

PARLIAMENT OFFICE,
Public Buildings,
Georgetown,
Guyana.

89—06—17.

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. 10 of 1989

ADMINISTRATION OF JUSTICE (FINES)
BILL 1989

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Imprisonment in default of payment of fine not to be imposed in certain cases.
3. Amendment of section 18 of State Liability and Proceedings Act 1984.

A BILL

Intituled

AN ACT to prohibit, in specified cases, the imposition of imprisonment in default of payment of fine and to amend the State Liability and Proceedings Act 1984 to clarify certain matters in respect of the recovery of fines and other pecuniary penalties and for matters connected therewith.

A.D. 1989 Enacted by the Parliament of Guyana :-

Short title. 1. This Act may be cited as the Administration of Justice (Fines) Act 1989.

Imprisonment in default of pay-
not to be imposed in certain cases.

2.(1) Notwithstanding anything contained in any other written law, where a person convicted of any of the offences referred to in subsection (2) is sentenced to a fine in addition to any term of imprisonment, no direction or order shall be made by any court to the effect that if the person fails to pay the fine, he shall be imprisoned for any period.

(2) The offences referred to in subsection (1) are —

No. 2 of 1988

- (a) offences against the Narcotic Drugs and Psychotropic Substances (Control) Act 1988; or
- (b) other offences specified by the Minister by order.

(3) An order by the Minister under subsection (2)(b) shall be subject to negative resolution of the National Assembly.

Amendment of section 18 of State Liability and Proceedings Act 1984. No. 20 of 1984.

3. Section 18 of the State Liability and Proceedings Act 1984 is hereby amended by the insertion, after subsection (2) of the following subsection as subsection (3) —

“(3) For the avoidance of doubt it is hereby declared that —

- (a) this section shall apply to the recovery of all fines and other pecuniary penalties imposed under any written law; and
- (b)parate or summary execution under this section may be issued against movable and immovable property.”.

EXPLANATORY MEMORANDUM

Clause 2 of this Bill seeks to provide that in certain cases, referred to in that clause, no sentence of imprisonment, in default of payment of any fine, shall be imposed by any court.

2. Clause 3 of the Bill seeks to amend section 18 of the State Liability and Proceedings Act 1984 (No. 20 of 1984) so as to clarify that —

- (a) the section applies to recovery of fines and other pecuniary penalties; and
- (b)parate or summary execution under the section may be issued against movable and immovable property.

K. S. Massiah,
Attorney General and Minister
of Legal Affairs