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GRENADA

ACT NO. 29 OF 2012

I assent,



CARLYLE ARNOLD GLEAN
Governor-General.

30th August, 2012.

AN ACT to amend the Criminal Code Cap. 72A of the 2010
Continuous Revised Edition of the Laws of Grenada.

[14th September, 2012].

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

1. This Act may be cited as the

Short title.

CRIMINAL CODE (AMENDMENT) ACT, 2012

and shall be read as one with the Criminal Code CAP. 72A of
the 2010 Continuous Revised Edition of the Laws of Grenada,
hereinafter referred to as the "principal Code."

Amendment of
section 20 of
principal code.

2. Section 20 of the principal Code is amended by inserting after sub-section (1) the following new subsection;

“(1a) For the purposes of this Code “indecent assault” means an assault committed in circumstances of indecency.”

Amendment of
section 50 of
principal Code.

3. Section 50 of the principal Code is repealed and the following section is substituted—

“Criminal Responsibility

50. It shall be presumed that a child under the age of twelve years is not capable of or criminally responsible for an act or omission, unless it is proved that at the time of doing the act or making the omission the person had attained sufficient maturity of understanding to judge the nature and consequences of his conduct in the matter in respect of which he or she is accused.”

Amendment of
section 70 of
principal Code.

4. Section 70 of the principal Code is repealed and the following section is substituted—

“Different kinds of punishment

70. The following punishments may be inflicted under this Code:—

- (a) death;
- (b) imprisonment, including detention in an Industrial School as defined in section 3 of this Code;

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- (c) flogging;
 - (d) whipping;
 - (e) fine;
 - (f) payment of compensation;
 - (g) community services order; and
 - (h) suspended sentence.”

5. The principal Code is amended by inserting immediately after section 78B, the following new sections—

Insertion of
new section
in principal
Code.

“Power to make Community Services Order

78BA.(1) Where a person is convicted of an offence punishable by imprisonment the Court by or before which he is convicted may, in addition to or instead of dealing with him in any other way make an order requiring him to perform community services.

(2) The Minister may subject to negative resolution make rules governing community services orders.

(3) For the purposes of this Code “community service” means work for a community organization or other work of value to the community performed by a person without payment.

Suspended sentences

78BB. Where a court passes on any person a sentence of imprisonment for a term of not more than three years for an offence, it may order that the

sentence shall not take effect unless, during a period specified in the order, being not less than one year or more than three years from the date of the order, such person commits in Grenada another offence punishable with imprisonment and thereafter a court having power to do so orders that the original sentence shall take effect with or without variations of its terms.

(2) The Minister may subject to negative resolution make rules governing suspended sentences.

(3) For the purpose of this Code “suspended sentence” as respects any offender means a sentence which is ordered pursuant to this section not to take effect unless the offender commits another offence.”

Insertion of new
section in
principal Code.

6. The principal Code is amended by inserting immediately after section 81, the following new section—

“Indecent Assault

81A. (1) A person who indecently assaults another person commits an offence and is liable on summary conviction to a term of imprisonment not exceeding five years.

(2) A person under the age of sixteen years cannot in law give any consent which would prevent an act being an assault for the purposes of this section.”

Amendment of
section 82 of
principal Code.

7. Section 82 of the principal Code is amended by repealing sub-sections (1) and (2) and substituting the following sub-sections—

“(1)A person who intentionally and unlawfully causes harm to any other person, commits an offence and is liable on summary conviction to a fine not exceeding three thousand dollars, or to a term of imprisonment not exceeding two years, or to both.

(2)A person who intentionally and unlawfully causes a wound to any other person commits an offence and is liable on summary conviction to a fine not exceeding four thousand dollars, or to a term of imprisonment not exceeding four years, or to both.”

8. The principal Code is amended by inserting immediately after section 82, the following new sections—

Insertion of new sections in principal Code.

“Causing grievous harm

82A. A person who intentionally and unlawfully causes grievous harm to any other person commits an offence, and is liable on summary conviction to a term of imprisonment not exceeding five years.

Exposing child to grievous harm (s.216)

82B. A person who unlawfully exposes or abandons any child under seven years of age, in such a manner that any grievous harm is likely to be caused to the child, commits an offence and is liable on summary conviction to a term of imprisonment not exceeding five years.

Administering noxious matter

82C. A person who unlawfully and knowingly administers any noxious matter to any other person

commits an offence and is liable on summary conviction to a term of imprisonment not exceeding two years.

Threat of death

82D. A person who threatens any other person with death or grievous harm with intent to put that other person in fear of death or grievous harm, is guilty of a misdemeanor.”

Amendment of
section 83 of
principal Code.

9. Section 83 of the principal Code is repealed and the following section is substituted—

“Damage to cattle

83. A person who intentionally and unlawfully kills, maims or wounds any cattle commits an offence, and is liable on summary conviction to a term of imprisonment not exceeding five years.”

Amendment of
section 87 of
principal Code.

10. Section 87 of the principal Code is repealed and the following section is substituted—

“Damage to tree

87. (1) A person who intentionally and unlawfully causes damage not exceeding one thousand dollars to any tree growing in any public place or in any private garden or pleasure ground, or damage not exceeding one thousand dollars to any tree growing in any other place commits an offence and is liable on summary conviction to a fine not exceeding three thousand dollars or to a term of imprisonment not exceeding one year.

(2) A person who intentionally and unlawfully causes damage exceeding one thousand dollars to any tree growing in any public place or in any private garden or pleasure ground, or damage exceeding one thousand dollars to any tree growing in any other place, commits an offence and is liable on summary conviction to a fine not exceeding five thousand dollars or to a term of imprisonment not exceeding two years.”

11. Section 88 of the principal Code is repealed and the following section is substituted—

Amendment
of section 88
of principal
Code.

“Damage to cultivated plants

88. (1) A person who intentionally and unlawfully causes damage not exceeding one thousand dollars to any cultivated plant shall, if the same is growing in any public or private garden, pleasure ground, in any building or elsewhere commits an offence and is liable on summary conviction to a fine not exceeding three thousand dollars or to a term of imprisonment not exceeding one year.

(2) A person who intentionally and unlawfully causes damage exceeding one thousand dollars to any cultivated plant, if the same is growing in any public or private garden, pleasure ground, in any building or elsewhere commits an offence and is liable on summary conviction to a fine not exceeding five thousand dollars or to a term of imprisonment not exceeding two years.”

Amendment of
section 95 of
principal Code.

12. Section 95 of the principal Code is repealed and the following section is substituted—

“Stealing

95.(1) A person who steals anything, the value of which does not exceed twenty thousand dollars, such stealing not being accompanied by burglary, nor amounting to robbery commits an offence and is liable on summary conviction to a fine not exceeding fifteen thousand dollars, or to a term of imprisonment not exceeding five years, or to both.

(2) A person who is convicted of—

- (a) any of the under-mentioned offences, where the value of the property alleged to have been stolen or obtained does not exceed the sum of twenty thousand dollars, namely, any of the offences following—
 - (i) stealing anything of which he had the custody, control or possession, or to which he had the means of access, by reason of any office, employment, or service;
 - (ii) stealing from or in any dwelling-house, shop, garage, factory, warehouse or vessel;
 - (iii) stealing any goats or swine;
 - (iv) committing a fraudulent breach of trust; or
- (b) any attempt to commit any of the offences herein referred to; or

- (c) any abetment, or conspiracy for the commission of any of the said offences,

commits an offence and is liable on summary conviction to a fine not exceeding fifteen thousand dollars or to a term of imprisonment not exceeding five years, or to both.

(3) A person who is convicted of stealing from a person, or of attempting to steal from a person, or of abetting or conspiring to steal from a person, where the value of the property that is the subject of the offence under this section does not exceed the sum of twenty thousand dollars, is liable on summary conviction to a fine not exceeding fifteen thousand dollars or to a term of imprisonment not exceeding five years, or to both.”

13. Section 97 of the principal Code is repealed and the following section is substituted—

Amendment
of section 97
of principal
Code.

“Fraud by false pretence

97. (1) A person who fraudulently obtains from any other person, by any false pretence, anything to the value of which does not exceed twenty thousand dollars, commits an offence, and is liable on summary conviction to a fine not exceeding fifteen thousand dollars, or a term of imprisonment not exceeding five years, or to both.

(2) A person who obtains credit, the value of which does not exceed twenty thousand dollars, by any fraud or false pretence, commits an offence and is liable on summary conviction to a fine not exceeding fifteen thousand dollars, or a term of imprisonment not exceeding five years, or to both.

(3) A person who fraudulently issues a cheque—

- (a) for the purpose of obtaining credit;
- (b) in purported satisfaction of a debt; or
- (c) for the purpose of obtaining any other thing,

where the credit, debt or other thing is of a value not exceeding twenty thousand dollars when he knows or ought to know that there are not sufficient funds in the account regarding which he issues the cheque, commits an offence and is liable on summary conviction to a fine not exceeding fifteen thousand dollars or a term of imprisonment not exceeding five years, or to both.”

Amendment of section 99 of principal Code. **14.** Section 99 of the principal Code is repealed and the following section is substituted—

“Dishonestly receiving thing obtained or appropriated by crime

99. A person who dishonestly receives anything which he knows to have been obtained or appropriated by any crime and the value of which does not exceed twenty thousand dollars, commits an offence and is liable on summary conviction to a fine not exceeding fifteen thousand dollars or a term of imprisonment not exceeding five years, or to both.”

Insertion of new sections in principal Code. **15.** The principal Code is amended by inserting immediately after section 104 the following new sections—

“Housebreaking (s. 293)

104A. (1) A person who commits housebreaking, commits an offence and is liable on summary conviction to a term of imprisonment not exceeding five years.

(2) For the purposes of this section a person commits housebreaking if he unlawfully, breaks any building for the purpose of executing or of facilitating or abetting the execution of, any summary offence therein, by himself or by any other person or for the purpose of effecting or facilitating the escape therefrom of himself or of any other person after the commission of or attempt to commit a summary offence therein.

Entry into building (s. 295)

104B (1) A person who unlawfully enters or is by night in–

- (a) a building commits an offence and is liable on summary conviction to a term of imprisonment not exceeding two years.
- (b) any building for the purpose of committing any summary offence therein, commits an offence and is liable on summary conviction to a term of imprisonment not exceeding five years.

Possession of instrument for burglary (found outside building s.296)

104C. Any person who is found by night armed with any offensive instrument with the purpose of committing housebreaking or burglary, or is found by night having in his possession, without lawful excuse, any tool, implement, or means contrived or

adapted for housebreaking commits an offence and is liable on summary conviction to a term of imprisonment not exceeding five years.”

Amendment of section 137 of principal Code.

16. Section 137 of the principal Code is amended by repealing sub-paragraph (29) and substituting the following paragraph—

“(29) in any place loiters about or solicits any person for the purposes of prostitution.”

Amendment of section 175 of principal Code.

17. Section 175 of the principal Code is repealed and the following section is substituted—

“Assault

175. A person who unlawfully assaults any person commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding five years.”

Amendment of section 176 of principal Code.

18. Section 176 of the principal Code is repealed and the following section is substituted—

“Aggravated assault

176. (1) A person who is convicted of unlawful assault of any of the following kind, namely;

- (a) assault upon a person acting as a judicial officer or as a peace officer;
- (b) assault upon a minister of religion acting in the execution of the duties of his office;
- (c) assault upon a person in any court of Justice, or assault upon a person in order to prevent him from doing, or on account of his doing or having done, anything as a

party, agent, counsel or witness in any judicial proceedings;

- (d) assault with a purpose to commit, or in committing or attempting to commit, any other crime;
- (e) assault with any deadly or dangerous instrument or means; or
- (f) indecent assault upon any person, whether male or female,

commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding ten years.

(2) For the purposes of this section “judicial officer” means,

- (a) a Judge of the Supreme Court or the Court of Appeal or the High Court, the Master in Chambers or any person for the time being performing the functions of a Judge of the Supreme Court, or the Court of Appeal or the High court or the Master in chambers;
- (b) the Chief Registrar or Deputy Registrar of the Supreme Court or the Registrar or Deputy Registrar of the Court of Appeal or High Court or any person for the time being performing the functions of the Chief Registrar or Registrar;
- (c) a Magistrate or any person for the time being performing the function of a Magistrate;

- (d) a person employed in the Office of the Director of Public Prosecutions or engaged to carry out functions on behalf of the Director of Public Prosecutions;
- (e) a Justice of the Peace in the carrying out of his or her duties.”

Repeal.

19. Sections 177 to 183C of the Criminal Code is repealed and the following sections are substituted—

“RAPE AND SIMILAR OFFENCES

Rape

177.(1) A person commits the offence of rape if:—

- (a) he or she intentionally and unlawfully commits an act which causes penetration with his or her genital organs, of another person;
- (b) the other person does not consent to the penetration; or
- (c) he or she does not believe that the other person consents to such penetration or is reckless as to whether the other person consents or not.

(2) A person guilty of the offence of rape under sub-section (1) is liable on conviction on indictment to a term of imprisonment not exceeding thirty years.

(3) A spouse who is guilty of the offence of rape is liable on conviction on indictment to a term of imprisonment not exceeding fourteen years.

Sexual Assault

178. (1) A person commits the offence of sexual assault if:—

- (a) he or she unlawfully penetrates the genital organs of another person with—
 - (i) any part of the body of another person or that person; or
 - (ii) an object manipulated by another or that person except where such penetration is carried out for proper and professional hygienic or bona fide medical purposes;
- (b) the other person does not consent to the penetration; or
- (c) he or she does not believe that the other person consents to such penetration or is reckless as to whether the other person consents or not.

(2) A person guilty of the offence of sexual assault under sub-section (1) is liable on conviction on indictment to a term of imprisonment not exceeding fourteen years.

Inducing sexual intercourse by force, duress, etc.

179. A person who induces another person to have sexual intercourse with any person by threat, force

or duress commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding five years.

Sexual intercourse with a person under thirteen years

180. (1) A person who has sexual intercourse with another person who is under the age of thirteen years, whether with or without the other person's consent, commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding thirty years.

(2) A person who attempts to have sexual intercourse with a person who is under the age of thirteen years, whether or not the first-mentioned person believes that the other person is thirteen years of age or more, commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding twenty years.

Sexual intercourse with a person between thirteen and sixteen years

181. (1) A person who has sexual intercourse with another person who is thirteen years of age or more but has not attained the age of sixteen years, whether with or without his consent, commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding fifteen years.

(2) It is a defence to a charge under this section if the person charged proves that he—

- (a) was not more than nineteen years of age at the time of the commission of the offence and has not been previously charged with the same or similar offence; and

- (b) had reasonable cause to believe and did believe that the other person was sixteen years of age or more.

Sexual intercourse with an imbecile

182. A person who has sexual intercourse with an imbecile, whether with or without the consent of the imbecile, under circumstances which do not amount to rape, commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding five years.

Saving as to liability for rape in case of defilement & etc.

183. Nothing in sections 179, 180, 181 and 182 shall exempt a person from any liability to punishment for rape or for an attempt to commit rape.

Incest by male

183A. (1) If a male person has sexual intercourse with a female person under thirteen years of age who is by blood relationship his daughter, granddaughter, sister, aunt or niece he commits an offence, namely incest, and is liable on conviction on indictment to a term of imprisonment not exceeding thirty years.

(2) If a male person has sexual intercourse with a female person above thirteen years of age who is by blood relationship his daughter, granddaughter, mother, sister, aunt or niece commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding fifteen years.

(3) It is no defence to a charge of incest under this section that the female consented to the act of sexual intercourse.

(4) For the purposes of this section “sister” includes half-sister.

Incest by female

183B. (1) If a female person of the age of sixteen years or over has consensual sexual intercourse with a male person who she knows is by blood relationship her father, grand-father, son, brother, uncle or nephew, she commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding five years.

(2) It is no defence to a charge of incest under this section that the male consented to the act of sexual intercourse.

(3) For the purposes of this section “brother” includes half-brother.

Sexual intercourse with a step-child, foster-child, ward or dependant

183C. (1) A person of the age of twenty-one years or over who has sexual intercourse with a person under thirteen years of age when this person is—

- (a) the adult’s adopted child, step-child, foster child, ward or dependant; or
- (b) not being the adult’s adopted child, step-child, foster child, ward or dependant is at the time of the intercourse living with the adult as a member of the family or is under the adult’s care or protection,

commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding thirty years.

(2) It is immaterial that the sexual intercourse referred to under subsection (1) occurred with the consent of the minor.

(3) A person of the age of twenty-one years or over who has sexual intercourse with a person above thirteen years of age when this person is—

- (a) the adult's adopted child, step-child, foster child, ward or dependant; or
- (b) not being the adult's adopted child, foster child, ward or dependant is at the time of the intercourse living with the adult as a member of the family or is under the adult's care or protection,

commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding twelve years.

Mandatory reporting of suspected abuse of a child

183D. (1) Any person who—

- (a) is the parent or guardian of a child;
- (b) has the actual custody, charge or control of a child;

and who has reasonable grounds for believing that a sexual offence has been committed in respect of a child, shall report the grounds for his belief to a police officer as soon as reasonably practicable.

(2) Any person who without reasonable excuse fails to comply with the requirements of subsection (1), commits an offence and is liable on summary conviction to a fine not exceeding fifteen thousand dollars or to a term of imprisonment not exceeding seven years, or to both.

(3) No report made to a police officer under the provisions of subsection (1) shall, if such report was made in good faith for the purpose of complying with those provisions, subject the person who made the report to any action, liability, claim or demand whatsoever.

(4) For the purposes of this section “child” means a person under eighteen years of age.”

Amendment of section 186 of principal Code. **20.** Section 186 of the principal Code is repealed and the following sections is substituted—

“Abduction

186. A person who commits the offence of abduction of any male or female is liable on conviction on indictment to a term of imprisonment not exceeding ten years.”

Amendment of section 187 of principal Code. **21.** Section 187 of the principal Code is repealed and the following section is substituted—

“Permitting or aiding in the defilement of a young female or male

187. (1) A person being the owner or occupier of any premises, or any person managing such premises

whether or not as the owner, who induces or knowingly allows any male or female of such age specified in this section to resort to or be in or upon such premises for the purpose of having sexual intercourse with any person whether the sexual intercourse is intended to be with any particular person or generally, commits an offence and is liable—

- (a) in the case of a male or female under thirteen years of age, on conviction on indictment to a term of imprisonment not exceeding twenty years; and
- (b) in the case of a male or female of or above thirteen and under sixteen years of age, on conviction on indictment to a term of imprisonment not exceeding ten years.

(2) It is a sufficient defence to any charge under this section for the accused person to prove to the Court or Jury that he had reasonable cause to believe that such male or female was of or above sixteen years of age.”

22. Section 188 of the principal Code is repealed and the following section is substituted—

Amendment of
section 188 of
principal Code.

“Procuration

188. (1) A person who—

- (a) procures any male or female under twenty-one years of age to have sexual intercourse with any other person within or outside this State;

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- (b) procures any male or female to become, either within or outside this State, a common prostitute;
 - (c) procures any male or female to leave this State, with intent that he or she may for the purposes of prostitution, become an inmate of or frequent, a brothel elsewhere; or
 - (d) procures any male or female to leave her usual place of abode in this State with intent that she may for the purposes of prostitution, become an inmate or frequent a brothel, in any country,

commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding ten years.”

Insertion of new sections in principal Code.

23. The principal Code is amended by inserting immediately after section 188, the following new sections—

“Trading in prostitution

188A. A person who for the purposes of gain, exercises control, direction or influence over the movements of a prostitute in such manner as to show that the person is aiding and abetting or compelling the prostitution commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding ten years.

Keeping brothel

188B. A person who—

- (a) keeps or manages or appears, acts or behaves as master or mistress or as the person having the care, control or management, or assists in the care, control or management of a brothel;

-
- (b) being the tenant, lessee, occupier or, person in charge of any premises and knowingly permits such premises or any part thereof, to be used as a brothel or for the purpose of prostitution;
 - (c) being the tenant, lessee, occupier or person in charge of any premises, and uses such premises for prostitution of himself; or
 - (d) being the lessee or landlord of any premises, or the agent of such lessee or landlord, lets the premises or any part of it with the knowledge that such premises or part of it is to be used as a brothel or for the purpose of prostitution,

commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding ten years.”

24. Section 189 of the principal Code is repealed and the following section is substituted—

Amendment
of section
189 of
principal
Code.

“Forcible taking or detaining of person to have sexual intercourse

189. A person who by force takes away or detains against the will of another person of any age, with intent to marry or have sexual intercourse with that person, or cause that person to be married or have sexual intercourse with any other person, commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding ten years.”

Amendment of
section 190 of
principal Code.

25. Section 190 of the principal Code is repealed and the following section is substituted—

“Unlawful detention of a person with intent to have sexual intercourse

190. (1) A person who detains another person against his will—

- (a) in or upon any premises with intent that he may have sexual intercourse with any other person; or
- (b) in any brothel,

commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding five years.

(2) Where a person is in or upon any premises for the purpose of having sexual intercourse, or is in any brothel, a person shall be deemed to detain that person in or upon the premises or in the brothel, if with intent to compel or induce that person to remain therein the person—

- (a) withholds from the person any wearing apparel or other property belonging to her; or
- (b) where wearing apparel has been lent or otherwise supplied to the person by or by the direction of such person, the person threatens her with legal proceeding if he takes away with her the many apparel so lent or supplied.

(3) No legal proceedings whether civil or criminal shall be taken against any person under subsection (2) if such person takes away or is found in possession of any such apparel or property as was necessary to enable leaving the premises or brothel.”

26. Section 194 of the principal Code is repealed and the following section is substituted— Amendment of section 194 of principal Code.

“Definition of genital organs and penetration

194. For the purposes of this Act:—

“genital organs” includes the whole or part of male or female genital organs and for purposes of this Act includes the anus;

“penetration” means the partial or complete insertion of the genital organs of a person into the genital organs of another person.”

27. Section 195 of the principal Code is repealed and the following section is substituted— Amendment of section 195 of principal Code.

“Evidence of rape

195. Whenever, upon the trial of any person for an offence punishable under this Code, it is necessary to prove rape, the act shall be deemed complete upon proof of any the least degree of penetration only.”

28. Section 198 of the principal Code is amended by inserting immediately after paragraph (b) the following paragraph— Amendment of section 198 of principal Code.

“(ba) if that person unlawfully takes or carries away another person without the consent of that person.”

Amendment of
section 199 of
principal Code.

29. Section 199 of the principal Code is repealed and the following section is substituted—

“Definition of abduction

199.(1) A person commits the offence of abduction of another person where he intends to deprive the second mentioned person of the custody, care or control of any person entitled thereto, or with the intent to cause that person to be married to, or have sexual intercourse with the person if he—

- (a) unlawfully takes the person from the lawful custody, care, charge or control of any person; or
- (b) detains the person returning to the lawful custody, care, charge or control of any person.

(2) The custody, control, charge or care of a male or female by a parent, guardian or other person shall be held to continue notwithstanding that such male or female person is absent from his actual custody, control, care or charge, if the absence is for a special purpose only, and is not intended by the parent, guardian or other person to exclude or determine such custody control, care or charge for the time being.

(3) A person is not guilty of abduction by taking or detaining a male or female unless he knew or had grounds for believing that such male or female was in the custody, control, charge or care of some other person.”

Amendment of
section 203A of
principal Code.

30. Section 203A of the principal Code is repealed and the following section is substituted—

“Special punishment regarding certain crimes committed against child of tender years

203A. Where the imprisonment for any crime under this Part involving indecency or unlawful sexual intercourse is less than ten years imprisonment, if that crime has been committed against a person who is a child of tender years, the penalty shall not be less than a term of ten years imprisonment.”

31. The principal Code is amended by inserting immediately after section 204 the following section—

Insertion of new sections in principal Code.

“Definition of prostitution

204A. For the purposes of this Act, prostitution means the offering of the body by a person of either sex for the purpose of arousing or gratifying the sexual desire of another for payment in return.

Definition of common prostitute

204B. For the purposes of this Act common prostitute means a person who offers his body for the purpose of arousing or gratifying the sexual desire of another for payment in return.”

32. Section 205 of the principal Code is repealed and the following section is substituted—

Amendment of section 205 of principal Code.

“Causing harm

205. A person who intentionally and unlawfully causes harm to any other person commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding five years.”

33. Section 206 of the principal Code is repealed and the following section is substituted—

Amendment of section 206 of principal Code.

“Causing wound

206. A person who intentionally and unlawfully causes a wound to any other person commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding seven years.”

Amendment of
section 207 of
principal Code.

34. Section 207 of the principal Code is repealed and the following section is substituted—

“Causing grievous harm

207. A person who intentionally and unlawfully causes grievous harm to any other person commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding ten years.”

Amendment of
section 208 of
principal Code.

35. Section 208 of the principal Code is repealed and the following section is substituted—

“Causing maim or dangerous harm

208. A person who intentionally and unlawfully causes a maim or any dangerous harm to any other person commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding twenty years.”

Repeal.

36. Section 210 of the principal Code is hereby repealed.

Amendment of
section 211 of
principal Code.

37. Section 211 of the principal Code is repealed and the following section is substituted—

“Committing certain offences with matter of aggravation

211. A person who commits any of the offences mentioned in the preceding sections of this title, with intent—

-
- (a) to facilitate the commission of any crime by himself or by any other person;
 - (b) to hinder the arrest or detention of himself or by any other person for any crime; or
 - (c) to hinder the discovery of any crime;
 - (d) to enable himself or herself or any other person to escape from legal custody, whether for a crime or for any other cause,

commits an offence and is liable—

- (i) if the crime is a felony, to a term of imprisonment not exceeding ten years, the term for which he is otherwise liable to such imprisonment; or
- (ii) in any other case, to a term of imprisonment not exceeding seven years.”

38. Section 216 of the principal Code is repealed and the following section is substituted—

Amendment
of section 216
of principal
Code.

“Exposing child to grievous harm

216. A person who unlawfully exposes or abandons any child under seven years of age, in such a manner that any grievous harm is likely to be caused to the child, commits an offence and is liable on conviction of indictment to a term of imprisonment not exceeding ten years.”

39. Section 230 of the principal Code is repealed and the following sections are substituted—

Amendment of
section 230 of
the principal
Code.

“Murder

230. A person commits murder if he causes the death of another person—

- (a) intending to cause death; or
- (b) intending to cause grievous bodily injury.

Capital murder

230A. (1) Subject to sub-section (2), murder committed in any of the following circumstances or any other circumstances which the Court may determine, is capital murder—

- (a) the murder of—
 - (i) a member of the Police Force acting in the execution of his duties or a person assisting a member so acting;
 - (ii) a correctional officer acting in the execution of his duties;
 - (iii) a judicial officer acting in the execution of his duties or a former judicial officer in retaliation of his or her duties;
 - (iv) any member of the Police Force, correctional officer or judicial officer for any reason directly attributable to the nature of his occupation;

- (b) any person for any reason directly attributable to—
 - (i) the status of that person as a witness or party in a pending or concluded civil cause or matter or in any criminal proceedings; or
 - (ii) the service or past service of that person as a juror in any criminal trial;
- (c) the murder of a justice of the peace acting in execution of his judicial functions;
- (d) any murder committed by a person in the course or furtherance of—
 - (i) robbery;
 - (ii) burglary or housebreaking;
 - (iii) arson;
 - (iv) any sexual offence;
 - (v) any drug trafficking offence or other drug related offence;
- (e) any murder committed pursuant to an arrangement whereby money or anything of value—
 - (i) passes or is intended to pass from one person to another or to a third party at the request or direction of that other person; or

- (ii) is promised by one person to another or to a third person at the request or direction of that other person;

as consideration for that other person causing or assisting in causing the death of any person or counseling or procuring any person to do any act causing or assisting in causing death of another person;

- (f) any murder committed by a person in the course or furtherance of an act of terrorism, that is to say an act involving the use of violence by that person which, by reason of its nature and extent, is calculated to create a state of fear in the public or any sector of the public.

(2) Where in the case of any murder referred to in sub-section (1), (other than a murder referred to in paragraph (e)), two or more persons are guilty of that murder, it shall be capital murder in the case of any of them who by his own act caused the death of, or inflicted or attempted to inflict grievous bodily harm on, the person murdered, or who himself or herself used violence on that person in the course of furtherance of an attack on that person; but the murder shall not be capital murder in the case of any other of the persons committing it.

(3) Where it is alleged that a person accused of murder is guilty of capital murder, the offence shall be charged as capital murder in the indictment.

(4) A person convicted of capital murder under sub-section (1), may on conviction on indictment, be sentenced to death.

(5) Notwithstanding sub-section (4) and subject to sub-section (7), a person convicted of capital murder shall be given an opportunity by the Court, to plead in mitigation of sentence and the Court shall in such case take into account the following factors—

- (a) the gravity and nature of the offence;
- (b) the character and record of the offender;
- (c) any subjective factors which may have influenced the conduct of the offender;
- (d) the design and manner of execution of the offence; and
- (e) the possibility of reform and social re-adaptation of the offender; and
- (f) any other factors which the Court may deem necessary.

(6) At the hearing for sentencing, the family of the victim may be given an opportunity to address the Court on any matter connected with the offence.

(7) For purposes of sub-section (7), the Court may in each case, make a determination as to who constitutes the “family of the victim”, taking into account the circumstances of the case.

(8) Notwithstanding sub-section (4) and subject to sub-section (10) a sentence of death shall not be pronounced on or recorded against a person convicted of capital murder if it appears to the Court that at the time the offence was committed he was under the age of eighteen years.

(9) The Court shall sentence a person referred to in sub-section (8) to a period of imprisonment for a term deemed appropriate by the Court.

(10) On an indictment charging a person with capital murder, he may be found not guilty of capital murder but guilty of non-capital murder if the circumstances of the case justify such conviction.

(11) Capital murder shall be treated as a distinct offence from non-capital murder for the purpose of any appeal against conviction; otherwise capital murder shall not be treated as a distinct offence from non-capital murder for any other purpose.

(12) Where on an appeal against conviction of capital murder the Court substitutes a verdict of guilty of non-capital murder for the verdict of guilty of capital murder, the Court shall nevertheless determine whether the sentence of death is warranted under sub-section (4) and shall confirm the sentence if it is found to be so warranted.

(13) For the purposes of this section “judicial officer” has the same meaning assigned to it under section 176.

Non-capital murder

230B.(1) A murder committed in circumstances other than any of those circumstances referred to in section 230A, is non-capital murder.

(2) Subject to sub-section (3), a person convicted on indictment of non-capital murder is liable to imprisonment for life.

(3) A person who is convicted of a non-capital murder may be sentenced to death if—

- (a) he has previously been convicted of another murder committed on a different occasion;
- (b) he has been convicted of another murder committed on the same occasion as the one with which he is charged.

(4) A person referred to in sub-section (3) shall not by virtue of that sub-section be sentenced to death by reason of a previous conviction for murder unless—

- (a) at least seven days before the trial notice is given to him that it is intended to prove the previous conviction; and
- (b) before he is sentenced his previous conviction for murder is admitted by him or is found to be proven by the trial Judge.”

40. Section 231 of the principal Code is repealed and the following section is substituted—

Amendment of
section 231 of
principal Code.

“Attempt to commit capital and non-capital murder

231. Any person who attempts—

- (a) capital murder commits an offence and is liable on conviction on indictment to imprisonment for life;

- (b) non-capital murder commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding twenty years.”

Amendment of section 232 of principal Code.

41. Section 232 of the principal Code is repealed and the following section is substituted—

“Manslaughter

232. (1) A person who commits manslaughter by negligence is liable on conviction on indictment to a term of imprisonment not exceeding five years.

(2) A person who commits manslaughter in any other case than in sub-section (1) is liable on conviction on indictment to imprisonment for life.”

Repeal.

42. Section 252 of the principal Code is hereby repealed.

Repeal.

43. Section 253 of the principal Code is hereby repealed.

Amendment of section 274 of the principal Code.

44. Section 274 of the principal Code is repealed and the following section is substituted—

“Stealing

274. (1) A person who is convicted of stealing in any case in which some other punishment is not provided for under this title, commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding fifteen years.

(2) A person who is convicted of being a common thief, commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding twenty years.”

45. Section 275 of the principal Code is repealed and the following section is substituted—

Amendment of
section 275 of
principal Code.

**“Stealing in special cases and from the person
(sec 95(2)(3))**

275. A person who is convicted of—

- (a) stealing anything of which he had the custody, control or possession, or to which he had the means of access, by reason of any office, employment or service;
- (b) stealing from or in any dwelling house, shop, garage, manufactory, warehouse, or vessel;
- (c) stealing from or in any place of worship;
- (d) stealing from the person;
- (e) stealing any cattle, not being goat or swine, the value of which cattle does not exceed two hundred dollars; or
- (f) stealing any pole, wire or apparatus used for the purposes of any telegraph or telephone,

commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding twenty years.”

46. Section 275A of the principal Code is repealed and the following section is substituted—

Amendment of
section 275A
of principal
Code.

“Falsification of accounts

275A. (1) A person being a clerk, officer or servant, or a person employed or acting in the capacity of a clerk, officer or servant who willfully and with intent to defraud—

- (a) removes, conceals, destroys, alters, mutilates or falsifies any book, paper, writing, valuable security or account which belongs to or is in the possession of his employer, or has been received by him for and on account of his employer; or
- (b) makes, or concurs in making any false entry in, or omits or alters or concurs in omitting or altering any material particular from or in any book, document or account which belongs to or is in the possession of his employer, or has been received by him for or on behalf of his employer,

commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding twenty years.

(2) A person being an officer of a partnership, company or corporation who willfully and with intent to defraud, publishes any account, statement or prospectus relating to the affairs of the partnership, company or corporation which he knows to be false in any material particular commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding twenty years.”

47. Section 276 of the principal Code is repealed and the following section is substituted—

Amendment
of section 276
of principal
Code.

“Robbery and robbery with violence

276. (1) A person who commits the offence of robbery is liable on conviction on indictment to a term of imprisonment not exceeding twenty years.

(2) A person who commits the offence of robbery, being armed with any offensive instrument, or having made any preparation for using force or causing harm, is liable on conviction on indictment to a term of imprisonment not exceeding thirty years, and, in the discretion of the Court, to flogging.”

48. Section 277 of the principal Code is repealed and the following section is substituted—

Amendment of
section 277 of
principal Code.

“Extortion

277. (1) A person who extorts any property from any person by means of threats, commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding ten years;

(2) A person who for the purposes of extortion, accuses or threatens to accuse any other person of an infamous offence, commits an offence and is liable to a term of imprisonment not exceeding fifteen years.”

49. Section 278 of the principal Code is repealed and the following section is substituted—

Amendment
of section 278
of principal
Code.

“Fraudulent breach of trust

278. (1) A person who is convicted of fraudulent breach of trust commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding ten years;

(2) For the purposes of this Act, a person commits the offence of fraudulent breach of trust if he dishonestly appropriates a thing, the ownership of which vests in him as trustee for another person.”

Insertion of new sections in principal Code.

50. The principal Act is amended by inserting immediately after section 278 the following new sections—

“Persons under powers of attorney fraudulently selling property

278A. A person who being entrusted, either solely or jointly with any other person, with any power of attorney for the sale or transfer of any property, who fraudulently sells or transfers or otherwise converts the same or any part thereof to his own use or benefit or the use or benefit of any person, other than the person by whom he was so entrusted, is guilty of a misdemeanor and is liable on conviction to a term of imprisonment not exceeding seven years.

Agents

278B. A person, being a factor or agent entrusted, either solely or jointly with any other person, for the purpose of sale or otherwise, with the possession of any goods, or of any documents of title to goods, who—

- (a) contrary to or without the authority of his principal in that behalf, for his own use or benefit or the use or benefit of

any person, other than the person by whom he was so entrusted, and in violation in good faith, makes any consignment, deposit, transfer or delivery of any goods or document of title so entrusted to him, as and by way of a pledge, lien or security for any money or valuable security borrowed or received by such factor or agent at or before the time of making such consignment, deposit, transfer or delivery or intended to be thereafter borrowed or received;

- (b) contrary to or without such authority, for his own use or benefit or for the use or benefit of any person, other than the person by whom he was so entrusted, and in violation of good faith, accepts any advance of any money or valuable security on the faith of any contract or agreement to consign, deposit, transfer or deliver any such goods or document of title,

is guilty of a misdemeanor and is liable on conviction to a term of imprisonment not exceeding seven years.

(2) A clerk or any other person who knowingly and willfully acts and assists in making any such assignment, deposit, transfer or delivery or in accepting or procuring such advance described in subsection (1) is guilty of a misdemeanor and is liable on conviction to a term of imprisonment not exceeding seven years.

(3) Notwithstanding subsections (1) and (2), no such factor or agent shall be liable to prosecution for consigning, depositing, transferring or delivering any such goods or documents of title, where they are not made a security for, or subject to, the payment of any greater sum of money than the amount which at the time of such consignment, deposit, transfer or delivery was justly due and owing to such agent from his principal, together with the amount of any bill of exchange drawn by or an account of such principal and accepted by such factor or agent.

Trustees fraudulently disposing of property

278C. (1) A person, being a trustee of any property for the use or benefit, either wholly or partially, for some other person or for any public or charitable purpose, who with intent to defraud converts or appropriates the same, or any part thereof, to or for his own use or benefit or the use or benefit of any person other than such person or for such purpose other than such public or charitable purpose, or otherwise disposes of or destroys such property, or any part thereof, is guilty of a misdemeanor and is liable on conviction to a term of imprisonment not exceeding seven years,

(2) No proceedings or prosecution for any offence included in this section shall be commenced without the sanction of the Director of Public Prosecutions, and where any civil proceedings have been taken against any person to whom this section may apply, no person who has taken such civil proceedings shall commence any prosecution under this section without the sanction of the court or judge before whom such civil proceedings have been had or are pending.

**Fraudulent appropriation of property by
Directors etc. of companies**

278D. A person, being a Director, member or public officer of any body corporate or public company, who fraudulently takes or applies for his own use or benefit or for any use or purposes other than the use or purposes of such body corporate or public company, any of the property of such body corporate or public company is guilty of a misdemeanor and is liable on conviction to a term of imprisonment not exceeding seven years.”

51. Section 279 of the principal Code is repealed and the following section is substituted—

Amendment
of section 279
of principal
Code.

“Fraud by false pretence

279. A person who defrauds any person by any false pretence commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding ten years.”

52. Section 281 of the principal Code is repealed and the following section is substituted—

Amendment of
section 281 of
principal Code.

“Falsification of accounts

281. A person, being a clerk, servant or public officer, and a person, being an officer of any partnership, company or corporation who does any of the acts hereinafter mentioned, with intent to cause or enable any person to be defrauded, or with intent to commit or to facilitate the commission, by himself or by any other person, of any crime, that is to say—

-
- (a) conceals, injures, alters or falsifies any book, paper or account kept by or belonging or entrusted to his employers or to the partnership, company or corporation, or entrusted to him, or to which he has access, as such clerk, servant or officer;
 - (b) omits to make a full and true entry in any account of any thing which he is bound to enter therein; or
 - (c) publishes any account, statement or prospectus relating to the affairs of the partnership, company or corporation which he knows to be false in any material particular,

commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding fifteen years.”

Amendment of section 282 of principal Code. **53.** Section 282 of the principal Code is repealed and the following section is substituted—

“Fraud in sale of mortgage of land

282. A person who in order to induce any other person to become a purchaser or mortgagee of any land or interest in land, fraudulently conceals any document which is material to the title to such land or interest commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding five years.”

Amendment of section 283 of principal Code. **54.** Section 283 of the principal Code is repealed and the following section is substituted—

“Fraudulent debtors

283. (1) A person who—

- (a) obtains credit by any fraud or false pretence;
- (b) with intent to defraud his creditors, or any of them, makes any gift, or transfer of, or any charge on any of his property; or
- (c) with intent to defraud his creditors, or any of them, conceals or removes any of his property, after or within two months before the date of any unsatisfied payment or order obtained against him,

commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding ten years.

(2) A person who fraudulently issues a cheque for the purpose of obtaining credit, or in purported satisfaction of a debt, or for the purpose of obtaining any other thing, when the credit, debt or other thing is of a value exceeding two thousand dollars when he knows or ought to know that there are not sufficient funds in the account regarding which he issues the cheque, commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding ten years.

(3) The provisions of this section shall be in addition to any provisions of any other law relating to bankruptcy or insolvency, but so that a person is not twice punishable for the same act.”

Amendment of
section 284 of
principal Code.

55. Section 284 of the principal Code is repealed and the following section is substituted—

“Fraud as to boundaries or documents

284. A person who with intent to defraud—

- (a) removes, injures, alters or falsifies any boundary mark or thing serving or intended to distinguish the land or other property of himself, or of any person, from the land or other property of any other person; or
- (b) conceals, injures, alters or falsifies any bill of lading, invoice, manifest, receipt or other document evidencing the quantity, character or condition of any property, or the receipt or disposition of, or the title of any person to, any property,

commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding five years.”

Amendment of
section 287 of
principal Code.

56. Section 287 of the principal Code is repealed and the following section is substituted—

“Dishonestly, receiving property obtained or appropriated by indictable offence, and common receiving.

287. (1) A person who dishonestly receives any property which he knows to have been obtained or

appropriated by any offence punishable under this Title shall, if the offence was a felony, be guilty of a felony, or shall, if the offence was a misdemeanour, be liable to the same punishment as if he had committed the offence.

(2) A person convicted of being a common receiver is liable on conviction on indictment to a term of imprisonment not exceeding twenty years.”

57. Section 293 of the principal Code is repealed and the following section is substituted—

Amendment of section 293 of principal Code.

“House-breaking (s.104A)

293. A person who commits house-breaking commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding fifteen years.”

58. Section 294 of the principal Code is repealed and the following section is substituted—

Amendment of section 294 of principal Code.

“Burglary

294. A person who commits house-breaking by night in the case of a dwelling house, commits the offence of burglary and is liable on conviction on indictment to a term of imprisonment not exceeding thirty years.”

59. Section 295 of the principal Code is repealed and the following section is substituted—

Amendment of section 295 of principal Code.

“Entry into building (s.104B)

295. A person who unlawfully enters or is by night in any building for the purpose of committing any indictable offence therein, commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding ten years.”

Amendment of section 296 of principal Code.

60. Section 296 of the principal Code is repealed and the following is substituted—

“Possession of instrument for burglary found in building (s.104C.)

296. A person who unlawfully enters or is by night in any building armed with any offensive instrument for the purpose of committing any crime therein, or in any building adjoining or near thereto, commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding ten years.”

Amendment of section 350 of the principal Code.

61. Section 350 of the principal Code is hereby repealed.

Insertion of Schedule.

62. The following Schedule is inserted after section 446 and provides for new maximum penalties under the principal Code in the Second Column of the table.

“SCHEDULE

| SEC. | OFFENCE | PENALTY |
|-------------|---|---|
| 84 | Damage to animal, not being cattle | A term of imprisonment not exceeding 6 months |
| 85 | Taking or destroying fish in private water | A fine not exceeding \$100 |
| 86 | Taking or using cattle without owner’s consent | A fine not exceeding \$250 |
| 89 | Damage to fence, post, rail, gate etc. | A term of imprisonment not exceeding 1 year or A fine not exceeding \$3000 |
| 90 | Poisoning or using dynamite in river | A term of imprisonment not exceeding 1 year or A fine not exceeding \$3000 |
| 91 | Damage to apparatus set to catch fish or turtle | A term of imprisonment not exceeding 1 year or A fine not exceeding \$3000 |
| 92 | Damage by artificer (damage not exceeding one thousand dollars) | A term of imprisonment not exceeding 1 year or A fine not exceeding \$3000 |
| 93 | Trespass or Damage although no pecuniary damage caused | A term of imprisonment not exceeding 1 year or A fine not exceeding \$3000 |
| 94(1) | Damage in cases not provided for (not exceeding one thousand dollars) | A term of imprisonment not exceeding 1 year or A fine not exceeding \$3000 |
| (2) | Damage in cases not provided for exceeding one thousand dollars | A term of imprisonment not exceeding 2 years or A fine not exceeding \$5000 |
| 98 | Fraud as to ticket, witchcraft | A term of imprisonment not exceeding 1 year |

| | | |
|---------------------|--|--|
| 99 | Dishonestly receiving thing obtained or appropriated by crime (not exceeding ten thousand dollars) | A term of imprisonment not exceeding 5 years or A fine not exceeding \$15,000 or to Both |
| 100(1) | Having possession of things reasonably suspected of having been stolen | A term of imprisonment not exceeding 1 year |
| 101 | Unlawful possession of cattle or part thereof | A fine not exceeding \$1000 |
| 102 | Unlawful possession of tree | A fine not exceeding \$1000 or a term of imprisonment not exceeding three months |
| 103 | Having possession of instrument for unlawfully obtaining wine | A term of imprisonment not exceeding 1 year |
| 104 | Shopkeeper buying metal | A term of imprisonment not exceeding 1 year |
| 106 | Sending false telegram | A fine not exceeding \$200 |
| 107 | Forging or Uttering forged telegram | A fine not exceeding \$200 |
| 108 | Uttering defaced coin | A fine not exceeding \$200 |
| 111 | Possession of more than 5 pieces counterfeit coins | A fine not exceeding \$200 |
| 112(1) | Allowing house in town for drumming | A fine not exceeding \$200 |
| (1) | Drummers after warning arrested | A fine not exceeding \$200 |
| 113(1) (a) & (b) | Firing gun on vessel in carenage | A fine not exceeding \$200 |
| (2) | Keeping loaded guns on vessel in port | A fine not exceeding \$200 |
| (2) | Firing guns before sunrise or after sunset | A fine not exceeding \$200 |
| 114 | Pigs in town | A fine not exceeding \$200 |

| | | |
|---------|---|--|
| 115 (1) | Using horse with farcy or glanders in public way, or permitting it to be at large | A fine not exceeding \$400 |
| 116 | Carcasses of cattle dying from disease to be buried or burnt | A fine not exceeding \$400 |
| 117 (2) | Destruction of dog or other animals suspected to be made, and penalty on owner | A fine not exceeding \$400 |
| 118 | Suffering dog to be at large after notice to confine them | A fine not exceeding \$400 |
| 119 | Proceedings with respect to entire horse, mule or ass straying in public way | A fine not exceeding \$500 (\$50 for taking up and impounding it) (\$50 per day impound) |
| 120 | Pound breach | A fine not exceeding \$500 |
| 121(1) | Selling or offering for sale unwholesome meat | A term of imprisonment not exceeding 1 year |
| 122 | Fouling water | A fine not exceeding \$400; \$20.00 per day offence continued after conviction |
| 123 | Burial in places other than in public cemeteries | A fine not exceeding \$1000 |
| 124 | Drunk and disorderly | A fine not exceeding \$500 |
| 125 | Habitual drunkenness | A term of imprisonment not exceeding 6 months |
| 126 | Permitting drunkenness in place of public resort | A fine not exceeding \$1000 |
| 127 | Unlawfully carrying arms | A term of imprisonment not exceeding 6 months |
| 128 | Threat of harm | A fine not exceeding \$1000 or A term of imprisonment not exceeding 6 months |

| | | |
|----------------|---|---|
| 129 | Causing public terror | A term of imprisonment not exceeding 1 year |
| 130 | Mischievously frightening animals | A fine not exceeding \$250 |
| 134 | Threatening injury to property | A fine not exceeding \$1000 or A term of imprisonment not exceeding 3 months or to both |
| 135 (2) | Illegal fishing nets | A fine not exceeding \$500 |
| 137 | Nuisances and Obstruction in the Streets | A fine not exceeding \$500 for all nuisances or A term of imprisonment not exceeding 1 year |
| 138 | Prohibition of selling goods on Sunday, Christmas Day, Good Friday | A fine not exceeding \$500 |
| 140 | Idle and Disorderly persons | A fine not exceeding \$500 |
| 141 | Possession of house breaking instruments | A term of imprisonment not exceeding 1 year |
| 142 (1) | Perjury | A term of imprisonment not exceeding 2 years |
| 143(1) and (2) | Practising obeah or other superstitious usages | A term of imprisonment not exceeding 6 months |
| 145 | Having instrument of obeah in Court | A term of imprisonment not exceeding 6 months |
| 146 | Having any fire lighted about sugar works | A term of imprisonment not exceeding 6 months |
| 147(2) | Setting fire to any tree, bush etc. | A term of imprisonment not exceeding 18 months |
| 149 (3) | Removal and punishment of squatter (land not exceeding one hundred thousand dollars in value) | A fine not exceeding \$400 |
| 150 | Insulting trespass on land | A term of imprisonment not exceeding 3 months |

| | | |
|--------|--|--|
| 151 | Person trespassing without account of how he came to be on the land | A term of imprisonment not exceeding 3 months |
| 152 | Servant, artificer, workman disposing/retaining goods (less than five thousand dollars in value) in his care | A term of imprisonment not exceeding 3 months |
| 153(1) | Taking spirits on Board Her Majesty's ships | A fine not exceeding \$400 |
| 154 | Withholding of public money etc. by public officer | A term of imprisonment not exceeding 1 year |
| 156 | Unlawful voting at election | A term of imprisonment not exceeding 1 year |
| 157 | Disobedience to witness summons | A term of imprisonment not exceeding 1 year |
| 158 | Removing goods to evade legal process | A fine not exceeding \$1500 or A term of imprisonment not exceeding 6 months |
| 159 | Deceit of public officer | A fine not exceeding \$1500 or A term of imprisonment not exceeding 6 months |
| 160 | False information to public servant | A fine not exceeding \$1500 or A term of imprisonment not exceeding 6 months |
| 161 | Falsely pretending to be public officer | A fine not exceeding \$1500 or A term of imprisonment not exceeding 6 months |
| 162 | Taking prohibited items in or out of prison | A term of imprisonment not exceeding 1 year |
| 163 | Interference with prisoners outside prison | A term of imprisonment not exceeding 1 year |
| 164 | Prison officers accessory to breaches of discipline | A term of imprisonment not exceeding 1 year |

| | | |
|-----|---|---|
| 165 | Prison officer leaving prisoner when outside prison | A fine not exceeding \$400 |
| 166 | Refusal or neglect to aid in prevention of crime | A fine not exceeding \$1000 or A term of imprisonment not exceeding 6 months |
| 167 | Assault etc. of public officer | A term of imprisonment not exceeding 3 years or A fine not exceeding \$4000 or to Both |
| 168 | Obstructing lawful act by violence | A term of imprisonment not exceeding 1 year |
| 169 | Wrongfully detaining or destroying letter or telegram | A term of imprisonment not exceeding 1 year |
| 170 | Compounding offence | A term of imprisonment not exceeding 1 year |
| 171 | Obtaining money by threat of making complaint | A term of imprisonment not exceeding 6 months |
| 172 | Corruptly accepting reward for restoring property | A term of imprisonment not exceeding 1 year |
| 271 | Damage to cases not provided for (exceeding one thousand dollars) | A fine not exceeding five thousand dollars or a term of imprisonment not exceeding two years. |
| 379 | Prison officers accessory to breaches of discipline | A term of imprisonment not exceeding 2 years. |
| 382 | Refusal or neglect to aid in prevention of crime | A fine not exceeding \$2000 or A term of imprisonment not exceeding 1 year |
| 435 | Carrying on noxious trade, and other interferences with public rights | A fine not exceeding one thousand dollars or a term of imprisonment not exceeding six months” |

2012

Criminal Code (Amendment)

Act 29 767

Passed in the House of Representatives this 20th day of July, 2012.

RAPHAEL DONALD

Acting Clerk to the House of Representatives.

Passed in the Senate this 31st day of July, 2012.

RAPHAEL DONALD

Acting Clerk to the Senate.

GRENADA

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