

# THE OFFICIAL GAZETTE 10<sup>TH</sup> JANUARY, 2019

## LEGAL SUPPLEMENT — C

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**BILL No. 1 of 2019**

*Thursday 10<sup>th</sup> January, 2019*

PARLIAMENT OFFICE  
Public Buildings,  
Georgetown,  
Guyana.

10<sup>th</sup> January, 2019

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

*S.E. Isaacs,*  
Clerk of the National Assembly.



**BILL No. 1 OF 2019**

**INTERCEPTION OF COMMUNICATIONS (AMENDMENT) BILL 2019**

### ARRANGEMENT OF SECTIONS

#### SECTION

1. Short title.
2. Amendment of section 3(2) of the Principal Act.

**A BILL****Intituled**

AN ACT to amend the Interception of Communications Act.

A.D. 2019 Enacted by the Parliament of Guyana:-

Short title. 1. This Act, which amends the Interception of Communications Act, may be  
Cap: 47:03 cited as the Interception of Communications (Amendment) Act 2019.

Amendment  
of section  
3(2) of the  
Principal  
Act.

2. Section 3(2) of the Principal Act is amended as follows –

(a) in paragraph (b), by the substitution for the full stop, of a semi-colon; and

(b) by the insertion immediately after paragraph (b), of the following paragraphs –

“(c) the person has reasonable grounds for believing that the person to whom or by whom the communication is transmitted consents to the interception;

(d) the communication is intercepted as an ordinary incident in the course of employment in the provision of telecommunication services;

(e) the communication is not a private telecommunication;

(f) the communication is a stored communication and is acquired in accordance with any other law; or

(g) the interception is of a communication transmitted by a private telecommunications

network and is done by a person who has –

- (i) a right to control the operation or use of the network; or
- (ii) the express or implied consent of the person to whom or by whom the communication is transmitted.”

### Explanatory Memorandum

This Bill seeks to provide more exceptions to the offence under section 3 of the Interception of Communications Act which prohibits a person from intentionally intercepting a communication in the course of its transmission by means of a telecommunications system. The Act provides two exceptions. The Bill seeks to provide five more exceptions, including, if the person has reasonable grounds for believing that the person to whom or by whom the communication is transmitted consents to the interception, or if the communication is not a private telecommunication etc. These exceptions can be found in most similar legislation across the region.



Hon. Catherine Hughes, M.P.

Minister of Public Telecommunications

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Ministry of Public  
Telecommunications