

THE OFFICIAL GAZETTE 4TH MAY, 2007 LEGAL SUPPLEMENT – C

BILL No. 15 of 2007

Friday 4th May, 2007

PARLIAMENT OFFICE
Public Buildings,
Georgetown,
Guyana.

4th May, 2007.

The following Bill which will be introduced in the National Assembly is published for general information.

S. E. Isaacs,
Clerk of the National Assembly.



GUYANA

BILL No. 15 of 2007

JUVENILE OFFENDERS (AMENDMENT) BILL 2007

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Amendment of section 2 of the Principal Act.
3. Amendment of sections 6, 8 and 9 (7) of the Principal Act.
4. Amendment of section 16 of the Principal Act.
5. Amendment of section 20A of the Principal Act.
6. Amendment of section 21 of the Principal Act.
7. Amendment of section 22 of the Principal Act.
8. Amendment of section 24 (a) of the Principal Act.

A BILL
Intituled

AN ACT to amend the Juvenile Offenders Act.

A.D.2007 Enacted by the Parliament of Guyana:-

- | | |
|---|---|
| Short title.
Cap.10:03 | 1. This Act, which amends the Juvenile Offenders) Act, may be cited as the Juvenile Offenders (Amendment) Act 2007. |
| Amendment of section 2 of the Principal Act. | 2. Section 2 of the Principal Act is amended by the insertion after the definition of "guardian" the following definition-

"Holding Centre for Juveniles" means a centre for juveniles established or recognized by the Minister under section 20A;". |
| Amendment of sections 6, 8 and 9(7) of the Principal Act. | 3. Sections 6, 8 and 9(7) of the Principal Act are amended by the substitution for the words "place of detention" wherever they occur, of the words "Holding Centre for Juveniles". |
| Amendment of section 16 of the Principal Act. | 4. Section 16 of the Principal Act is amended by the insertion after the words "in a school for young offenders" of the words "or a Holding Centre of Juveniles". |
| Insertion of new section 20A in the Principal Act. | 5. The Principal Act is amended by the insertion immediately after section 20 of the following section as section 20A- |
| "Holding Centre for Juveniles. | 20A. (1) The Minister may establish and maintain as many centres as may be necessary as the Holding Centres for Juveniles for the reception, care and custody of children and young persons under the orders of the court or for any other appropriate reasons as the Minister may determine.

(2) Where the Minister is of the opinion that any institution other than a centre established and maintained under subsection (1) is fit for the reception, care and custody of children and young persons under the orders of the court, he may recognise and certify such institution as a Holding Centre for Juveniles for the purposes of this Act.

(3) Subject to the regulations as may be made in this behalf, the Holding Centres for Juveniles shall provide for the reception and |

custody of the following children and young persons-

- (a) juveniles awaiting their court appearance ;
- (b) juveniles who have been committed by the courts but not escorted to the New Opportunity Corps;
- (c) juveniles who have completed the period of their sentence and awaiting rehabilitation to their families or to the community;
- (d) such other category of juveniles as the Minister may determine.

(4) Every Holding Centre for Juveniles to which a child or young person is sent by a court under this Act may, in addition to providing such child or young person with accommodation, maintenance, health care and facilities of education or vocational training and rehabilitation, provide facilities for the development of his character and abilities and also give him necessary training for protecting himself against moral danger or exploitation and shall also perform such other functions as may be prescribed to ensure all round growth and development of his personality."

Amendment of section 21 of the Principal Act.

6. Section 21 of the Principal Act is amended by the insertion after the words "place of detention" of the words "or a Holding Centre for Juveniles".

Amendment of section 22 of the Principal Act.

7. Section 22 of the Principal Act is amended by the substitution for words "any place of detention" of the words "the places of detention and the Holding Centres for Juveniles".

Amendment of section 24(a) of the Principal Act.

8. Section 24(a) of the Principal Act is amended-

- (a) by the insertion after the words "as places of detention" of the words "and the Holding Centres for Juveniles"; and
- (b) by the insertion after the words "in a place of detention" of the words " and the reception and custody of children and young persons in a Holding Centre for Juveniles".

EXPLANATORY MEMORANDUM

The Bill seeks to amend the Juvenile Offenders Act (Cap. 10:03) so as to make an enabling provision in the Act for the establishment or recognition of Holding Centres for Juveniles and for maintaining them for the reception, care and custody of children and young persons under the orders of the court or for any other appropriate reasons as the Minister may determine. These children and young persons may be under-trials awaiting their appearance before the court or those who have been committed by the courts to the New Opportunity Corps and awaiting to be escorted to the New Opportunity Corps or who are inmates of the New Opportunity Corps approaching the end of their committal or term of sentence and awaiting rehabilitation and reintegration to their families and the community or such other juveniles as the Minister may by order determine.

Clause 1 of the Bill sets out the short title.

Clause 2 seeks to amend section 2 of the Principal Act so as to define the expression "Holding Centre for Juveniles".

Clause 3 seeks to amend sections 6, 8 and 9(7) of the Principal Act as consequential to the proposed amendments contained in clause 5.

Clause 4 seeks to amend section 16 of the Act relating to the place to which a child or young person should be committed to custody. It is proposed that the child or young person may be committed to a school for young offenders or a Holding Centre for Juveniles established or recognised under the proposed new section 20A.

Clause 5 seeks to insert a new section 20A in the Principal Act so to empower the Minister to establish and maintain as many centres as may be necessary as the Holding Centres for Juveniles for the reception, care and custody of children and young persons under the orders of the court or for any other appropriate and lawful reasons as the Minister may determine. The proposed new section also seeks to empower the Minister to recognise and certify institutions as Holding Centres for Juveniles.

Clause 6 seeks to amend section 21 of the Principal Act relating to provisions as to custody of children and young persons in places of detention as consequential to the insertion of a new section 20A relating to Holding Centres for Juveniles in the Act.

Clause 7 seeks to amend section 22 of the Principal Act relating to expenses of maintenance of children or young persons. The proposed amendment is consequential to the amendment proposed *vide* clause 5 of the Bill.

Clause 8 seeks to amend section 24 of the Principal Act relating to power of the Minister to make regulations. The proposed amendment is consequential to the amendment proposed *vide* clause 5 of the Bill.



Minister of Home Affairs.