

THE OFFICIAL GAZETTE -- 12TH OCTOBER, 1985 LEGAL SUPPLEMENT – C

PARLIAMENT OFFICE,
Public Buildings,
Georgetown,
Guyana.

1985—10—11.

The following Bills which will be introduced in the National Assembly are published for general information.

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



GUYANA

BILL No. 11 of 1985

NATIONAL SECURITY (MISCELLANEOUS PROVISIONS)
(AMENDMENT) BILL 1985

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Amendment of section 21 of the Principal Act.
3. Amendment of section 23 of the Principal Act.
4. Amendment of section 27 of the Principal Act.

A BILL

Intituled

AN ACT to amend the National Security (Miscellaneous Provisions) Act.

A.D. 1985 Enacted by the Parliament of Guyana :—

Short title. 1. This Act, which amends the National Security (Miscellaneous
Cap. 16:02 Provisions) Act, may be cited as the National Security (Miscellaneous
Provisions) (Amendment) Act 1985.

Amendment of section 21 of the Principal Act, 2. Section 21 (1) of the Principal Act is hereby amended by the
substitution for the words “five hundred dollars and to imprisonment
for one year.” of the following —

“not less than one thousand dollars nor more than five thousand dollars together with imprisonment for not less than six months nor more than three years:

Provided that the court may for special reasons to be recorded in writing impose any lesser sentence.”.

Amendment of section 23 of the Principal Act, 3. Section 23 of the Principal Act is hereby amended in the
following respects —

(a) in subsection (1), by the substitution for the words “shall be liable on summary conviction to a fine of one thousand dollars and to imprisonment for three years and, on conviction on indictment, to imprisonment for life.” of the following —

“shall be liable —

(i) on summary conviction, to a fine of not less than one thousand dollars nor more than five thousand dollars together with imprisonment for not less than one year nor more than three years :

Provided that the court may for special reasons to be recorded in writing impose any lesser sentence; and

(ii) on conviction on indictment, to imprisonment for life, and the power conferred by section 45 (a) of the Interpretation and General Clauses Act, to impose a sentence lesser than a sentence of imprisonment for life, shall not be invoked in respect of the penalty prescribed by this paragraph unless there are special reasons which shall be recorded by the court in writing.”;

Cap. 2:01

- (b) in subsection (2), by the substitution for the words “shall be liable on summary conviction to a fine of one thousand dollars and to imprisonment for three years and, on conviction on indictment, to imprisonment for ten years.” of the following —

“shall be liable —

- (i) on summary conviction to a fine of not less than one thousand dollars nor more than five thousand dollars together with imprisonment for not less than one year nor more than three years:

Provided that the court may for special reasons to be recorded in writing impose any lesser sentence; and

- (ii) on conviction on indictment, to imprisonment for not less than three years nor more than ten years:

Provided that the court may for special reasons to be recorded in writing impose any lesser sentence.”.

4. Section 27 of the Principal Act is hereby amended by the substitution for the words “five hundred dollars and to imprisonment for one year.” of the following —

Amendment
of section
27 of the
Principal
Act.

“not less than one thousand dollars nor more than five thousand dollars together with imprisonment for not less than six months nor more than three years :

Provided that the court may for special reasons to be recorded in writing impose any lesser sentence.”.

EXPLANATORY MEMORANDUM

This Bill seeks to enhance the penalties under the National Security (Miscellaneous Provisions) Act, Cap. 16:02, for the offences of failure to comply with a direction given by the Commissioner of Police in relation to the custody of explosives, unlawful possession of firearms, ammunition or explosive and obstructing a policeman acting in the execution of the provisions of Part IV of the Act.

Jeffrey R. Thomas,
Minister of Home Affairs.