of things from land.

Provided that no greenheart, wallaba, bullet tree, rubber tree or letter wood tree shall be cut for the making of posts, spars, wattles or rollers.

9. (1) Subject to and except as otherwise provided in these Regulations, any Amerindian who desires to cut timber, make shingles or staves, burn charcoal, or to dig remove and carry away any substance or thing, on or from State lands shall personally apply to an officer of the Lands Department or any other person appointed for the purpose in the district in which the Amerindian resides, for permission so to do, and the officer or other person may—

Cutting of timber.  
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- (a) by writing under his hand grant the application; or
- (b) with the approval of the Commissioner of the Interior, refuse the application:

Provided that where an application is not granted under paragraph (a), the circumstances of the case shall forthwith be reported to the Commissioner of the Interior.

(2) No greenheart tree shall be cut that squares less than twelve inches or any other hardwood that will square less than six

inches, and no bullet tree or rubber-bearing tree shall be felled for any purpose whatsoever.

(3) No tree shall be felled for balata or rubber, except under a special permit in writing from the Commissioner of Lands.

(4) The permission shall state the name of the applicant, his tribe, the approximate quantity of timber to be cut, of the shingles or staves or charcoal to be made, or of the substance or thing to be dug, removed, or carried away, and the time required for the procuring and removing of the same, as also the locality within which the articles mentioned in the permission are to be cut, made, dug, removed or carried away, and the permission shall be signed and dated by the person granting it.

(5) Nothing in these Regulations shall authorise any Amerindian to dig for, or remove from any part of the State lands of Guyana any gold, or mineral, except under the Mining Regulations then in force.

(6) The permission may be granted for a term of three months, and may, on personal application, be extended, from time to time, by the person granting it, or, in case of his absence or removal, by his substitute or successor in office.

(7) The officer or person appointed for the purpose shall keep a record of all permissions so granted in a book to be provided for that purpose at the public expense, and a copy of such record shall, within seven days after the expiration of every month, be forwarded by the officer or person as aforesaid to the Commissioner of Lands.

Selling of  
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**10. (1) (a)** No Amerindian who has been granted permission under regulation 9 shall sell or otherwise dispose of any of the articles referred to in such permission except as hereinafter provided.

(b) Where an Amerindian desires to sell or otherwise dispose of any article referred to in a permission under regulation 9, he shall so inform the nearest officer of the Lands Department or the Commissioner of the Interior and the officer or Commissioner of the Interior may dispose of the same, or authorise its disposal, to any person, and shall pay to the Amerindian the proceeds thereof, in money.

(2) The officer disposing of the articles mentioned in any permission shall endorse on the back thereof the quantities purchased, and the price paid for them, and shall, when the sales are completed, forward the permission to the Commissioner of Lands.

(3) No Amerindian shall cut or remove any timber, shingles, staves, charcoal, substance or other thing for which a permission is required by these Regulations from any part of the ungranted State lands, unless he shall have previously obtained such permission, and any timber, shingles, staves, charcoal, substance or thing so cut or removed may be seized and dealt with as having ~~been illegally cut or~~ removed from the ungranted State lands.

(4) No person shall purchase from any Amerindian any timber, shingles, staves, charcoal, or other substance or thing for which a permission is required by these Regulations, except in accordance with regulation 10, and any timber, shingles, staves, charcoal or other substance or thing so purchased shall be liable to seizure and forfeiture as though illegally cut on the ungranted State lands.

**11.** (1) When an Amerindian contravenes these Regulations he may, in the first instance, be summoned before the magistrate of the district within which the contravention has been committed, and such magistrate shall reprimand such Amerindian if he finds that he has wilfully committed a breach of the Regulations, or may explain or cause to be explained to him the provisions of the Regulations if he is ignorant of them. Offences.

(2) In the case of a second contravention, the privileges of such Amerindian under these Regulations may be suspended by such magistrate for any time not exceeding six months, and such Amerindian may also be ordered to pay the cost of the process against him, and the amount thereof may be recovered by distress under the Summary Jurisdiction Acts for the time being in force.

(3) In case of a third contravention the privileges of such Amerindian under these Regulations shall cease and determine:

Provided that the Minister may, if he thinks fit, at any time, make an order for the restoration of such privileges.

**12.** No Amerindian employed under contract of service by a person not an Amerindian, shall be entitled, while so employed, to any immunity from taxation or licence duties in respect of so much of his property as may be carried or taken to the land or premises on which he is so employed. Taxation.