Combating of Trafficking in Persons Act – Act 2 of 2005

Part II Criminal Offences and Related Provisions
3.(1) Whoever engages in or conspires to engage in, or attempts to engage in, or assist another person to engage in or organises or directs other persons to engage in “trafficking in persons” shall –

(i) on summary conviction –
(a) be sentenced to not less than three years nor more than five years imprisonment;
(b) be subject to forfeiture of property under section 7; and
(c) be ordered to pay full restitution to the trafficked person or persons under section 6,
(ii) on conviction on indictment
(a) be sentenced to not less than five years or to life imprisonment
(b) be subject to forfeiture of property under section 7; and
(c) be ordered to pay full restitution to the trafficked person or persons under section 6,

(2) The recruitment, transportation, transfer, harbouring, or receipt of any child, or the giving of payments or benefits to obtain the consent of a person having control of a child, for the purpose of exploitation shall constitute trafficking in persons irrespective of whether any of the means described in section (2) have been established

Transporting for the Purpose of exploiting such person’s prostitution
5.(1) Whoever knowingly transports or conspires to transport, or attempts to transport or assists another person engaged in transporting any person in Guyana or across an international border for the purpose of exploiting that person’s prostitution commits an offence and shall be liable on summary conviction to be punished in accordance with subsection (2).

(2) Persons convicted of the crime of transporting a person for the purpose of exploiting that person’s prostitution shall be liable to a fine of not less than five hundred thousand dollars and not more than one million dollars and shall be imprisoned for not more than three years, but the presence of any one of the following aggravating factors resulting from acts of the defendant can permit a longer sentence up to a maximum of five years together with forfeiture of the conveyance used for transporting the victim –

(a) transporting two or more persons at the same time;
(b) permanent of life-threatening bodily injury to a person transported;
(c) transportation of one or more children; or
(d) transporting as part of the activity of an organised criminal group.

Part III Assistance and Protection for Victims
13. Investigative, prosecutorial, and other appropriate authorities shall take all steps necessary to identify victims of trafficking. Once victims are identified, these authorities shall provide reasonable protection to victims of trafficking to prevent recapture by the traffickers and their associates, secure the victim and the victim’s family if they reside in Guyana from threats, reprisals or intimidation by the traffickers and their associates, and ensure the victim has an opportunity to consult with a victims’s advocate or other appropriate person to develop a safety plan.