

**Bill No. 18 of 1962 (S)**PUBLISHED 29<sup>TH</sup> SEPTEMBER, 1962.

No. 273

LEGISLATURE,  
Public Buildings,  
Georgetown.  
24th September, 1962.

The following Bill which was passed by the Senate without amendment on the 24th of September, 1962, and which will be considered by the Legislative Assembly, is published for general information.

The original Bill was published in the Gazette on the 18th of August, 1962.

I. CRUM EWING,  
Clerk of the Legislature.

Bill No. 18 of 1962 (S).

**PROBATION OF OFFENDERS (AMENDMENT) BILL, 1962.**

## Arrangement of Sections

## Section

1. Short title.
2. Repeal and re-enactment of section 2 of Chapter 19.
3. Amendment of section 4 of Chapter 19.
4. Amendment of section 11 of Chapter 19.
5. Amendment of section 14 of Chapter 19.
6. Repeal and re-enactment of section 16 of Chapter 19.
7. Amendment of section 17 of Chapter 19.

## A BILL

## Intituled

AN ORDINANCE to amend the Probation of Offenders Ordinance.

Enacted by the Legislature of British Guiana:—

A.D. 1962.

1. This Ordinance may be cited as the Probation of Offenders (Amendment) Ordinance, 1962, and shall be construed and read with the Probation of Offenders Ordinance, hereinafter referred to as the Principal Ordinance, and any Ordinance amending the same.

Short title.  
Cap. 19.

2. Section 2 of the Principal Ordinance is hereby repealed and the following section substituted therefor —

Repeal and re-enactment of section 2 of Chapter 19.

Interpretation.

2. In this Ordinance unless the context otherwise requires —

“Central Probation Committee” means the Committee appointed under section 16 of this Ordinance;

“chief probation officer” means a person appointed to be a chief probation officer under this Ordinance;

“district probation committee” means a committee appointed to be a district probation committee under section 16 of this Ordinance;

“Minister” means the Minister charged with responsibility for the Probation Service Department;

“probation officer” means a person appointed to be a probation officer under this Ordinance;

“probation order” means an order made under this Ordinance placing a person under the supervision of a probation officer;

“probationer” means a person placed under supervision by a probation order.

Amendment  
of section 4  
of Chapter  
19.

3. Section 4 of the Principal Ordinance is hereby amended —
- (a) by the insertion between the words "matters" and "as" in the ninth and tenth lines of subsection (1), of the following words and brackets "(including submission by the probationer to medical treatment)";
  - (b) by the substitution of a colon for the full stop at the end of subsection (1) and the addition thereto of the following proviso —  
"Provided that (without prejudice to the power of the court to make an order under subsection (1) of section 6 of this Ordinance) the payment of sums by way of damages for injury or compensation for loss shall not be included among the requirements of a probation order.";
  - (c) by the substitution for the words "Chief Secretary" in subsection (2), of the word "Minister".

Amendment  
of section 11  
of Chapter  
19.

4. Subsection (5) of section 11 of the Principal Ordinance is hereby amended by the substitution for the words "Chief Secretary" appearing therein, of the word "Minister".

Amendment  
of section 14  
of Chapter  
19.

5. Subsection (1) of section 14 of the Principal Ordinance is hereby amended by the deletion after the word "duties" in the fourth line, of the words beginning with the word "or" and ending with the word "place," in the sixth line.

Repeal and  
re-enactment  
of section 16  
of Chapter  
19.

6. Section 16 of the Principal Ordinance is hereby repealed and the following section substituted therefor —

"Appoint-  
ments.

16.(1) The Governor shall appoint —

- (a) a chief probation officer who shall organise and supervise the probation service in British Guiana in accordance with rules made under this Ordinance;
- (b) a sufficient number of probation officers, qualified by character and experience to be probation officers, who shall perform such duties as may be prescribed by rules made under this Ordinance.

(2) The Minister shall appoint —

- (a) a Central Probation Committee; and
- (b) a district probation committee for each judicial district of British Guiana, consisting of such persons as the Minister shall think fit, and the committees so appointed shall perform such duties in connection with probation as may be prescribed by rules made under this Ordinance."

Amendment  
of section 17  
of Chapter  
19.

7. Paragraph (c) of section 17 of the Principal Ordinance is hereby repealed and the following paragraph substituted therefor —  
"(c) the constitution and duties of the Central Probation Committee and the district probation committees;"

*Passed by the Senate on the 24th September, 1962.*

I. CRUM EWING,  
*Clerk of the Legislature.*

(M.P. SW 5/12).  
(Bill 18/1962 (s) ).

#### OBJECTS AND REASONS

This Bill seeks to amend the Probation of Offenders Ordinance, Chapter 19, to make it clear that a Central Probation Committee may be appointed under the provisions of the Ordinance. This Bill also seeks to vest the power of appointments to the Central Probation Committee and the several district probation committees, in the Minister responsible for the Probation Service Department and makes it clear that the committees only enjoy advisory and not executive powers.

2. Clause 3 of the Bill seeks to amend section 4 of the Ordinance to enable the court to require a probationer to submit to medical treatment if this is considered necessary or desirable.