

THE OFFICIAL GAZETTE 31ST DECEMBER, 2009
LEGAL SUPPLEMENT — A



ACT No. 37 of 2009

PRISON (AMENDMENT) ACT 2009

assent.

Bharrat Jagdeo
Bharrat Jagdeo,
President.

21st
December, 2009

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Amendment of section 2 of the Principal Act.
3. Amendment of section 5 (2) of the Principal Act.
4. Repeal of section 6 of the Principal Act.
5. Amendment of section 13 (2) of the Principal Act.

6. Amendment of section 17 (1) of the Principal Act.
7. Amendment of section 37 of the Principal Act.
8. Amendment of section 39 of the Principal Act.
9. Amendment of section 39A of the Principal Act.
10. Amendment of section 53 of the Principal Act.
11. Amendment of section 54 of the Principal Act.
12. Amendment of section 55 of the Principal Act.

A.D. 2009]

PRISON (AMENDMENT)

[No. 37

AN ACT to amend the Prison Act.

A.D. 2009 Enacted by the Parliament of Guyana:

Short title. 1. This Act, which amends the Prison Act, may be cited as the Prison
Cap. 11:01 (Amendment) Act 2009.

Amendment of section 2 of the Principal Act. 2. Section 2 of the Principal Act is amended by the substitution in the definition of "young prisoner" for the words "the age of 21" the words "the age of 18".

Amendment of section 5 (2) of the Principal Act. 3. Section 5 (2) (b) of the Principal Act is amended by the substitution for the word "clerks" the words "assistant prison officers".

Repeal of section 6 of the Principal Act. 4. Section 6 of the Principal Act is repealed.

Amendment of section 13 of the Principal Act. 5. Section 13 of the Principal Act is amended by the substitution for subsection (2) the following subsection -

"(2) Every Prison Officer may use weapons against any prisoner engaged in an individual or combined outbreak, or in any attempt to force or break open any wall of any prison, or authorised areas of confinement or scaling or attempting to scale any perimeter wall or breaking or attempting to break open any perimeter gate and may continue to use the weapons so long as the individual or combined outbreak or attempt is being prosecuted."

Amendment of section 17 of the Principal Act. 6. Section 17 (1) of the Principal Act is amended by the substitution for the words "police constable" the words "member of the Joint Services".

Amendment of section 37 of the Principal Act. 7. Section 37 of the Principal Act is amended as follows -

- (a) in paragraph (d) by the substitution for the comma at the end of line 1, of a semicolon and by the insertion immediately after paragraph (d) the following paragraph -

“(e) protest on the roof of a prison,”

- (b) by substituting for the words “the Director” where it appears for the second time, the words “ or Deputy Director or any Disciplinary Board of Enquiry appointed by the Director, the person who conducted the inquiry”.

Amendment of section 39 of the Principal Act.

8. Section 39 of the Principal Act is amended by the substitution for the full stop at the end of paragraph (d) of a semicolon and by the insertion of the following paragraphs immediately after paragraph (d) -

“(e) severe reprimand;

(f) reprimand; or

(g) suspended punishment.”

Amendment of section 39A of the Principal Act.

9. Section 39A of the Principal Act is amended by the insertion immediately before the words “a Senior Superintendent” the words “a Deputy Director,”.

Amendment of section 53 of the Principal Act.

10. Section 53(1) of the Principal Act is amended by the substitution for the words “four hundred dollars” and the words “three months” of the words “seventy-five thousand dollars” and the words “twelve months” respectively.

Amendment of section 54 of the Principal Act.

11. Section 54 of the Principal Act is amended as follows -

- (a) by the deletion of the words “while at work without the walls of a prison or while going to or returning from work”; and
- (b) by the substitution for the words “seventy-five dollars or to imprisonment for two months” the words “ten thousand dollars or to imprisonment for three months”.

Amendment of section 55 of the Principal Act.

12. Section 55 of the Principal Act is amended -

- (a) by the substitution for the words “seven hundred and fifty dollars” and the words “twelve months” the words “seventy-five thousand dollars” and the words “eighteen months”, respectively;
- (b) by the insertion immediately after the words “two years” the words “consecutive to his current sentence”.

A.D. 2009]

PRISON (AMENDMENT)

[No. 37

Passed by the National Assembly on 26th November, 2009.



Clerk of the National Assembly.

(Bill No. 43/2009)