

PARLIAMENT OFFICE,
Public Buildings,
Georgetown,
Guyana.

11th April, 1997

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

F. A. Narain,
Clerk of the National Assembly.



GUYANA

BILL No. 5 of 1997

LAW REVISION (AMENDMENT)
BILL 1997

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Repeal and re-enactment of sections 19 and 20 of the Principal Act.
3. Revision date.

A BILL

Intituled

AN ACT to amend the Law Revision Act.

A D. 1997

Enacted by the Parliament of Guyana:—

Short title.
Cap. 2:02

1. This Act, which amends the Law Revision Act, may be cited as the Law Revision (Amendment) Act 1997.

Repeal and re-enactment of sections 19 and 20 of the Principal Act.

2. Sections 19 and 20 of the Principal Act are hereby repealed and the following sections substituted therefor —

“Com- mission’s powers with respect to revision of a law imposing a fee or charge

19.(1) In the first revision under this Act, after the enactment of this section, where any law (in whatever terms) prescribes, as a fee or charge (not being a tax or a duty), or as the rate of such fee or charge, a sum which comprises —

- (a) dollars and cents, the Commission may delete the cents,
- (b) cents only, the Commission may substitute for the cents a dollar.

(2) Where any law prescribes a fee or charge referred to in subsection (1) such fee or charge shall after compliance with subsection (1), be increased in the manner provided by section 20(1) to (3), inclusive as if the fee or charge were a monetary penalty within the meaning of the said section 20(1) to (3).

Com- mission’s power with respect to revision of a law imposing a specified monetary penalty.

20.(1) In the first revision under this Act, after the enactment of this section, of any written law imposing a specified monetary penalty, the Commission shall, in lieu of such penalty, substitute a penalty calculated in accordance with the provisions of subsections (2) and (3).

(2) The penalty shall first be increased as follows —

- (a) where the law imposing the penalty or effecting the last amendment thereto was made before the year 1975

by multiplying the penalty by sixty-five;

- (b) where the law imposing the penalty or effecting the last amendment thereto was made in or after the year 1975 but before the 1st January, 1985, by multiplying the penalty by fifty-five.
- (c) where the law imposing the penalty or effecting the last amendment thereto was made in or after the 1st January, 1985, but before the 1st January 1995, by multiplying the penalty by three.

(3) The figure arrived at in calculating the increased penalty (in dollars) in accordance with subsection (2) and any monetary penalty imposed by a law made in 1995 or after (if not a multiple of five) shall be rounded off to the next higher figure which is a multiple of five.

(4) Any sum specified in any law for the purpose of a bond or recognizance into which anyone is to enter in respect of a criminal charge or matter shall be increased in the manner provided by subsections (1) to (3) inclusive, as if the sum were a monetary penalty within the meaning of those subsections.

(5) Any sum specified in any law as a monetary penalty which any authority is authorised to impose a subsidiary legislation in respect of a criminal offence shall be increased in the manner provided by subsections (1) to (3), inclusive, as if the sum were a monetary penalty within the meaning of those subsections.”.

3. Notwithstanding anything in the Law Revision Act the revision date under section 6 for the first revision after the enactment of this section shall be such date as the Commission may by order direct.

Revision date.
Cap: 2:02

EXPLANATORY MEMORANDUM

This Bill, seeks to make a small amendment to the Law Revision Act Cap. 2:02, so that the Law Revision Commission may proceed with the revision of the Laws of Guyana after a lapse of thirty years.

This Bill seeks to empower the Law Revision Commission to increase to realistic levels all prescribed fees and charges and all monetary penalties prescribed for offences specified in any written law, taking into consideration the average value and purchasing power of the Guyana dollar in relation to the

United States dollar, in the three periods viz., before 1975 between 1975 and 1984 and between 1985 and 1994. The mode of the increase has been adopted on the advice of the Bank of Guyana.

Bernard C. De Santos,
Attorney General and Minister of Legal Affairs.