

THE OFFICIAL GAZETTE 25TH JANUARY, 2013
LEGAL SUPPLEMENT — C

BILL No. 6 of 201 J

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FEDERATION OFFICE
Public Buildings,
Georgetown,
Guyana.

25th January, 2013.

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

S L Jasinghe,
Clerk of the National Assembly.



(GUYANA)

BILL No. (1 of 2013)

SUPREME COURT OF APPELLATE (JUDICIAL) (AMENDMENT) BILL 2013

ARRANGEMENT OF SECTIONS

SECTION

Short title.

Amendment of section 71 of the Constitution Act.

3 Amendment of section 71 of the Constitution Act.

ABILL
In(itukd

AN ACT to amend the Court of Appeal Act, and the High Court Act.

A.D. 2013

Enacted by the Parliament of Guyana:-

Section 301
Chapter 11:01

1. This Act, which amends the Court of Appeal Act and the High Court Act, may be cited as the Supreme Court (Judicial) (Amendment) Act, 2013.

Amendment of
Section 6 of the
Court of Appeal Act
Chapter 11:01

2. Section 6 of the Court of Appeal Act is amended as follows:-

(a) in subsection (5) by the deletion of paragraph (i);

(b) by the insertion immediately after subsection (5) of the following subsection as subsection (5A) -

"(5A) An appeal shall lie under this section from an order made -

(a) in any civil or criminal cause or matter at the discretion of the court, or at the discretion of the court, or at the discretion of the court;

(b) in any civil or criminal cause or matter at the discretion of the court, or at the discretion of the court, or at the discretion of the court.

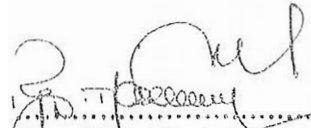
Amendment of
Section 71 of the
High Court Act
Chapter 11:02

3. Paragraph (1) of section 71 of the High Court Act is amended by the substitution of the words "section 6 (5) or (1)" for the words "section 6 (5) (h), (c), (d), (e) or (f)".

EXPLANATORY MEMORANDUM

The Bill seeks to amend the Court, in the Act, Cap. 3:01, to provide for all appeal from the Full Court of the High Court from any order made in a criminal case or matter. It deletes paragraph (a) from section 6 (i) of the Act which prohibits appeals and inserts a new subsection (SA) making a clear statement to the effect that all appeal shall lie under section 6 from any order made by the full Court or a Judge of the High Court in any criminal case or matter at the conclusion of a criminal case or matter. It further provides that all appeal shall lie from an order in respect of the criminal case or matter for the institution of a criminal case or matter to prevent the commencement of the case or matter.

The Bill also seeks to amend section 71 of the High Court Act, Cap. 3:02, to make a consequential amendment to that Act.


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Hon. Mohabir Anil Nandlal MP
Attorney General and Minister of
Legal Affairs.