

National Laws

Legislation of Interpol member states on sexual offences against children

Guyana - Guyane - Guyana

Georgetown

The information on this page is up to date as of spring 2006

I. Ages for legal purposes

Age of simple majority

The age of simple majority is eighteen (18) years.

Age of consent for sexual activity

Any female age thirteen (16) and above can give consent to sex.

Age of consent for marriage

The age of consent for civil marriage is the same as the age for simple majority. However if a person (under the age of eighteen) wants to get married, an adult has to sign his/her name on behalf of that person.

II. Rape

Offence of rape under national legislation (Offences Act, chapter 8:01)

- RAPE – Contrary to Section 76 of the Criminal Law Offences Act, Chapter 8:01
- ATTEMPT TO COMMIT RAPE – Contrary to Section 75 of the Criminal Law Offences Act, chapter 8:01

Rape is the unlawful carnal knowledge of a female either by force, fear or fraud against her will.

III. Other forms of child sex abuse

The legislation that governs these offences is the Criminal Law, Offences Act, chapter 8:01

a. INCEST

1. By male – Section 66 of the Criminal Law Offences Act 8:01
2. By female of or over 16 years – Section 67 of the Criminal Law Offences Act, Chapter 8:01

b.

1. CARNALLY KNOWING GIRL UNDER 15 &16 YEARS – Criminal Law Offences Chapter 18:05 (Amendment Criminal Law Offences)
2. CARNALLY KNOWING GIRL UNDER 15 YEARS – Section 70 of the Criminal Law Offences Act, Chapter 8:01 (Amendment Criminal Law Offences)
3. CARNALLY KNOWING GIRL FEMALE IDIONR OR IMBECILE – Section 71 Criminal Law Offences

c. INDECENT ASSAULT ON FEMALE – Contrary to section 24 of the Summary Jurisdiction Offences, Chapter 8:02

'Incest by a male/female'

Section 65-68 C.L.O. Act defines incest as following :

Incest by a male person : 'Sexual intercourse by a man with a woman whom he knows to be his grand-daughter, daughter, sister and mother, even if there is consent.'

Incest by a female person : 'Sexual intercourse by a woman who is sixteen (16) years old or above, with a man whom she knows to be her grand-father, brother, father or son, even if there is consent.'

'Serious assault against women , men and children'

Serious assault can relate to wounding with intent, causing actual bodily harm, causing grievous bodily harm.

Indecent assault only applies to female persons of any age, according to section 24/8.02 or section 45/8.00. It is an assault accompanied by circumstances of indecency by the defendant to the victim. A person charged with rape or carnal knowledge can be found guilty of the lessor count of carnal knowledge if penetration is not proven.

'Abduction of unmarried girls'

Section 83-86 C.L.O. Act states :

'Taking a girl out of the possession of her parent or other persons, having lawful care or charge of her, against the will of such persons or that she left her parents or

guardian in consequence of some persuasion, inducement or blandishment held out to her by her prisoner.'

In casu, consent is not an issue.

IV. Child prostitution

- a. BUGGERY – Contrary to Section 353 of the Criminal Law Act, Chapter 8:01
- b. CHILD PROSTITUTION – There is no specific legislation to Child Prostitution but with the offence Trafficking In Persons (TIP). The Act No. 2/2005 “Combating of Trafficking In Persons” covers the same.

V. Child pornography

There is no particular offence of child pornography in the Laws of Guyana. Nevertheless, Section 350 of the C.L.O. Act regulates selling, publishing or exhibiting an obscene matter. The obscenity is when the matter is such as to deprive and corrupt those whose minds are open to such immoral influences and into whose hands publication of this sort may fall.