

BILL No. 1 OF 1989

Saturday, 7th January, 1989

PARLIAMENT OFFICE,
Public Buildings,
Georgetown,
Guyana.

1989—01—05.

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. 1 OF 1989

SUMMARY JURISDICTION (OFFENCES) (AMENDMENT) BILL 1989

ARRANGEMENT OF SECTIONS.

SECTION

1. Short title.
2. Amendment of the Principal Act.

A BILL

Intituled

AN ACT to amend the Summary Jurisdiction (Offences) Act.

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

Short title, 1. This Act, which amends the Summary Jurisdiction (Offences) Act, may be cited as the Summary Jurisdiction (Offences) (Amendment) Act 1989.

Amendment of the Principal Act, 2. The sections of the Principal Act mentioned in the first column of the Schedule are hereby amended in the manner specified in the corresponding entry in the second column of the Schedule.

SCHEDULE

S. 2

SECTIONS

AMENDMENTS

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| Section 14 | <p>(a) For “one thousand five hundred” substitute “five thousand”.</p> <p>(b) Substitute for the proviso the following proviso —</p> <p style="padding-left: 40px;">“Provided that where the conviction is in respect of an offence committed prior to the coming into operation of the Summary Jurisdiction (Offences) (Amendment) Act 1988 the compensation awarded shall not exceed that amount which the court could have awarded at the time of the commission of the offence.”.</p> |
| Section 21 | For “seventy-five” substitute “three hundred and seventy-five” and for “two months” substitute “three months”. |
| Section 22 | For “three hundred” substitute “one thousand” and for “six months” substitute “nine months”. |
| Section 23 | For “three hundred” substitute “one thousand” and for “six months” substitute “nine months”. |
| Section 24 | For “six months” substitute “nine months”. |
| Section 25 | For “three hundred” substitute “one thousand” and for “six months” substitute “nine months”. |

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- Section 26 For "one hundred and fifty" substitute "seven hundred and fifty" and for "three months" substitute "five months".
- Section 27 For "three hundred" substitute "one thousand" and for "six months" substitute "nine months".
- Section 28 For "three hundred" substitute "one thousand" and for "six months" substitute "nine months".
- Section 29 For "three hundred" substitute "one thousand" and for "nine months" substitute "fourteen months".
- Section 30 For "six months" substitute "nine months".
- Section 42 For "one hundred" substitute "three hundred".
- Section 43 For "one hundred" substitute "six hundred".
- Section 45 For "two hundred and fifty" substitute "two thousand five hundred" and for "one hundred" substitute "three hundred".
- Section 47 (a) For "ten" substitute "one hundred" and for "six months" substitute "nine months".
- Marginal note to section 47 (b) For "\$10" substitute "\$100".
- Section 48 (a) For "two hundred" substitute "two thousand" and for "six months" substitute "nine months".
- Marginal note to section 48 (b) For "\$200" substitute "\$2000".
- Section 49 (a) For "one dollar" substitute "one hundred dollars" and for "one hundred and fifty" substitute "three hundred".
- (b) For "two months" substitute "three months", for "three months" substitute "five months" and for "six months" substitute "nine months".
- Marginal note to section 49 (c) For "\$1.00" substitute "\$100".
- Section 50 (a) For "one hundred and fifty" substitute "three hundred".

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- Section 50 cont'd (b) For "three months" substitute "five months" and for "six months" substitute "nine months".
- Section 51 (a) For "thirty" substitute "one hundred and fifty".
 (b) For "one month" substitute "two months", for "three months" substitute "five months" and for "six months" substitute "nine months".
- Section 52 For "one hundred and fifty" substitute "four hundred and fifty" and for "three hundred" substitute "one thousand".
- Section 53 For "two hundred" substitute "two thousand".
- Section 54 For "one hundred and fifty" substitute "two thousand".
- Section 55 For "two hundred" wherever those words occur substitute "four thousand" and for "six months" substitute "nine months".
- Section 56 For "seventy-five" substitute "three hundred and seventy-five".
- Section 57 For "one hundred and fifty" substitute "one thousand".
- Section 58 For "five hundred" substitute "two thousand".
- Section 59 For "one hundred and fifty" substitute "six hundred".
- Section 60 For "two hundred" substitute "two thousand" and for "one hundred and fifty" substitute "three thousand".
- Section 61. (a) For "two hundred" substitute "two thousand" and for "one hundred and fifty" substitute "three thousand".
 (b) For "three months" substitute "five months".
- Section 62 For "seventy-five" substitute "three hundred and seventy-five".
- Section 66 (a) For "two hundred" substitute "five thousand".
 (b) In paragraph (a), for "one thousand five hundred" substitute "seven thousand five hundred" and for "twelve months" substitute "eighteen months".

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(c) In paragraph (b), for "five hundred" substitute "five thousand" and for "twelve months" substitute "eighteen months".

(d) In paragraph (c), "for "five hundred" substitute "five thousand" and for "six months" substitute "nine months".

Section 67

(a) For "two hundred" substitute "five thousand".

(b) In paragraph (a), for "five hundred" substitute "five thousand" and for "twelve months" substitute "eighteen months".

(c) In paragraph (b) for "five hundred" substitute "five thousand" and for "six months" substitute "nine months".

Section 68

(a) For "ten" substitute "one hundred".

(b) For "\$10" substitute "\$100".

Marginal note
to section 68

Section 69

(a) For "two hundred" substitute "one thousand five hundred".

(b) For "\$200" substitute "\$1500".

Marginal note
to section 69

Section 70

(a) For "one dollar" substitute "one hundred dollars" and for "one hundred" substitute "three hundred".

Marginal note
to section 70

(b) For "\$1" substitute "\$100".

Section 71

(a) For "one" substitute "three".

(b) For "three months" substitute "five months" and for "six months" substitute "nine months".

Section 72 (1)

For "any cocoa, coconuts, coffee, plantains, bananas, yams, tannias, cassava, sweet potatoes" substitute "the product of any cultivated tree or plant, where such product may be used for food, seed, tobacco,

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spice, stockfeed or any other purpose or made into beverage, fibre, medicine, ornament, lumber or anything of value".

Section 74

- (a) For "fifteen" substitute "one hundred and fifty"
- (b) For "one month" substitute "two months" and for "six months" substitute "nine months".

Section 76

- (a) For "a felony", wherever those words occur, and for "felony" substitute "an offence".
- (b) In subsection (2), for "section" substitute "subsection".

Section 77

For "thirty" substitute "three hundred".

Section 78

For "three hundred" substitute "one thousand".

Section 79

For "seventy-five" substitute "one thousand".

Section 80

For "seventy-five" substitute "one thousand" and for "thirty" substitute "five hundred".

Section 82

For "one hundred" substitute "one thousand".

Section 83

For "one hundred and fifty" substitute "two thousand".

Section 84

- (a) For "two hundred" substitute "five thousand" and for "twelve months" substitute "eighteen months".

Marginal note
to section 84

- (b) For "\$200" substitute "\$5000".

Section 85

For "two hundred" substitute "five thousand" and for "twelve months" substitute "eighteen months".

Section 86

- (a) For "seventy-five" substitute "five hundred".

Marginal note
to section 86

- (b) Delete "live or dead".

Section 87

- (a) For "two hundred" substitute "five thousand" and for "six months" substitute "nine months".

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| Marginal note to section 87 | (b) For "\$200" substitute "\$5000" |
| Section 88 | For "two hundred" substitute "five thousand". |
| Section 89 | (a) For "two hundred" substitute "five thousand" |
| | (b) In paragraph (a), for "five hundred" substitute "seven thousand five hundred" and for "twelve months" substitute "eighteen months". |
| | (c) In paragraph (b), for "five hundred" substitute "seven thousand five hundred" and for "six months" substitute "nine months". |
| Section 90 | For "seventy-five" substitute "five hundred" |
| Section 91 | (a) For "two hundred" substitute "five thousand" |
| | (b) In paragraph (a), for "five hundred" substitute "seven thousand five hundred" and for "twelve months" substitute "nine months". |
| | (c) In paragraph (b), for "five hundred" substitute "seven thousand five hundred" and for "six months" substitute "nine months". |
| Section 92 | (a) In subsection (1), for "two hundred" substitute "five thousand". |
| | (b) In subsection (1) (i), for "five hundred" substitute "seven thousand five hundred" and for "twelve months" substitute "eighteen months". |
| | (c) In subsection (1) (ii), for "five hundred" substitute "seven thousand five hundred" and for "six months" substitute "nine months". |
| Section 93 | (a) For "two hundred" substitute "five thousand". |
| | (b) In paragraph (a), for "five hundred" substitute "seven thousand five hundred" and for "twelve months" substitute "eighteen months". |
| Section 93 cont'd | (c) In paragraph (b), for "five hundred" substitute "seven thousand five hundred" and for "six months" substitute "nine months". |

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| Section 94 (1) | <ul style="list-style-type: none"> (a) In paragraph (a), for "one thousand five hundred" substitute "seven thousand five hundred" and for "twelve months" substitute "eighteen months". (b) In paragraph (b), for "five hundred" substitute "five thousand" and for "twelve months" substitute "eighteen months". (c) In paragraph (c), for "five hundred" substitute "five thousand" and for "six months" substitute "nine months". |
| Section 94 (2) | <ul style="list-style-type: none"> (a) in paragraph (a), for "five hundred" substitute "five thousand" and for "twelve months" substitute "eighteen months". (b) In paragraph (b), for "five hundred" substitute "five thousand" and for "six months" substitute "nine months". |
| Section 95 | For "three hundred" substitute "five thousand" and for "six months" substitute "nine months". |
| Section 97 | For "three hundred" substitute "one thousand five hundred". |
| Section 98 | For "three hundred" substitute "one thousand five hundred". |
| Section 99 | <ul style="list-style-type: none"> (a) For "two hundred" substitute "five thousand". (b) In paragraph (a), for "five hundred" substitute "five thousand" and for "twelve months" substitute "eighteen months". (c) In paragraph (b), for "five hundred" substitute "five thousand" and for "six months" substitute "nine months". (d) For "\$200" substitute "\$5000". |
| Marginal note to section 99 | |
| Section 100 | For "five hundred" substitute "four thousand" and for "six months" substitute "nine months". |
| Section 101 (1) | For "seven hundred and fifty" substitute "five thousand" and for "six months" substitute "nine months". |
| Section 102 | For "fifty" substitute "five thousand". |

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Section 103	For "seven hundred and fifty" substitute "five thousand".
Section 105 (2)	For "seven hundred and fifty" substitute "five thousand" and for "four months" substitute "six months".
Section 113	For "one hundred and fifty" substitute "one thousand five hundred".
Section 116	For "thirty" substitute "three hundred".
Section 126	For "seventy-five" substitute "one thousand" and for "two months" substitute "three months".
Section 127	For "one hundred and fifty" substitute "one thousand five hundred" and for "three months" substitute "five months".
Section 128	For "three hundred" substitute "two thousand" and for "six months" substitute "nine months".
Section 129 (2)	For "three hundred" substitute "one thousand".
Section 130 (2)	For "one hundred and fifty" substitute "five hundred".
Section 131	For "fifteen" substitute "five hundred".
Section 133	For "three hundred" substitute "two thousand".
Section 134 (1)	For "thirty" substitute "three hundred".
Section 135	For "one hundred and fifty" substitute "one thousand five hundred".
Section 136	For "one hundred and fifty" substitute "one thousand five hundred".
Section 137	For "three hundred" substitute "two thousand" and for "four months" substitute "six months".
Section 139	For "seventy-five" substitute "five hundred" and for "one month" substitute "two months".
Section 140	For "one hundred and fifty" substitute "five hundred".

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Section 141	For "one hundred and fifty" substitute "five hundred" and for "two months" substitute "three months".
Section 143	For "seventy-five" substitute "one thousand" and for "one month" substitute "two months".
Section 144 (1)	For "one hundred and fifty" substitute "one thousand five hundred" and for "three months" substitute "five months".
Section 145 (4)	For "one thousand five hundred" substitute "seven thousand five hundred" and for "six months" substitute "nine months".
Section 145 (5)	For "one hundred and fifty" substitute "one thousand five hundred" and for "three months" substitute "five months".
Section 150 (1)	For "three hundred" substitute "two thousand".
Section 151 (1)	For "seventy-five" substitute "one thousand" and for "three hundred" substitute "four thousand".
Section 153 (1)	For "seventy-five" substitute "one thousand".
Section 156	For "one hundred and fifty" substitute "one thousand five hundred".
Section 157	For "seven hundred and fifty" substitute "five thousand".
Section 160 (2)	For "thirty" substitute "three hundred".
Section 161	For "thirty" substitute "three hundred".
Section 162	For "one hundred" substitute "one thousand".
Section 163	For "seventy-five" substitute "one thousand".
Section 165 (1)	(a) For "one thousand" substitute "five thousand" and for "six months" substitute "nine months". (b) For "two thousand" substitute "seven thousand five hundred" and for "twelve months" substitute "eighteen months".

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- Section 166 For "two hundreds" substitute "three thousand," for "six months" substitute nine months" and for "twelve months" substitute "eighteen months".
- Section 169 For "seventy-five" substitute "one thousand five hundred".
- Section 171 (1) For "one hundred" substitute "one thousand".
- Section 173; For "forty-five" substitute "three hundred".
- Section 174A Insert after section 174 the following section as section 174A —
- "Making of loud continuous noise,"** 174A. (1) No person shall, in any road, street, public place or land or in any building or premises, by operating or causing or suffering to be operated any stereo set, juke box, radio, wireless loud speaker, gramophone, amplifier, automatic piano or similar instrument of music, or by any other means whatsoever, make or cause or suffer to be made any noise which shall be so loud and so continuous or repetitive as to cause a nuisance to occupants or any premises in the neighbourhood.
- (2) Any person who contravenes the provisions of subsection (1) shall be liable on summary conviction to a fine of one thousand dollars and to imprisonment for three months and on a second or any subsequent conviction to a fine of two thousand dollars and to imprisonment for six month.'
- Section 176 (1) For "two hundred" substitute "one thousand five hundred".
- Section 179 For "fifty" substitute "one thousand".
- Section 180 For "sixty" substitute "one thousand".
- Section 181 For "two hundred" substitute "three thousand".

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Section 186 (2)	For "seventy-five" substitute "seven hundred" and for "fifty" substitute "five hundred".
Section 194 (1)	For "two hundred" wherever those words occur substitute "five thousand".
Section 195	For "two hundred" substitute "two thousand" and for "thirty" substitute "one thousand".
Section 196	For "seventy-five" substitute "one thousand five hundred".
Section 197	For "three hundred" substitute "three thousand".
Section 198	For "four hundred" substitute "three thousand".
Section 199 (3)	For "one thousand" substitute "five thousand".
Section 200	For "two hundred" substitute "two thousand" and for "six months" substitute "nine months".
Section 201	For "five hundred" substitute "two thousand".
Section 204	For "seventy-five" substitute "five thousand".
Section 205	For "seventy-five" substitute "one thousand".

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Summary Jurisdiction (Offences) Act, Cap. 8:02, to increase to realistic levels, taking into consideration the current value of money, the monetary penalties for offences committed under the Act. It also seeks to increase the terms of imprisonment that may be imposed for such offences.

The Bill also seeks to insert in the Act a new section 174A which prohibits the making of unduly loud noise which may disturb one's neighbours. No person shall in any road, street, or other public place, or in any building, premises or land make or cause to be made loud, continuous or repetitive noise, by operating stereo sets, radios, or amplifiers or by any other means. The penalty for contravention of the provisions of the section shall be a fine of a thousand dollars and imprisonment for three months and double that fine and period of imprisonment for a second or any subsequent conviction.

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