

**THE OFFICIAL GAZETTE — 20TH MARCH, 1980  
LEGAL SUPPLEMENT — C**

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**PARLIAMENT OFFICE,  
Public Buildings,  
Georgetown,  
Guyana,  
20th March, 1980.**

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. 4 OF 1980**

**CRIMINAL LAW BILL 1980**

**ARRANGEMENT OF SECTIONS**

**SECTION**

- 1. Short title.**
- 2. Interpretation of certain provisions of the Administration of Justice Act 1978.**
- 3. Insertion of section 25A in the Summary Jurisdiction (Procedure) Act.**
- 4. Amendment of section 61 of the Summary Jurisdiction (Procedure) Act.**
- 5. Amendment of section 20 of the Administration of Justice Act 1978.**

A BILL

Intituled

AN ACT to clarify the procedure relating to summary trial of indictable offences and to provide for certain other matters relating to the criminal law.

A.D. 1980 Enacted by the Parliament of Guyana.

Short title. 1. This Act may be cited as the Criminal Law Act 1980.

Interpretation of certain provisions of the Administration of Justice Act 1978.

2. Nothing in sections 4, 5, 6 and 7 of the Administration of Justice Act 1978 shall be deemed to affect or ever to have affected any law (whether enacted before or after the enactment of this Act) providing for the punishment of any person on summary conviction of any offence in respect of which that person could under that law be liable to punishment either on summary conviction or on conviction on indictment or which provided for the prosecution, trial, conviction or sentencing of, or for any appeal by, any person charged summarily under any such law.

Insertion of section 25A in the Summary Jurisdiction (Procedure) Act, Cap. 10:02.

3. The Summary Jurisdiction (Procedure) Act is hereby amended by the insertion after section 25 of the following section —

Inquiry in cases of absence of defendant on ground of illness.

25.A Without prejudice to any other provision of this Act, where a defendant absents himself or seeks to absent himself from trial on the ground of illness the court may order him to submit himself for examination by a registered medical practitioner designated by the court in order to determine whether or not he is fit to attend the trial and thereafter the court may proceed with the trial in the absence of the defendant if —

- (a) he does not submit himself for the examination; or
- (b) the court, having considered the report of the examination, together with any other report of any registered medical practitioner tendered by the defendant and, if necessary, the testimony on oath of any registered medical

practitioner, is satisfied that the defendant is capable of attending the trial.”.

4. Section 61 of the Summary Jurisdiction (Procedure) Act is hereby amended by the deletion of the marginal note thereto and, the substitution therefor of the words, “Summary trial of indictable offences.”.

Amendment of section 61 of the Summary Jurisdiction (Procedure) Act. Cap. 10:02.

5. The reference in section 20 of the Administration of Justice Act 1978 to paragraph 3 of Part II of the Fifth Schedule to the Exchange Control Act shall be deemed to be, and always to have been, a reference to paragraph 1(3) of that Part.

Amendment of section 20 of the Administration of Justice Act 1978. Cap. 86:01

### EXPLANATORY MEMORANDUM

Clause 2 of this Bill seeks to clarify the procedure relating to the summary trial of indictable offences by making it clear that the requirements of the procedure were not intended to apply to any case in which proceedings for an offence could have been commenced by way of a summary charge under any law which provided for proceedings in respect of the offence to be brought either by way of indictment or by way of summary charge.

Clause 3 of the Bill seeks to extend to the magistrates' courts the procedure currently available in the High Court for dealing with cases in which a person charged seeks to absent himself from court on the ground of illness.

Clause 4 of the Bill seeks to correct a typographical mistake in the marginal note to section 61 of the Criminal Law (Procedure) Act, Cap: 10:02.

Clause 5 of the Bill seeks to correct a clerical mistake in section 20 of the Administration of Justice Act 1978.

*M. Shahabuddeen,*  
Attorney General & Minister of Justice.