

OBJECTS AND REASONS

This Bill would amend the *Penal System Reform Act, Cap. 139* to better provide for the court to take previous convictions into account in assessing the seriousness of an offence.

Arrangement of Sections

1. Short title
2. Repeal and replacement of section 40 of Cap. 139

BARBADOS

A Bill entitled

An Act to amend the *Penal System Reform Act, Cap. 139*.

ENACTED by the Parliament of Barbados as follows:

Short title

- 1.** This Act may be cited as the *Penal System Reform (Amendment) Act, 2026*.

Repeal and replacement of section 40 of Cap. 139

2. *Section 40 of the Penal System Reform Act, Cap. 139 is deleted and the following substituted:*

“Effect of previous convictions

40. In considering the seriousness of an offence committed by an offender who has one or more previous convictions, the court must treat as an aggravating factor each previous conviction that the court considers can reasonably be so treated having regard in particular to

- (a) the nature of the offence to which the previous conviction relates and its relevance to the current offence; and
- (b) the time that has elapsed since the previous conviction.”.

Read three times and passed the House of Assembly this
day of _____, 2026.

Speaker

Read three times and passed the Senate this _____ day of
, 2026.

President