

PARLIAMENT OFFICE,
Public Buildings,
Georgetown,
Guyana.

1990—07—26.

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 25 of 1990

MISCELLANEOUS ENACTMENTS (AMENDMENT) BILL 1990

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
 2. Amendment of the Representation of the People Act.
 3. Amendment of the Criminal Law (Offences) Act.
 4. Amendment of the Summary Jurisdiction (Offences) Act.
 5. Amendment of Section 8 of the Cattle Stealing Prevention Act.
 6. Amendment of the Amerindian Act.
 7. Amendment of the Roads Act.
 8. Amendment of section 18 of the Forests Act.
 9. Amendment of section 3 of the Rehabilitation of Offender Act.
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A BILL

Intituled

AN ACT to amend the Representation of the People Act, the Criminal Law (Offences) Act, the Summary Jurisdiction (Offences) Act, the Cattle Stealing Prevention Act, the Amerindian Act, the Roads Act, the Forests Act and the Rehabilitation of Offenders Act.

A.D. 1990

Enacted by the Parliament of Guyana :—

Short title.

1. This Act may be cited as the Miscellaneous Enactments (Amendment) Act 1990.

Amendment
of the Re-
presentation
of the
People Act.
Cap. 1:03

2. The Representation of the People Act is hereby amended in the following respects —

(a) by the substitution —

- (i) in section 104 (2) and (3), for the words “one thousand” of the words “twenty-five thousand”;
- (ii) in section 106 (1) (a), for the words “two thousand five hundred” of the words “fifty thousand”;
- (iii) in section 108 (2) and in the proviso in section 113 (1), for the word “five” of the words “one hundred”;
- (iv) in section 109 (2), for the words “twenty-four cents” and “twelve cents” of the words “five dollars”;

(b) by the repeal of section 136.

3. The Criminal Law (Offences) Act is hereby amended in the following respects —

Amendment
of the
Criminal
Law
(Offences)
Act.
Cap. 8:01

- (a) in section 159, by the insertion after the word “temple” of the words, “temple, mosque, synagogue” and after the word “churchyard”, of the words, “or yard of any temple, mosque or synagogue.”;

- (b) in section 228, by the insertion after the word "chapel" of the words, "temple, mosque, synagogue,";
- (c) in section 232 (a), by the insertion after the word "chapel" of words, "temple, mosque, synagogue,";
- (d) in section 309, by the insertion after the word "chapel" of the words, "temple, mosque, synagogue,".

4. The Summary Jurisdiction (Offences) Act is hereby amended in the following respects —

Amendment
of the sum-
mary Juris-
diction
(Offences)
Act.
Cap. 8:02

- (a) in section 58, by the insertion after the word "chapel" of the words, "temple, mosque, synagogue," and after the word "churchyard" of the words, "or yard of any temple, mosque or synagogue,";
- (b) in section 135 (a) and (b), by the insertion after the word "chapel" wherever it occurs of the words "temple, mosque or synagogue".

5. Section 8 of the Cattle Stealing Prevention Act is hereby amended by the substitution, for the words "five hundred dollars" of the words "fifteen hundred dollars".

Amendment
of section 8
of the Cattle
Stealing
Prevention
Act. Cap. 9:03

6. The Amerindian Act is hereby amended in the following respects —

- (a) in section 6 —
 - (i) by the renumbering of the section as subsection (1) thereof;
 - (ii) in subsection (1) as so renumbered, by the insertion after the word "enters" of the words "or remains in" and by the substitution for the words "one hundred dollars" of the words "fifteen hundred dollars or to imprisonment for four months; and a person so convicted shall be warned against committing such offence a second or subsequent time

Amendment
of the
Amerindian
Act.
Cap. 29:01

and of the penalties prescribed in subsection (2) where a person is so convicted”;

- (iii) by the insertion after subsection (1) of the following subsection as subsection (2) —

“(2) Where anyone is convicted for a second or subsequent time under this section he shall (whether or not he was warned under subsection (1)) be liable to a fine of two thousand dollars together with imprisonment for six months.”;

- (b) by the insertion after section 14 of the following section as section 14A —

14A (1) Every captain shall ex officio be a justice of the peace in and for every District, Area and Village and he shall take the oath required to be taken by a justice of the peace.

(2) As such justice every captain shall at all times act ministerially for the purpose of the preservation of the peace, the prevention of crime and the detection and committal of offenders, but he shall not in any way act judicially as a justice, either in any court or in any manner.”.

“Captains to be justices of the peace.

7. The Roads Act is hereby amended in the following respects —

- (a) in section 21 (2), by the substitution for the words “thirty dollars” of the words “three hundred dollars”;
- (b) in section 28 (1), by the substitution for the words “three dollars” and “fifteen dollars” of the words “five hundred dollars” and “fifteen hundred dollars,” respectively.

Amendment of the Roads Act. Cap. 51:01

8 Section 18 of the Forests Act is hereby amended in the following respects —

- (a) by the renumbering of the said section 18 as subsection (1) thereof;

Amendment of section 18 of the Forests Act. Cap. 67:01

- (b) in subsection (1) as so renumbered,
- (i) in the opening portion, by the substitution for the words "seventy-five dollars" and "two months" of the words "fifteen hundred dollars" and "four months", respectively;
 - (ii) in paragraph (b) of the proviso, for the full stop at the end, by the substitution of a semi-colon and by the insertion thereafter of the following words, "and a person so convicted shall be warned against committing such offence a second or subsequent time and of the penalties prescribed in subsection (2) where a person is so convicted.";
- (c) by the insertion after subsection (1) of the following subsection as subsection (2) —

"(2) Where anyone is convicted for a second or subsequent time under this section he shall (whether or not he was warned under subsection (1)) be liable to a fine of two thousand dollars together with imprisonment for six months, and where he is in occupation of any State forest, he shall be ordered to surrender possession of the State forest with all the forest produced thereon and all the buildings and erections thereon or affixed thereto."

Amendment
of section 3
of the Re-
habilitation
of Offenders
Act No. 9 of
1988.

9. Section 3 (2) of the Rehabilitation of Offenders Act is hereby amended by the substitution for the words "subsection (1) (b)" of the words "subsection (1)".

EXPLANATORY MEMORANDUM

Clause 2 of the Bill seeks to amend section 104, 106, 108, 109 and 114 and to repeal section 136 of the Representation of the People Act, Cap. 1:03. The amendments to section 104 increase by twenty-five times the personal election expenses a candidate may incur; the amendment to section 106 increases by twenty times the maximum expenses a group of candidates may incur. The other amendments deal with increases in, expenses for which a receipt is not needed, fees for inspection of election expenses returns, and election expenses that may be incurred by a person other than a candidate or election agent.

Clauses 3 and 4 of the Bill seek to amend a number of sections in the Criminal Law (Offences) Act, Cap. 8:01, and the Summary Jurisdiction (Offences) Act, Cap. 8:02, respectively, in an effort to attach the same importance to the places of divine worship of the religions practised in Guyana. With respect to

offences committed in or in relation to such places of divine worship only church and chapel are now specifically mentioned. The relevant sections in the two Acts are therefore amended so as to include temple, mosque and synagogue.

Clause 5 seeks to amend section 8 of the Cattle Stealing Prevention Act, Cap. 9:03, to increase the prescribed penalty from five hundred to fifteen hundred dollars where an owner fails to brand his buffalo, cow or ass.

Clause 6 seeks to amend section 6 of the Amerindian Act, Cap. 29:01, to increase the penalty for entering any Amerindian District, Area, Village, settlement or encampment without permission or lawful excuse from one hundred dollars to fifteen hundred dollars, and to provide also for imprisonment of four months, for a first offence. On a first conviction a warning of the consequences of a second conviction is given. For a second or subsequent conviction a fine of two thousand dollars together with imprisonment for six months is provided. Clause 6 also seeks to insert a new section 14A in the Act which makes every captain *ex officio* a justice of the peace.

Clause 7 seeks to amend section 21 of the Roads Act, Cap. 51:01, to increase the prescribed penalty from thirty dollars to three hundred dollars for failure by an owner to mark his name on his wagon, cart or other vehicle; it seeks also to amend section 28 of that Act to increase the minimum and maximum prescribed penalties from three and fifteen dollars to five hundred and fifteen hundred dollars, respectively where a person suffers cattle to graze or stray, or to be tethered on, the road.

Clause 8 seeks to amend section 18 of the Forests Act, Cap. 67:01, to increase the penalty for trespass on State forests from seventy-five dollars or to imprisonment for two months to fifteen hundred dollars or to imprisonment for four months for a first offence. On a first conviction a warning of the consequences of a second conviction is given. For a second or subsequent conviction a fine of two thousand dollars together with imprisonment for six months is prescribed.

K. S. Massiah,
Attorney General and Minister of Legal Affairs.

BILL No. 16 of 1990

Saturday, 19th May, 1990

PARLIAMENT OFFICE,
Public Buildings,
Georgetown.
Guyana.

90—05—18

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. 16 of 1990

MOTOR VEHICLES AND ROAD TRAFFIC (AMENDMENT)

BILL 1990

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Name of the Bill as it appears in the First Schedule to the Principal Act.

A BILL

Intituled

AN ACT to amend the Motor Vehicles and Road Traffic Act.

A.D. 1990 Enacted by the Parliament of Guyana:—

Short title. 1. This Act, which amends the Motor Vehicles and Road
Cap. 51:02 Traffic Act, may be cited as the Motor Vehicles and Road Traffic
(Amendment) Act 1990.

Amendment of the First Schedule to the Principal Act. 2. The First Schedule to the Principal Act is hereby deleted and the following Schedule substituted therefor —

‘FIRST SCHEDULE

A

LICENCE FEES IN RESPECT OF VEHICLES
Vehicles solely for private use in carrying persons or for
broadcasting purposes

	\$	c.
1. For each motor cycle:—		
(a) having 2 wheels and not exceeding 200 pounds ...	150.00	
(b) having 2 wheels and exceeding 200 pounds ...	230.00	
(c) having 3 whells ...	300.00	
2. For each motor vehicle other than a motor cycle:—		
(a) not exceeding 2240 pounds ...	400.00	
(b) exceeding 2240 pounds and not exceeding 3,000 pounds ...	480.00	
(c) exceeding 3,000 pounds and not exceeding 4,000 pounds ...	750.00	

	\$	c.
(d) exceeding 4,000 pounds and not exceeding 5,000 pounds	1,050.00	
(e) exceeding 5,000 pounds	1,800.00	

Passenger Vehicle for hire or reward

3. For each hire car:—

(a) not exceeding 2240 pounds	1,000.00
(b) exceeding 2240 pounds and not exceeding 3,000 pounds	1,080.00
(c) exceeding 3,000 pounds	1,200.00

4. (a) For each motor bus used solely in Georgetown or New Amsterdam and seating:—

(i) not more than 14 passengers	1,650.00
(ii) more than 14 passengers	3,120.00

(b) For each motor bus used elsewhere and seating:—

(i) not more than 14 passengers	1,920.00
(ii) more than 14 passengers	4,200.00

GOODS VEHICLES

5. For each goods vehicle:—

(a) not exceeding 1120 pounds unladen weight	450.00
(b) exceeding 1120 pounds but not exceeding 2240 pounds unladen weight	900.00
(c) exceeding 2240 pounds but not exceeding 4480 pounds unladen weight	1

	\$	c.
(d) exceeding 4,480 pounds but not exceeding 8,960 pounds unladen weight	2,250.00	
(e) exceeding 8,960 pounds but not exceeding 13,440 pounds unladen weight	4,500.00	
(f) exceeding 13,440 pounds unladen weight	5,400.00	

Provided that:—

(i) for a motor lorry exceeding four tons, but not exceeding six tons payload +, the licence fee shall be	4,500.00
(ii) for a motor lorry exceeding six tons payload + the licence fee shall be	5,400.00
(iii) for an articulated vehicle* the unladen weight of which exceeds 11,200 pounds the licence fee shall be	6,000.00

OTHER MOTOR VEHICLES

(a) For any agricultural motor tractor and trailer which are used for the sole purpose of carrying agricultural machinery appliances and produce or any of them to or from, or to and from, any cultivated plantation, lot or farm within a radius of 6 miles thereof but not in Georgetown or New Amsterdam ...	900.00
(b) For any agricultural motor tractor used alone for the said purpose	150.00
7. For each motor hearse	300.00
8. For each motor vehicle used solely for the servicing of equipment or machinery	750.00

\$ c.

For each mechanically propelled crane, hoist, compressor, bulldozer or similar vehicle used in connection with construction, which is not in itself designed or constructed to carry any load other than loose tools and equipment 300.00

0. (a) For each trailer used in connection with a motor car :—
- (i) having two wheels '90.00
- (ii) having more than two wheels 150.00
- (b) For each trailer capable of being attached to any vehicle, other than a motor tractor or motor car and not constructed as a permanent attachment to that vehicle 180.00

Provided that :—

- (a) no licence fee shall be payable in respect of any invalid carriage;
- (b) no licence shall be required for any motor vehicle, or trailer, if used only within the bounds of any sugar cane plantation, woodcutting grant, cattle farm, lot or farm under cultivation, cocoa estate, rubber estate, private grant, mining or placer claim;
- (c) in item 4, “passengers” include the driver;
- (d) the Minister may, by order, define districts in which the fee for any trailer used in connection with a motor car shall be one half of the appropriate amount set out in item 10(a);
- (e) for any trailer fitted with tyres other than pneumatic tyres, the fee shall be twice the appropriate amount set out in item 10;
- (f) no licence fee shall be payable for any motor vehicle or trailer kept for use exclusivel on

roads and trails, or any of them, in any district defined by the Minister by order, which shall come, or be deemed to have come, into operation on such day, being the first day of any quarter not earlier than the commencement of the year in which the order is made, as shall be specified therein. Where there has been payment for any motor vehicle or trailer of a licence fee from which the motor vehicle or trailer is, upon the application of the licence holder, shown to the satisfaction of the licensing officer to have, by virtue of any such order published in the *Gazette* after the payment in question, been exempted to the extent of any amount so paid in respect of any period commencing on or after the coming into operation of the order, such amount shall pursuant to the said application, and upon surrender of the licence if such period is unexpired, be refunded by or on the authority of the Licensing Authority; and any decision of the licensing officer with which the applicant is dissatisfied shall be subject to appeal, which shall lie in the like manner as an appeal under the proviso to section 18(3) against refusal to issue a licence.

Sections

B — OTHER FEES

	\$	c.
5. For registration :—		
of motor cycle	80.00	
of other motor vehicles ...	150.00	
of trailer	30.00	
For copy of entry in motor vehicles register ...	60.00	
9 For transfer of registration :—		
of motor cycle ...	60.00	
of other motor vehicles ...	150.00	
of trailer	20.00	

	\$	c.
14. For certificate of fitness :— for examination of two-wheeled motor 'cycle ...	50.00	
for examination of motor car or three- wheeled motor cycle	80.00	
for examination of motor lorry or motor bus ...	150.00	
for examination of hire car	40.00	
for examination of articulated vehicles*	230.00	
for examination of any other goods vehicle	150.00	
for examination of other motor vehicle or trailer	20.00	
22. For dealer's general licence	7,500.00	
for each dealer's general identification mark ...	40.00	
26. For learner's provisional licence ...	80.00	
27. For driver's test of competence ...	150.00	
29. For driver's licence	200.00	
78. For conductor's licence ...	20.00	
80. For licence to drive a hire car	200.00	
81. For licence to drive a hire car (for any period not exceeding seven days)	40.00	
81. For the issue of an identification mark for a hire car being used in the 'manner contemplated by section 81(1). This fee shall be refunded upon the return of the identification mark to the Licensing Officer	60.00	
105. For duplicate licence or certificate	60.00	

**For the purposes of this Schedule —
*“articulated vehicle” means any motor
vehicle with a trailer drawn thereby**

which is so constructed and by partial super-imposition attached to the motor vehicle that a substantial part of the weight of the trailer is borne by the motor vehicle;

*“the payload” of a motor lorry is the gross weight thereof as specified by the manufacturer less the unladen weight.”.

EXPLANATORY MEMORANDUM

This Bill seeks to delete the First Schedule to the Act and replaces it with a new Schedule.

Stella Odié-Ali,
Minister of Home Affairs.