

A BILL

ENTITLED

AN ACT to Amend the Offences Against the Person Act.

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BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Jamaica, and by the authority of the same, as follows:-

1. Short title and construction.

1. This Act may be cited as the Offences Against the Person (Amendment) Act, 2008, and shall be read and construed as one with the Offences Against the Person Act (hereinafter referred to as the principal Act) and all amendments thereto.

2. Amendment of section 20 of principal act.

2. Section 20 of the principal Act is amended by-

(a) deleting the word "Whosoever" and substituting therefor the words "Subject to subsection (2), whosoever";

(b) renumbering the section as subsection (1) of section 20; and

(c) inserting next after subsection (1), as renumbered, the following as subsections (2) and (3)-

" (2) A person who is convicted before a Circuit Court of-

(a) shooting with intent to do grievous bodily harm or with intent to resist or prevent the lawful apprehension or detainer of any person; or

(b) wounding with intent, with use of a firearm,

shall be liable to imprisonment for life, or such other term, not being less than fifteen years, as the Court considers appropriate.

(3) In this section, "firearm" has the meaning assigned to it by section 2 of the Firearms Act".

MEMORANDUM OF OBJECTS AND REASONS

A decision has been taken to amend the Offences Against the Person Act in order to provide for a minimum custodial sentence of fifteen years for a person convicted before the Circuit Court of any of the following offences under section 20 of the Act, namely-

(a) shooting with intent to do grievous bodily harm or with intent to resist or prevent the lawful apprehension or detainer of any person; and

(b) wounding with intent, with use of a firearm.

This Bill seeks to give effect to that decision and is intended to emphasize the serious nature of those offences and is a companion to other proposed legislation aimed at reducing crime.

DOROTHY C. LIGHTBOURNE, Q.C.
Minister of Justice.