

# Bill No. 21 of 1968

PUBLISHED 19TH OCTOBER, 1968

Bill No. 21 of 1968.

## CRIMINAL LAW (PROCEDURE) (AMENDMENT) BILL, 1968.

### Arrangement of Sections.

#### Section

1. Short title and commencement.
2. Amendment of section 30 of Chapter 11.
3. Amendment of section 44 of Chapter 11.
4. Substitution of a new schedule for the Third Schedule to Chapter 11.

### SCHEDULE.

#### A BILL

#### Intituled

AN ACT to amend the criminal law (procedure) ordinance.

Enacted by the Parliament of Guyana:—

A. D. 1968

1. (1) This Act may be cited as the Criminal Law (Procedure) (Amendment) Act, 1968, and shall be construed and read as one with the Criminal Law (Procedure) Ordinance, hereinafter referred to as the Principal Ordinance, and all amendments thereto.

Short title and commencement  
Cap. 11

(2) This Act shall come into operation on 1st January, 1969.

2. The proviso to subsection (1) of section 30 of the Principal Ordinance is hereby amended by the substitution of the following paragraph for paragraph (ii) —

Amendment of section 30 of Chapter 11.

“(ii) any person who has been selected to form a panel shall be exempt from service for two years;”

3. Section 44 of the Principal Ordinance is hereby amended in the following respects —

Amendment of section 44 of Chapter 11.

(a) by the insertion of the words “or earlier and for such periods (being not less than one week in any instance) as the Registrar may approve” between the words “sitting” and “and” in subsection (1);

(b) by the substitution of the words “Registrar” and “Parliament” for the words “Governor” and “the Legislative Council”, respectively, in subsection (2); and

(c) by the substitution of the word “Registrar” for the word “Governor” in subsection (3), and the substitution of the words “if it is made later than” for the words “unless it is made within” in the said subsection.

4. The schedule to this Act is hereby substituted for the Third Schedule to the Principal Ordinance.

Substitution of a new schedule for the Third Schedule to Chapter 11.

### SCHEDULE

Section 4

#### THIRD SCHEDULE REMUNERATION OF JURORS

For each day that a juror is obliged to be absent from his home in the course of attending at the Court, he shall be entitled to be paid —

- (a) a fee of four dollars where the period of his absence exceeds two and one-half hours;

- (b) a fee of two dollars where the period of his absence does not exceed two and one-half hours:

Provided that no juror shall be paid any such fee unless he proves to the satisfaction of the Registrar that by reason of his attendance at the Court he has actually suffered loss in income but any juror who resides more than one mile from the place where the Court is held shall be entitled to be paid a reasonable sum not exceeding one dollar and eighty cents in respect of any expenses incurred by him each day for sustenance as the Registrar may determine.

### TRAVELLING EXPENSES

In addition to the payments to which he is entitled by virtue of the foregoing provisions of this Schedule, each juror residing more than one mile from the place where the Court is held shall be entitled to be paid such actual and necessary travelling expenses as he may prove to the satisfaction of the Registrar that he has reasonably incurred in travelling to and returning from the Court.

### JUROR UNABLE TO RETURN HOME AT ADJOURNMENT OF COURT OR END OF TRIAL.

If a juror satisfies the Registrar that by reason of the lack or inadequacy of facilities for transportation he was unable to return to his home at the final adjournment of the Court on any day or at the end of a trial he shall be allowed such reasonable expenses for lodging and sustenance as he may prove to the satisfaction of the Registrar that he has necessarily incurred.

### EXPLANATORY MEMORANDUM

This Bill seeks to implement some of the recommendations of a Committee (comprised of representatives of both branches of the legal profession, commerce, industry and the trade unions) appointed by the Chief Justice in 1965 with the concurrence of the Government presided over by the then Registrar of the Supreme Court.

2. Clause 2 of the Bill seeks to amend section 30 of the Criminal Law (Procedure) Ordinance (Chapter 11) to provide that no person shall be required to serve as a juror oftener than once in every two years.

3. Section 44 of the Criminal Law (Procedure) Ordinance requires the Registrar of the High Court to pay jurors the remuneration to which they are entitled in respect of their service, at the end of the sitting of the Court. Clause 3 of the Bill seeks to authorise the Registrar to make payments which have accrued to jurors before the end of the sitting of the Court.

4. Clause 4 seeks to replace the third schedule to the Ordinance to provide increased remuneration for jurors. The remuneration for jurors was last revised in 1945.

S. S. RAMPHAL,  
Attorney General and Minister of State.

(Bill No. 21/1968).