



GUYANA

ACT No. 24 of 1990

MISCELLANEOUS ENACTMENTS (AMENDMENT) ACT 1990

I assent

H. D. Hoyte,
President.

1990—11—24

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Amendment of the Representation of the People Act.
3. Amendment of the Criminal Law (Offences) Act.
4. Amendment of the Summary Jurisdiction (Offences) Act.
5. Amendment of section 8 of the Cattle Stealing Prevention Act.
6. Amendment of the Amerindian Act.
7. Amendment of the Roads Act.
8. Amendment of section 18 of the Forests Act.
9. Amendment of section 3 of the Rehabilitation of Offenders Act.

AN ACT to amend the Representation of the People Act, the Criminal Law (Offences) Act, the Summary Jurisdiction (Offences) Act, the Cattle Stealing Prevention Act, the Amerindian Act, the Roads Act, the Forests Act and the Rehabilitation of Offenders Act.

A.D. 1990

Enacted by the Parliament of Guyana :—

Short title.

1. This Act may be cited as the Miscellaneous Enactments (Amendment) Act 1990.

Amendment
of the Re-
presentation
of the
People Act.
Cap. 1:03

2. The Representation of the People Act is hereby amended in the following respects —

“(a) in section 45A. by the substitution of a colon for the full stop at the end of subsection (2) and by the insertion of the following proviso to subsection (2) —

‘Provided that the wife or each child of an Ambassador or a High Commissioner or the wife or each child of every member of the staff of an Embassy or a High Commission whose name is on the non-residents’ roll but not on the non-resident electors’ roll shall become a non-resident elector, if he or she applies for the inclusion of his or her name on the non-resident electors’ roll and his or her application is allowed under this section.’”.

(aa) by the substitution —

- (i) in section 104 (2) and (3), for the words “one thousand” of the words “twenty-five thousand”;
- (ii) in section 106 (1) (a), for the words “two thousand five hundred” of the words “fifty thousand”;
- (iii) in section 108 (2) and in the proviso in section 114 (1), for the word “five” of the words “one hundred”;
- (iv) in section 109 (2), for the words “twenty-four cents” and “twelve cents” of the words “five dollars”;

(b) by the repeal of section 136.

“(c) in the Schedule in Form 12A —

3. The Criminal Law (Offences) Act is hereby amended in the following respects —

Amendment
of the
Criminal
Law
(Offences)
Act.
Cap. 8:01

- (a) in section 159, by the insertion after the word “chapel” of the words, “temple, mosque, synagogue” and after the word “churchoyard”, of the words, “or yard of any temple, mosque or synagogue,”;
- (b) in section 228, by the insertion after the word “chapel” of the words, “temple, mosque, synagogue,”;
- (c) in section 232 (a), by the insertion after the word “chapel” of the words, “temple, mosque, synagogue,”;
- (d) in section 309, by the insertion after the word “chapel” of the words, “temple, mosque, synagogue,”.

4. The Summary Jurisdiction (Offences) Act is hereby amended in the following respects —

Amendment
of the sum-
mary Juris-
diction
(Offences)
Act.
Cap. 8:02

- (a) in section 58, by the insertion after the word “chapel” of the words, “temple, mosque, synagogue,” and after the word “churchoyard” of the words, “or yard of any temple, mosque or synagogue,”;
- (b) in section 135 (a) and (b), by the insertion after the word “chapel” wherever it occurs of the words “temple, mosque or synagogue,”.

5. Section 8 of the Cattle Stealing Prevention Act is hereby amended by the substitution, for the words “five hundred dollars” of the words “fifteen hundred dollars”.

Amendment
of section 8
of the Cattle
Stealing
Prevention
Act. Cap. 9:03

6. The Amerindian Act is hereby amended in the following respects —

Amendment
of the
Amerindian
Act.
Cap. 29:01

- (a) in section 6 —

- (i) by the renumbering of the section as subsection (1) thereof;
- (ii) in subsection (1) as so renumbered, by the insertion after the word "enters" of the words "or remains in" and by the substitution for the words "one hundred dollars" of the words "fifteen hundred dollars or to imprisonment for four months; and a person so convicted shall be warned against committing such offence a second or subsequent time and of the penalties prescribed in subsection (2) where a person convicted";
- (iii) by the insertion after subsection (1) of the following subsection as subsection (2) —

"(2) Where anyone is convicted for a second or subsequent time under this section he shall (whether or not he was warned under subsection (1)) be liable to a fine of two thousand dollars together with imprisonment for six months.";

- (b) by the insertion after section 14 of the following section as section 14A —

"Captains to be justices of the peace.

14A (1) Every captain shall *ex officio* be a justice of the peace in and for every District, Area and Village and he shall take the oath required to be taken by a justice of the peace.

(2) As such justice every captain shall at all times act ministerially for the purpose of the preservation of the peace, the prevention of crime and the detection and committal of offenders, but he shall not in any way act judicially as a justice, either in any court or in any manner."

Amendment
of the
Roads Act.
Cap 81:01

7. The Roads Act is hereby amended in the following respects —

- (a) in section 21 (2), by the substitution for the words "thirty dollars" of the words "three hundred dollars";
- (b) in section 28 (1), by the substitution for the words "three dollars" and "fifteen dollars" of the words "five

hundred dollars” and “fifteen hundred dollars,” respectively.

**Amendment
of section 18
of the Forests
Act.
Cap. 67:01**

8 Section 18 of the Forests Act is hereby amended in the following respects —

- (a) by the renumbering of the said section 18 as subsection (1) thereof;
- (b) in subsection (1) as so renumbered,
 - (i) in the opening portion, by the substitution for the words “seventy-five dollars” and “two months” of the words “fifteen hundred dollars” and “four months”, respectively;
 - (ii) in paragraph (b) of the proviso, for the full stop at the end, by the substitution of a semi-colon and by the insertion thereafter of the following words, “and a person so convicted shall be warned against committing such offence a second or subsequent time and of the penalties prescribed in subsection (2) where a person is so convicted.”;
- (c) by the insertion after subsection (1) of the following subsection as subsection (2) —

“(2) Where anyone is convicted for a second or subsequent time under this section he shall (whether or not he was warned under subsection (1)) be liable to a fine of two thousand dollars together with imprisonment for six months, and where he is in occupation of any State forest, he shall be ordered to surrender possession of the State forest with all the forest produce thereon and all the buildings and erections thereon or affixed thereto.”.

**Amendment
of section 3
of the Re-
habilitation
of Offenders
Act No. 9 of
1988.**

9. Section 3 (2) of the Rehabilitation of Offenders Act is hereby amended by the substitution for the words “subsection (1) (b)” of the words “subsection (1)”.

Passed by the National Assembly on 1990-08-09.

G. E. F. Moses.
Acting Clerk of the National Assembly.