

GUYANA

Act No. 16 of 1989

REHABILITATION OF OFFENDERS (AMENDMENT) ACT 1989

I assent



H. D. Hoyte
President

1989— 12 - 13

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Amendment of section 3 of the Principal Act.
3. Repeal of section 4 of the Principal Act.
4. Amendment of section 6 of the Principal Act.
5. Amendment of the Schedule to the Principal Act.

AN ACT to amend the Rehabilitation of Offenders Act 1989.

Enacted by the Parliament of Guyana :-

A.D. 1989

Short title.
No. 9 of 1988

1. This Act, which amends the Rehabilitation of Offenders Act 1988, may be cited as the Rehabilitation of Offenders (Amendment) Act 1989.

Amend-
ment of
section 3 of
the Principal
Act.

2. Section 3 of the Principal Act is hereby amended by the deletion of Subsection (1) and the substitution of the following subsection therefor —

“3.(1) Where an individual has been convicted of an offence or offences, whether before or after the commencement of this Act, or whether by or before a court in or outside Guyana, and he has, except in the cases referred to in subsection (2), served or otherwise undergone or complied with the sentence imposed on him in respect of that conviction, he shall, for the purposes of this Act, be treated on and from the expiration of the rehabilitation period applicable to the conviction (including where appropriate any extension thereof under section 6(5) or, where that period expired before the commencement of this Act, on and from the commencement of this Act, as a rehabilitated person in respect of that conviction and that conviction shall for these purposes be treated as spent.”

Repeal of
section 4 of
the Principal
Act.

3. Section 4 of the Principal Act is hereby repealed.

Amend-
ment of
section 6 of
the Principal
Act.

4. Section 6 of the Principal Act is hereby amended in the following respects —

- (a) by the deletion in subsection (1) of the words “(not being a sentence excluded from rehabilitation under this Act)” and “(in either case none of the sentences being excluded from rehabilitation under this Act) ;
- (b) by the repeal of subsections (2) (b), (3)(b) and (5)(b);
- (c) by the deletion in subsection (6)(b) of the words “not excluded from rehabilitation”.

5. The Schedule to the Principal Act is hereby amended in the following respects —

Amendment of the Schedule to the Principal

- (a) by the insertion after paragraph 2 of the following paragraphs as paragraphs 2a and 2b —

Sentences	Rehabilitation period
<p>“2a. A sentence of imprisonment for a term exceeding thirty months but not exceeding sixty months.</p> <p>2(b). A sentence of imprisonment for a term exceeding sixty months, and a sentence of imprisonment for life.</p>	<p>Fifteen years.</p> <p>Twenty years.”;</p>

- (b) in paragraph 8, by the insertion after the words “exceeding six months”, of the words “but not exceeding thirty months”;
- (c) by the insertion after paragraph 8 of the following paragraphs as paragraphs 8a, 8b and 8c —

Sentences	Rehabilitation period
<p>“8a. A sentence of detention for a term exceeding thirty months but not exceeding sixty months under section 15 of the Juvenile Offenders Act.</p>	<p>Seven years. Cap. 10:03</p>

	Sentences	Rehabilitation period
Cap. 10:03	8b. A sentence of detention for a term exceeding sixty months under section 15 of the Juvenile Offences Act.	Ten years.
	8c. A sentence of detention during the President's pleasure.	Twenty years."

Passed by the National Assembly on 1989—11—13.

F. A. Narain
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Clerk of the National Assembly.