

PUBLISHED 10TH NOVEMBER, 1970



## GUYANA.

BILL NO. 26 OF 1970.

SUMMARY JURISDICTION (PROCEDURE) (AMENDMENT)  
BILL, 1970.

### Arrangement of Sections.

#### Section

1. Short title.
2. Amendment of section 7A of Chapter 15.
3. Amendment of the Second Schedule to Chapter 15.

A BILL  
Intituled

AN ACT to amend the Summary Jurisdiction (Procedure) Ordinance.

A.D. 1970

Enacted by the Parliament of Guyana:—

Short title

Cap. 15.

Amendment  
of section  
7A of Chap-  
ter 15.

1. This Act, which amends the Summary Jurisdiction (Procedure) Ordinance, may be cited as the Summary Jurisdiction (Procedure) (Amendment) Act, 1970.

2. Section 7A of the Principal Ordinance is hereby amended in the following respects—

- (a) by the substitution of the words “of the judicial district in which the offence was committed” for the words “specified in the notice or of the court of any other judicial district” appearing in subsection (2); and
- (b) by the addition thereto of the following subsections—

“(15) Where a police constable finds a vehicle on an occasion and has reason to believe that on that occasion there is being or has been committed in respect of it an offence to which this section applies, being an offence—

- (a) committed by reason of the vehicle obstructing the road, or waiting, or being left or parked or being loaded or unloaded in a road; or
- (b) disclosed upon an examination of such vehicle, he may proceed under this section as if he had found a person reasonably believed by him to be committing an offence and for that purpose a notice as mentioned in subsection (1) if affixed to the vehicle shall be deemed to be served pursuant to that subsection upon the person liable for the offence and notwithstanding anything to the contrary in any law the registered owner of such vehicle shall, for the purposes of any proceedings to be taken in a court in respect of such offence, be deemed to be the person liable for the offence:

Provided that if the registered owner at the time of entering his plea at the hearing of the offence alleges that he was not the driver, or the person in charge, of the vehicle at the time when the alleged offence was committed the court may cause a summons to be issued to the person who is alleged by the registered owner to have been the driver or the person in charge making him a co-defendant in the proceedings and the court may after hearing the

evidence and witnesses, if any, of all parties make such order as to the payment of any fine and costs as to the court may seem just.

(16) A notice affixed to a vehicle under subsection (15) shall not be removed or interfered with except by or under the authority of the driver or person in charge of the vehicle or the person liable for the offence in question; and any person contravening this subsection shall be liable to a fine of one hundred dollars."

3. Form 3A in the second schedule to the Principal Ordinance is hereby amended by the substitution of the word "the" for the word "any".

Amendment  
of the Second  
Schedule to  
Chapter 15.

#### EXPLANATORY MEMORANDUM

Section 7A of the Summary Jurisdiction (Procedure) Ordinance enables a person who is given a notice to the effect that he is liable to be prosecuted for a minor offence to which that section applies to pay a prescribed sum in lieu of such prosecution to the clerk of court mentioned in the notice or such other clerk of a judicial district.

This Bill seeks to provide for a notice as abovementioned to be considered served upon the person liable for the offence by affixture to the vehicle and the registered owner of a vehicle which is found to be in breach of a minor traffic requirement is specifically made liable for the offence for the purposes of any proceedings taken in a court in respect thereof. Furthermore payment of any sum under the notice is now required to be paid to the clerk of court of the judicial district wherein the offence occurred.

H. D. HOYTE,  
Minister of Home Affairs.