

THE IRRIGATION ACT

ORDER
(under section 66)THE IRRIGATION AUTHORITIES (VESTING OF FUNCTIONS IN THE
NATIONAL IRRIGATION COMMISSION LIMITED) ORDER, 1990*(Made by the Minister on the 27th day of March, 1990)*L.N. 25C/90
Amdt.:
L.N. 79C/96
Citation.

1. This Order may be cited as the Irrigation Authorities (Vesting of Functions in the National Irrigation Commission Limited) Order, 1990.

2. This Order shall be read and construed subject in all respects to the Irrigation Act (hereinafter referred to as the Act) and the several words and expressions to which meanings are assigned by the Act shall have in this Order the same respective meanings.

Construction.

3. In this Order—

Interpretation.

“the Commission” means the National Irrigation Commission Limited, a company incorporated under the Companies Act;

“prescribed Authority” means—

- (a) the Saint Dorothy Plain Irrigation Authority;
- (b) the Mid-Clarendon Irrigation Authority;
- (c) the Hounslow Irrigation Authority;
- (d) the Braco Irrigation Authority; and
- (e) the Yallahs Irrigation Authority,

established by orders made under section 56 of the Act;

“prescribed irrigation area” means—

- (a) the Saint Dorothy Plain Irrigation Area;
- (b) the Mid-Clarendon Irrigation Area;
- (c) the Hounslow Irrigation Area;
- (d) the Braco Irrigation Area; and
- (e) the Yallahs Irrigation Area,

declared as such by the Minister by orders made under section 3 of the Act;

“prescribed period” means a period of ten years beginning on the relevant date;

“relevant date” means the 4th day of April, 1990.

Vesting of functions of prescribed Authority in Commission.

4. During the prescribed period every prescribed Authority shall be divested of the functions conferred on it under the Act and those functions shall, during that period, be vested in the Commission.

Vesting of assets and liabilities, etc., in Commission.

5.—(1) During the prescribed period there shall be vested in the Commission without any conveyance, assignment or transfer all property which, on the day immediately prior to the relevant date, was held by a prescribed Authority, including all interests, rights and easements in relation to such property.

(2) Any property vested pursuant to sub-paragraph (1) shall continue to be subject to all and any trusts, debts, liabilities and obligations affecting the same.

Transfer of responsibility for staff of prescribed Authority to Commission.

6. Unless and until other arrangements are made with the approval of the Minister, all persons in the employment of a prescribed Authority immediately prior to the relevant date shall as from that date be employed by the Commission upon the like terms and conditions of employment.

Application of revenues.

7. Notwithstanding anything contained in Part VI of the Act, the revenues derived from irrigation rates and dues shall, during the prescribed period, be received by the Commission and shall be applied by the Commission for the purposes of the functions vested in it by this Order.

General duty of Commission as to finance.

8. It shall be the duty of the Commission as far as is practicable in carrying out its functions under this Order, to seek to secure that the revenues referred to in paragraph 7 become at least sufficient to meet all sums properly chargeable to revenue account (including sums required for the repayment of loans and interest thereon).

Power of Minister to grant additional sums.

9. Where the Minister is satisfied that additional sums may be required to finance the functions of the Commission under this Order the Minister may grant the additional sums to the Commission and any sums so granted shall be paid out of the Consolidated Fund.

Collection of arrears accrued prior to relevant date.

10. The Commission may collect any amounts which are at the relevant date outstanding as irrigation rates and dues under the Act.