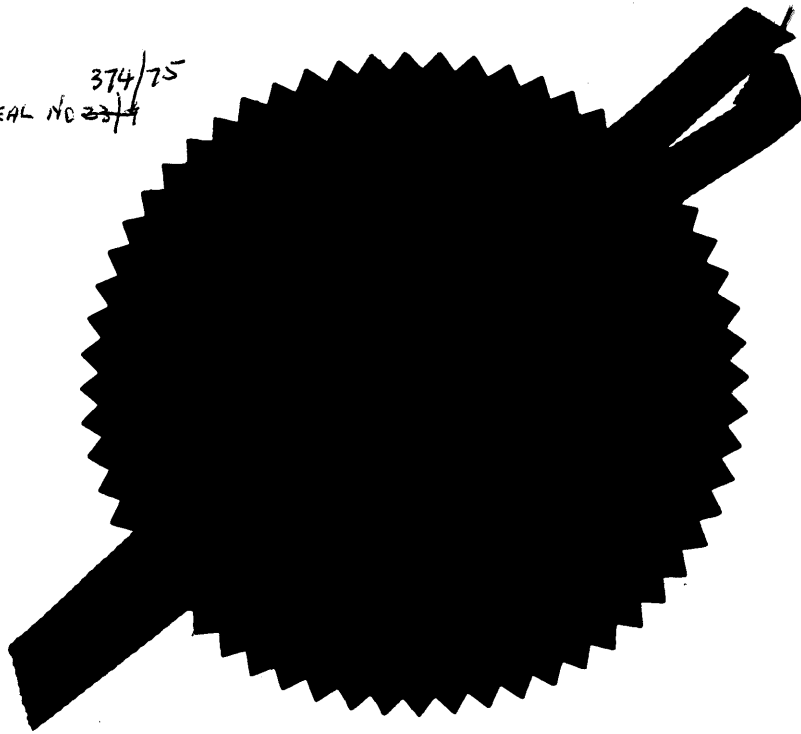


374/75
SEAL NO 23/4



GUYANA

ACT No. 26 of 1975

PRISON (AMENDMENT) (No. 2) ACT 1975

I assent.

E. V. Luckhoo

E. V. LUCKHOO,
Chancellor
performing the
functions of the
Office of
President.

23rd July, 1975

ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Amendment of the Principal Act.
4. Insertion of section 4A in the Principal Act.
5. Amendment of section 5.
- 5 A. Insertion of section 5A in the Principal Act.
6. Repeal and re-enactment of section 8.
7. Amendment of section 9.
8. Amendment of section 10A.
9. Amendment of section 12A.
10. Amendment of section 13A.
11. Insertion of section 39A in the Principal Act.

AN ACT to amend the Prison Act.

A.D. 1975 Enacted by the Parliament of Guyana:—

Short title.
Cap. 11:01

1. This Act which amends the Prison Act may be cited as the Prison (Amendment) (No. 2) Act 1975.

Amendment
of section
2.

2. Section 2 of the Principal Act is amended by inserting immediately after the definition "Prison Rules" the following definition —

““Prison Service” means the Guyana Prison Service established under section 4A;”.

Amendment
of Section
4.

3. Section 4(2) of the Principal Act is amended as follows —

(a) by deleting the words “the Deputy Director or”;

(b) by inserting immediately before the words “in charge” the words “the Superintendent or the Assistant Superintendent”.

Insertion
of section
4 A in the
Principal
Act.

4. Insert immediately before section 5 of the Principal Act the following section —

“4A. There is hereby established a Prison Service to be known as the Guyana Prison Service.”.

Amendment
of section
5.

5. Section 5(3) of the Principal Act is amended by deleting the word “Department” and by substituting therefor the word “Service”.

Insertion
of section
5A in the
Principal
Act.

5A. Insert immediately after section 5 of the Principal Act the following section —

A.D. 1975]

PRISON (AMENDMENT) (No. 2)

[No. 26]

*"Duties
of Deputy
Director."*

5A. The Deputy Director shall act as principal assistant to the Director in the performance of his duties and shall have power, during the absence or incapacity of the Director, or when so authorised by him to do or suffer any act or thing which may by law be done or suffered by the Director."

6. Section 8 of the Principal Act is repealed and the following is substituted therefor —

Repeal and
re-enact-
ment of
section 8.

*"Powers of
Senior
Superin-
tendent etc."*

8. Subject to the orders of the Director, every Senior Superintendent, Superintendent and Assistant Superintendent shall have, in relation to the prison of which he has charge, all the powers, duties, rights and privileges of the Director."

7. Section 9 of the Principal Act is amended by deleting the word "Department" and by substituting therefor the word "Service".

Amendment
of section
9.

8.(1) Section 10A(1) of the Principal Act is amended by inserting immediately before the words "may interdict" the words "or the Deputy Director".

Amendment
of section
10A.

(2) Section 10A(2) of the Principal Act is amended as follows —

- (a) by deleting the words "Deputy Director or a"; and
- (b) by inserting immediately after the word "Superintendent" the words, "the Superintendent or the Assistant Superintendent".

9.(1) Section 12A(1) of the Principal Act is amended as follows —

Amendment
of section
12A.

- (a) by deleting the words "Deputy Director or the";
- (b) by inserting immediately after the words "Senior Superintendent" the words ", the Superintendent or the Assistant Superintendent";
- (c) by deleting in paragraph (n) the words "Prisons Department" and by substituting therefor the words "Prison Service"; and
- (d) by deleting the word "Deputy" that appears after paragraph (p) and by substituting therefor the words "Senior Superintendent, the".

(2) Section 12A(2) of the Principal Act is amended by deleting the word "Superintendent" wherever it appears and by substituting therefor the word "Director".

Amendment
of section
13A.

10.(1) Section 13A(1) of the Principal Act is repealed and the following is substituted therefor —

"Power of
Director to
hold inquiry.

13A(1) Where the Director is satisfied that the inquiry into the conduct of any member of the subordinate staff charged with any offence under section 12A should proceed before him and not before a Senior Superintendent, a Superintendent or an Assistant Superintendent he may direct that the enquiry shall be held by him."

(2) Section 13A(2) of the Principal Act is amended as follows —

- (a) by inserting immediately after the figure "12" the letter "A";
- (b) by deleting the word "Superintendent" wherever it appears and by substituting therefor the word "Director"; and
- (c) by deleting the word "Governor" and by substituting therefor the word "Public Service Commission".

Insertion
of section
39A in the
Principal
Act.

11. Insert immediately after section 39 of the Principal Act the following section —

"Appointment
of Senior
Superinten-
dent etc.
to enquire
into prison
offence.

39A. Notwithstanding anything to the contrary contained in this Act where a prisoner commits any prison offence the Director may appoint a Senior Superintendent, a Superintendent or an Assistant Superintendent to enquire into the offence and if the prisoner is found guilty of the offence the person so appointed may impose any or all of the punishments specified in section 39."

Passed by the National Assembly on the 11th day of July, 1975.

F. A. Narain

F. A. Narain,
Clerk of the National Assembly.

(Bill No. 25/1975)
(H. A: 9/2/1)