

No. 26 OF 1936.

A LAW TO ENLARGE THE POWERS OF COMMISSIONERS
TO COMPOUND OFFENCES.

W. D. BATTERSHILL,]

[11th August, 1936.

Officer Administering the Government.

BE it enacted :—

1. This Law may be cited as the Compounding of Offences Law, 1936. Short title.

2.—(1) When any person is reasonably suspected of having committed any of the offences set out in the third column of the Schedule punishable under any of the Laws specified in the second column thereof, the Commissioner of the District in which the offence is alleged to have been committed may compound the offence by accepting from such person a payment in money not exceeding the maximum monetary penalty prescribed for the offence by the respective Law. Power to Commissioners to compound certain offences.

(2) When an offence is compoundable under this section, an attempt to commit such offence (when such attempt is itself an offence) may be compounded in like manner.

(3) Where by any of the Laws specified in the second column of the Schedule it is provided that upon the conviction of the offender for any of the offences set out in the third column of the Schedule any animals or things in respect of which the offence has been committed shall be forfeited, the Commissioner who compounds the offence may, in addition to any payment in money, require the offender to forfeit any such animals or things or such part thereof as the Commissioner may think fit.

3. Where any payment has been made to the Commissioner under section 2, the Commissioner shall give to the person making the payment an acknowledgment under his hand showing— Commissioner to give acknowledgment.

(a) the amount paid ;

(b) the particulars of the offence compounded ; and

(c) the name, surname and place of abode of the person in respect of whose offence the composition has been made :

Provided that where the Commissioner has exercised the power conferred on him by section 2 (3), the acknowledgment shall show the nature and approximate value of the animals or things forfeited.

Effect of
acknow-
ledgment.

4. When an offence has been compounded under this Law and an acknowledgment in respect thereof has been given by the Commissioner under section 3, no proceedings shall be taken against the person whose offence has been so compounded in respect of that offence, and the production of the acknowledgment before any Court shall be sufficient evidence that the offence has been compounded and shall have the effect of an acquittal of the person charged with the offence.

Amounts
paid to
form part of
Revenue.

5. Where an offence has been compounded under this Law and a payment in respect thereof has been made to the Commissioner under section 2, the amount so paid shall form part of the Revenue of the Colony :

Provided that, where it is by law prescribed that any monetary penalty in respect of such offence shall form part of a particular fund, such amount shall be paid into such fund.

Power to
Governor
in Council
to amend
Schedule.

6. The Governor may, by Order in Council to be published in the *Gazette*, make any substitution in, alteration of, or addition to, the Schedule, and thereupon such Order in Council and the Schedule shall be read and construed together :

Provided that no substitution, alteration or addition shall be made whereby an offence punishable with imprisonment exceeding six months or with a fine exceeding twenty-five pounds or with both is made compoundable.

Repeal.
4 of 1901.
25 of 1926.

7. The Compounding of Offences Law, 1901, and the Compounding of Offences (Amendment) Law, 1926, are hereby repealed.

SCHEDULE.
(SECTION 2.)

Conse- cutive No.	Short title of Law	Offences compoundable
1.	The Roads Protection Law, 1885	All offences.
2.	The Fruit Trees Protection Law, 1891	All offences.
3.	The Public Health (Villages) Law, 1892	All offences.
4.	The Burials Law, 1896	All offences.
5.	The Mesaoria State Land Delimi- tation Law, 1899	All offences.
6.	The Olives Law, 1899	All offences.
7.	The Goats Laws, 1913 to 1935 ..	All offences.

Consecutive No.	Short title of Law	Offences compoundable
8.	The Construction of Buildings, Streets and Wells on Arazi Mirié Law, 1927, as amended by the Construction of Buildings, Streets and Wells on Arazi Mirié (Amendment) Law, 1932, and the Construction of Buildings, Streets and Wells on Arazi Mirié (Amendment, No. 2) Law, 1932	All offences.
9.	The Protection of Female Domestic Servants Law, 1928..	All offences.
10.	The Government Waterworks Law, 1928	All offences.
11.	The Public Rivers Protection Law, 1930	All offences.
12.	The Registration of Clubs Law, 1930, as amended by the Registration of Clubs (Amendment) Law, 1933	All offences.
13.	The Recovery of Compensation for Injury to Property Laws, 1930 to 1935	All offences, except the offence of giving false evidence under section 20 (5).
14.	The Tree Planting Village Areas Laws, 1930 to 1936	All offences.
15.	The Irrigation Laws, 1931 and 1934	All offences.
16.	The Village Authorities Laws, 1931 to 1935	All offences.
17.	The Rural Constables Laws, 1932 and 1934.. .. .	All offences, except the offence of making a false statement under section 21 (5).
18.	The Shepherds' Licensing Law, 1935	All offences.

This Law came into operation on 14th August, 1936.