

PREFACE

The wording of charges *must* be correct in order to achieve the successful prosecution of any offence. *If* there are Acts that have been *overlooked* then the Officer-in-Charge of Prosecution Training should be contacted. Furthermore, that officer is *responsible* for ensuring that this book of charges is *kept up-to-date*.

Whilst the *Indictments Act* 1915 (UK) is no longer of application to the Solomon Islands in view of the relevant provisions of the *Criminal Procedure Code* (Ch. 7) it was considered for the wording of some of the charges under the *Penal Code* (Ch. 26).

This book:

[1] briefly outlines the law relating to:

- [i] the '*Institution Of Proceedings*' commencing on page 3;
- [ii] '*Onus Of Proof*' commencing on page 5;
- [iii] '*Wording Of Charges Generally*' commencing on page 8; and
- [iv] '*Attempts To Commit Offences*' on page 15;

and

[2] provides the *wording of charges* in relation to:

- [i] selected offences under the *Penal Code* (Ch. 26) commencing on page 18;
- [ii] all offences under the *Traffic Act* (Ch. 131) commencing on page 114;
- [iii] all offences under the *Traffic Regulations* (Ch. 131) commencing on page 127;
- [iv] all offences under the *Traffic (Motor Cyclist's Headgear) Regulations* (Ch. 131) commencing on page 143;
- [v] all offences under the *Motor Vehicles (Third-Party Insurance) Act* (Ch. 83) commencing on page 144;
- [vi] all offences under the *Liquor Act* (Ch. 144) commencing on page 145;
- [vii] all offences under the *Dangerous Drugs Act* (Ch. 98) commencing on page 164;
- [viii] all offences under the *Processions & Public Assemblies Act* (Ch. 29) commencing on page 179;
- [ix] all offences under the *Processions & Public Assemblies Rules* (Ch. 29) commencing on page 180;

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- [x] all offences under the *Sedition Act* (Ch. 32) commencing on page 181;
- [xi] all offences under the *Prison's Act* (Ch. 111) commencing on page 183;
- [xii] all offences under the *Police Act* (Ch. 110) commencing on page 186;
- [xiii] all offences under the *Protection of Wrecks & War Relics Act* (Ch. 150) commencing on page 189;
- [xiv] all offences under the *Passports Act* (Ch. 61) commencing on page 190;
- [xv] all offences under the *Immigration Act* (Ch. 60) commencing on page 193;
- [xvi] all offences under the *Fisheries Act 1998* commencing on page 200;
- [xvii] all offences under the *Agricultural Quarantine Act* (Ch. 34) commencing on page 207;
- [xviii] all offences under the *Agricultural Quarantine Order* (Ch. 34) commencing on page 208;
- [xix] all offences under the *Explosives Act* (Ch. 79) commencing on page 209;
- [xx] selected offences under the *Explosives Regulations* (Ch. 79) commencing on page 210;
- [xxi] all offences under the *Gaming & Lotteries Act* (Ch. 139) commencing on page 230;
- [xxii] selected offences under the *Gaming & Lotteries Regulations* (Ch. 139) commencing on page 235;
- [xxiii] all offences under the *Firearms & Ammunition Act* (Ch. 80) commencing on page 242; and
- [xxiv] all offences under the *Firearms, Ammunition & Air Weapons Regulations* (Ch. 80) commencing on page 253.

E. TAMOU
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DIRECTOR PROSECUTIONS

INSTITUTION OF PROCEEDINGS

Prior to instituting proceedings, a police officer should be satisfied on reasonable grounds that:

[i] an offence has been committed.

The term 'offence' is defined in section 16 of the *Interpretation and General Provisions Act* (Ch. 85) as meaning:

'any crime, felony, misdemeanour or contravention or breach of, or failure to comply with, any written law, for which a penalty is provided'.

Therefore, sections 50 to 59 of the *Traffic Regulations* (Ch. 131) do *not* constitute offences because there is *no* penalty provided. As a consequence those sections have *not* been included in this book.

[ii] each and every element of intended charge/s can be proven.

[iii] the person against whom prosecution is proposed has committed the offence/s.

Section 10(2)(a) of the *Constitution* states:

'Every person who is charged with a criminal offence shall be presumed to be innocent until he is proved or has pleaded guilty'.

[iv] consent to prosecute has been obtained from the Director of Public Prosecutions, if required.

[v] there is no statutory limitation on such proceedings.

Section 206 of the *Criminal Procedure Code* (Ch. 7) states:

'Except where a longer time is specially allowed by law, no offence, the maximum punishment for which does not exceed imprisonment for six months or a fine of one hundred dollars or both such imprisonment and fine shall be triable by a Magistrate's Court, *unless the charge or complaint relating to it is laid within six months from the time when the matter of such charge or complaint arose.*' (emphasis added)

The '*laying of the charge or complaint*' refers to the time when it was laid before the Court.

The '*time when the matter of such charge or complaint arose*' refers to the date on which the offence is alleged to have been committed.

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Care should be taken to select an offence that accurately reflects the nature and extent of the criminal behaviour under investigation, thereby providing the court with the option of imposing a penalty commensurate with the criminal conduct. It is important to ensure that defendants are charged with all of the offences which they have committed and not just a selection of such charges. When the circumstances of a particular case indicate that two or more alternative charges are supportable, the offence carrying the greater penalty should be preferred, subject to any express directions of the Director of Public Prosecutions, see section 74 of the *Criminal Procedure Code* (Ch. 7).

When investigating any offence the investigating officer should ensure that his/her investigation complies with the law, otherwise admissible evidence will be ruled by the courts to be inadmissible. It is therefore necessary to ensure that police only exercise their powers to detain, search, seize, etc in accordance with the applicable law relating to the offence under investigation. Whilst the general power to arrest and search are provided in the *Criminal Procedure Code* (Ch. 7) and the common law, there are also specific powers applicable to some of the Acts referred to in this book.

It is imperative that investigating police officers do not investigate offences without considering the Act under which the offence is provided for in order to ensure that they apply the correct powers and correctly consider the appropriate law relating to the offence under consideration.

If any officer is in any doubt regarding the institution of proceedings against an offender, he / she should seek advice.

When officers are making a decision to institute proceedings they are to ensure that their decision is not influenced by matters such as:

- [i] the race, religion, gender, ethnicity or political affiliations of the offender;
- [ii] any personal feelings or bias towards the offender;
- [iii] a possible political advantage or disadvantage to the Government or any interest group;
or
- [iv] a fear of career or personal disadvantage or any career advantage on the part of the person making the prosecution decision.

Upon deciding to institute proceedings a Docket is to be completed in accordance with the policy as outlined in the Case Management Manual which has been approved by the Senior Executive of the RSIP.

ONUS OF PROOF

A. General Principles

The *prosecution* bears:

- [i] the onus of proving each and every element of a charge to the standard of proof which is '*beyond reasonable doubt*'; and
- [ii] the onus of negating any defence raised to the standard of proof which is '*beyond reasonable doubt*', irrespective whether the defence is raised:
 - [a] '*on the balance of probabilities*'; or
 - [b] '*fairly*'.

The only *onus* which the defendant bears is in respect to:

- [i] the defence of '*Insanity*' as outlined in the *Penal Code* (Ch. 26) and the *Criminal Procedure Code* (Ch. 7) which is to the '*standard of proof*' of '*on the balance of probabilities*'; and
- [ii] '*negative averments*' as referred to in section 202 of the *Criminal Procedure Code* (Ch. 7) to the '*standard of proof*' of '*on the balance of probabilities*', but only after the prosecution having proven that the specified act/s occurred '*beyond reasonable doubt*'.

B. Negative Exceptions

Section 10(11) of the *Constitution* states (in part):

'Nothing contained in or done under the authority of any law shall be held to be inconsistent with or in contravention of –

- (a) subsection (2)(a) of this section to the extent that the law in question *imposes upon any person charged with a criminal offence the burden of proving particular facts.*' (emphasis added)

The following sections of the *Criminal Procedure Code* (Ch. 7) also refer to '*Negative Averments*':

Section 120 states (in part):

'The following provisions shall apply to all charges and information and, notwithstanding any rule of law or practice, a charge or information shall, subject to the provisions of this Code, not be open to objection in respect of its form or contents if it is framed in accordance with the provisions of this Code –

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(b)(ii) it shall *not* be necessary, in any count charging an offence constituted by an enactment, to negative any exception or exemption from, or proviso or qualification to, the operation of the enactment creating the offence.’ (emphasis added)

Section 202 states:

‘Any exception, exemption, proviso, excuse or qualification, whether it does or does not accompany in the same section the description of the offence in the law creating the offence, and whether or not specified or negated in the charge or complaint, may be proved by the defendant, *but no proof in relation thereto shall be required on the part of the complainant.*’ (emphasis added)

Therefore, when the prosecution avers in a charge that a defendant did not have an ‘exception’, ‘exemption’, ‘proviso’, ‘excuse’ or ‘qualification’ in respect of an offence, the onus is on the defendant on the ‘*balance of probabilities*’ to prove otherwise. However, before such an onus is on the defendant the prosecution *must* prove ‘*beyond reasonable doubt*’ the other elements of the preferred charge.

There is *no* onus on the prosecution to prove that the defendant did not have an ‘exception’, ‘exemption’, ‘proviso’, ‘excuse’ or ‘qualification’ in relation to such an offence.

C. Elementizing Of Charges

It is important that arresting / investigating police officers:

- [i] select the appropriate offence / charge;
- [ii] elementize the charge; and
- [iii] prove each element of the charge.

For example, if the defendant Edmon Taro, is charged for committing an offence against section 8(b) of the *Dangerous Drugs Act* (Ch. 98) as follows:

‘That Edmon Taro of Kwaibala Village, Malaita Province at Honiara in the Guadalcanal Province on 7th January 2002 was found in possession of a substance to which Part I of the *Dangerous Drugs Act* (Ch. 98) applies to wit Indian hemp’,

the ‘*elements*’ are as follows:

[i] **Edmon Taro**

The prosecution *must* prove *beyond reasonable doubt* that ‘*Edmon Taro*’ committed the offence.

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[ii] Honiara in the Guadalcanal Province

The prosecution *must* prove *beyond reasonable doubt* that the offence occurred in 'Honiara'.

[iii] 7th January 2002

The prosecution *must* prove *beyond reasonable doubt* that the offence occurred on '7th January 2002'.

[iv] Found In Possession

The prosecution *must* prove *beyond reasonable doubt* that the defendant was found in possession of Indian hemp as specified in the charge.

[v] Substance To Which Part I Of The Dangerous Drugs Act (Ch. 98) Applies

The prosecution *must* prove *beyond reasonable doubt* that the substance in the possession of the defendant was Indian hemp as specified in the charge.

WORDING OF CHARGES GENERALLY

A. General Principles

Section 117 of the *Criminal Procedure Code* (Ch. 7) states:

‘Every charge or information shall contain, and shall be sufficient if it contains, *a statement of the specific offence or offences* with which the accused person is charged, together with such *particulars* as may be necessary for giving reasonable information as to the nature of the offence charged.’ (emphasis added)

In *Paroke & Kuper v R* (Unrep. Criminal Case No. 21 of 1992) Muria ACJ commented at page 2:

‘The principle of *fair hearing* embodies the requirement that an accused person *must know with certainty* what has been alleged against him.’ (emphasis added)

In compliance with sections 117 and 120 of the *Criminal Procedure Code* (Ch. 7), each charge *must* contain:

[i] a ‘*statement of the offence*’ which *shall*:

[a] describe the offence shortly in ordinary language, avoiding as far as possible the use of technical terms; and

[b] include a reference to:

1. the section of the statute creating the offence; and
2. the section which provides the punishment.

As regards offences in respect of the *Dangerous Drugs Act* (Ch. 98), the punishment section is section 39(2).

However, it is not necessary to:

1. state on which day of the week an offence was committed;
2. state the title of any person such as Mr. or Mrs; and
3. state the exact location where an offence was committed.

In *R v Jacob Waipage* (Unrep. Criminal Case No. 46 of 1996) Lungole – Awich J stated:

‘If it is born in mind that the purpose of a charge is to state the offence so that an accused understands clearly the offence he faces, and if it is born in mind that a charge is the statement of offence together with the particulars of offence, *then both the section that defines the offence and the section that states the punishment must be stated in the statement of the offence*. That way the full extent of what accused faces is laid before the court, and accused is enabled to understand whether his actions or omissions fit in the definition of the offence.’ (emphasis added)

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and

- [ii] **‘particulars’** of such offence which *shall* be set out in ordinary language in which the use of technical terms should be avoided and which *shall* contain:
 - [a] the forename and surname of the defendant;
 - [b] the location of the offence;
 - [c] the date of the offence; and
 - [d] *sufficient* details so that the defendant understands the charge. It is for that reason that such *‘particulars’* *must* be set out in ordinary language and technical terms are to be avoided, if possible.

Section 120 of the *Criminal Procedure Code* (Ch. 7) states:

‘The following provisions *shall apply* to all charges and information and, notwithstanding any rule of law or practice, a charge or information *shall*, subject to the provisions of this Code, *not* be open to objection in respect of its form or contents if it is framed in accordance with the provisions of this Code –

- (a)(i) a count of a charge or information *shall commence with a statement of the offence*;
- (ii) the statement of offence *shall describe the offence shortly in ordinary language avoiding as far as possible the use of technical terms*, and without necessarily stating all the essential elements of the offence, and if the offence charged is one created by enactment shall contain a reference to the section of the enactment creating the offence;
- (iii) *after the statement of the offence, particulars of such offence shall be set out in ordinary language*, in which the use of technical terms shall not be necessary;

Provided that where any rule of law or any Act limits the particulars of an offence which are required to be given in a charge or information, nothing in this paragraph *shall* require any more particulars to be given than those required;

- (iv) where a charge or information contains *more than one count* the counts *shall* be numbered consecutively;

[Therefore, if there is more than one charge / count, each charge / count is to be numbered consecutively.]

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(b)(i) where an enactment constituting an offence states the offence to be the doing or the omission to do any one of any different acts in the *alternative*, or the doing or the omission to do any act in any one of any different capacities, or with any one of different intentions, or states any part of the offence in the *alternative*, the acts, omissions, capacities or intentions, or other matters stated in the *alternative* in the enactment, may be stated in the alternative in the count charging the offence;

(ii) it shall *not* be necessary, in any count charging an offence constituted by an enactment, to negative any exception or exemption from, or proviso or qualification to, the operation of the enactment creating the offence;

[Refer also to the section which examines the law relating to ‘*Negative Averments*’ commencing on page 5.]

(c)(i) *the description of property in a charge or information shall* be in ordinary language, and such as to indicate with reasonable clearness the property referred to, and, if the property is so described, it shall not be necessary (except when required for the purpose of describing an offence depending on any special ownership of property or special value of property) to name the person to whom the property belongs or the value of the property;

[Therefore, provided the property in question has been described with as much detail as possible, it is not necessary to state the name of the owner of the property or its value, unless such details are required to prove a specific offence. See for example, the offence of ‘Simple Larceny / Stealing’, section 261(2) of the *Penal Code* (Ch. 26).]

(ii) *where the property is vested in more than one person*, and the owners of the property are referred to in a charge or information, it shall be sufficient to describe the property as owned by one of those persons by name and others, and if the person owning the property are a body of persons with a collective name, such as a joint stock company or “Inhabitants”, “Trustees”, “Commissioners”, or “Club” or other such name, it *shall* be sufficient to use the collective name without naming any individual;

[Therefore, if the property in question is owned by more than one person it is sufficient to specify ‘the name of one of the owners and others’. For example, ‘... the property of Edmon Peters and others’.

If the property in question is owned by a ‘body of persons’ with a collective name it is sufficient to specify the name of that ‘body of persons’.]

(iii) property belonging to or provided for the use of any public establishment, service or department may be described as the property of *Her Majesty the Queen*;

[Therefore, for example, the ownership of the property belonging to the RSIP is vested in ‘Her Majesty the Queen’.]

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(iv) *coin and bank notes may be described as money; and any allegation as to money, so far as regards the description of the property, shall be sustained by proof of any amount of coin or of any bank or currency note (although the particular species of coin of which such amount was composed or the particular nature of the bank or currency note, shall not be provided); and in cases of stealing, embezzling and defrauding by false pretences, by proof that the accused person dishonestly appropriated or obtained any coin or any bank or currency note, or any portion of the value thereof, although such coin or bank or currency note may have been delivered to him in order that some part of the value thereof should be returned to the party delivering the same or to any other person and such part shall have been returned accordingly;*

(d) *the description or designation in a charge or information of the accused person, or of any other person to whom reference is made therein, shall be such as is reasonably sufficient to identify him, without necessarily stating his correct name, or his abode, style, degree, or occupation; and if, owing to the name of the person not being known, or for any other reason, it is impracticable to give such a description or designation, such description or designation shall be given as is reasonably practicable in the circumstances, or such person may be described as "a person unknown";*

(e) *where it is necessary to refer to any document or instrument in a charge or information, it shall be sufficient to describe it by name or designation by which it is usually known, or by the purport thereof, without setting out any copy thereof;*

(f) *subject to any other provisions of this section, it shall be sufficient to describe any place, time, thing, matter, act or omission whatsoever to which it is necessary to refer in any charge or information in ordinary language in such a manner as to indicate with reasonable clearness the place, time, thing, matter, act or omission referred to;*

(g) *it shall not be necessary in stating any intent to defraud, deceive or injure to state an intent to defraud, deceive or injure any particular person, where the enactment creating the offence does not make an intent to defraud, deceive or injure a particular person an essential ingredient of the offence;*

(h) *where a previous conviction of an offence is charged in a charge or information, it shall be charged at the end of the charge or information by means of a statement that the accused person has been previously convicted of that offence at a certain time and place without stating the particulars of the offence;*

[For example, 'and it is alleged that (name of the defendant) has been previously convicted of (specify the 'statement of the offence') at (specify the name of the court and date).']

(i) *figures and abbreviations may be used for expressing anything which is commonly expressed thereby;*

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(j) when a person is charged with any offence under sections 259 [*‘Stealing and Embezzlement by Co – Partners, Etc’*], 273 [*‘Larceny and Embezzlement by Clerks Or Servants’*] or 278 [*‘Conversion’*] of the Penal Code it *shall* be sufficient to specify the *gross amount of property in respect of which the offence is alleged to have been committed and the dates between which the offence is alleged to have been committed without specifying particular times or exact dates.*’ (emphasis added)

B. Date Of The Offence

The use of the words ‘Between ... and ...’ signifies a continuing offence between those specified dates, see *Ex parte Bignall* (1915) 32 NSWVN 91. An example of such an offence is ‘Growing A Dangerous Drug’, as provided for in section 8(a) of the *Dangerous Drugs Act* (Ch. 98).

Therefore, to charge a defendant with ‘Between the second day of March 1994 and the sixth day of March 1994 ...’ signifies that the offence was committed on the third, fourth and fifth days of March 1994. It should be noted that the offence is alleged to have *not* occurred on either of the dates specified in the charge.

If the offence is *not* a continuing offence in nature and it is *unknown* on which date the offence was committed, but the dates on either side of the offence can be proven, then the following wording should be used:

‘That on a date unknown between ... and ...’.

An example of such an offence would be a ‘*break and enter*’ offence whereby it is unknown on which day the property was stolen, but the complainant can give evidence to substantiate when he/she:

[i] left the ‘*dwelling – house*’; and

[ii] returned.

See also: section 201(2) of the *Criminal Procedure Code* (Ch. 7).

C. Joinder Of Charges

Section 120(a) of the *Criminal Procedure Code* (Ch. 7) states (in part):

‘(iv) Where a charge or information contains *more than one count* the counts *shall* be numbered consecutively.’ (emphasis added)

Section 118 of that *Code* states:

‘(1) Any offences, whether *felonies or misdemeanours*, may be charged together in the same charge or information if the offences charged are *founded on the same facts or form, or are part of, a series of offences of the same or a similar character.*

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(2) *Where more than one offence is charged in a charge or information, a description of each offence so charged shall be set out in a separate paragraph of the charge or information called a count.*

(3) Where, before trial, or at any stage of a trial, the court is of opinion that a person accused *may* be embarrassed in his defence by reason of being charged with more than one offence in the same charge or information, or that for any other reason it is desirable to direct that the person be tried separately for any one or more offences charged in a charge or information the court may order a separate trial of any count or counts of such charge or information.’ (emphasis added)

When ‘*joining*’ separate charges relating to the same defendant, the words ‘and further’ should be typed below the wording of the relevant charge/s.

Section 119 of the *Criminal Procedure Code* (Ch. 7) states:

‘The following persons may be joined in one charge or information and *may* be tried together, namely –

- (a) person accused of the same offence committed in the course of the same transaction;
- (b) persons accused of an offence and persons accused of abetment, or of an attempt to commit such offence;
- (c) persons accused of different offences committed in the course of the same transaction;
- (d) persons accused of different offences provided that all offences are founded on the same facts, or form or are part of a series of offences of the same or a similar character.’

When joining separate charges relating to different defendants, the words ‘*charged conjointly with*’ should be typed below the wording of the relevant charge/s.

D. Alternative Charges

Section 120(b)(i) of the *Criminal Procedure Code* (Ch. 7) permits the ‘*joinder*’ of ‘*alternative charges*’. That subsection states:

‘[W]here an enactment constituting an offence states the offence to be the doing or the omission to do any one of any different acts in the alternative, or the doing or the omission to do any act in any one of any different capacities, or with any one of different intentions, or *states any part of the offence in the alternative, the acts, omissions, capacities or intentions, or other matters stated in the alternative in the enactment, may be stated in the alternative in the count charging the offence.*’ (emphasis added)

When joining alternative charges, it should be indicated on the top of the ‘Notice of Offence Charged Form’.

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E. Duplicity

The rule against ‘*duplicity*’ relates to the charging of a defendant with committing *more than one offence in a single charge*.

For example, it is bad for ‘*duplicity*’ to allege the following two separate offences, ie., ‘break and enter with intent’ under section 299(a) of the *Penal Code* (Ch. 26) and ‘break and enter with intent’ under the section 300(a) of that *Code*, in a single charge.

ATTEMPTS TO COMMIT OFFENCES

Section 160 of the *Criminal Procedure Code* (Ch. 7) states:

‘When a person is charged with an offence, he may be convicted of having attempted to commit that offence, although he was not charged with the attempt.’

Section 379 of the *Penal Code* (Ch. 26) states:

‘Any person who attempts to commit a felony or misdemeanour is guilty of an offence, which, unless otherwise stated, is a misdemeanour.’

See also section 39(4) of the *Dangerous Drugs Act* (Ch. 98).

Whilst the term ‘*attempts to commit an offence*’ is *not* defined in the *Interpretation & General Provisions Act* (Ch. 85), it is defined in the section 378 of the *Penal Code* (Ch. 26) as follows:

‘When a person, intending to commit an offence, begins to put his intention into execution by means adapted to its fulfilment, and manifests his intention by some overt act, but does not fulfil his intention to such an extent as to commit the offence, he is deemed to attempt to commit the offence.’

In *Haughton v Smith* (1974) 58 CrAppR 198 the Lord Chancellor, with whom the other Lordships agreed in either principle or in entirety, stated at pages 207 – 214:

‘[...] I derive the following propositions:

(1) There is a distinction between the intention to commit a crime and an attempt to commit it. Thus, in this case, the respondent intended to commit a crime under section 22 of the Theft Act. But this dishonest intention does not amount to an attempt. [...]

(2) In addition to the intention, or *mens rea*, there must be an overt act of such a kind that it is intended to form and does form part of a series of acts which would constitute the actual commission of the offence if it were not interrupted. [...]

(3) The act relied on as constituting the attempt must not be an act merely preparatory to commit the completed offence, but must bear a relationship to the completion of the offence referred to in *EAGLETON* (supra) as being “proximate” to the completion of the offence and in *DAVEY AND OTHERS v LEE* (supra) as being “immediately and not merely remotely connected” with the completed offence. [...]

[...]

[...] I agree with the decision in *PERCY DALTON (LONDON) LTD* (1949) 33 CrAppR 102, and particularly with the quotation from Birkett J at p. 110 cited by the Lord Chief Justice in the present case where he said: “Steps on the way to the commission of what would be a crime, if the acts were completed, may amount to attempts to commit that crime, to which, unless interrupted, they would have led; but steps on the way to the doing of something which is thereafter, done, and which is no crime, cannot be regarded as attempts to commit a crime.”

ATTEMPTS TO COMMIT OFFENCES

I would add to the last sentence a rider to the effect that equally steps on the way to do something which is thereafter not completed, but which if done would not constitute a crime cannot be indicted as attempts to commit that crime.’

In *Eagleton* (1855) Dears CC 515 Parke B at page 538 stated:

‘The mere intention to commit a misdemeanour is not criminal. Some act is required, and we do not think that all acts towards committing a misdemeanour are indictable. Acts remotely leading towards the commission of the offence are not to be considered as attempts to commit it, by acts immediately connected with it are [...]’

In *Davey v Lee & others* (1967) 51 CrAppR 303; [1968] 1 QB 366 Lord Parker CJ stated at pages 305 and 370 respectively:

‘What amounts to an attempt has been described variously in the authorities, and for my part I prefer to adopt the definition given in Stephen’s Digest of the Criminal Law, 5th ed., (1894) art. 50, where it says that: “An attempt to commit a crime is an act done with intent to commit that crime, and forming part of a series of acts which would constitute its actual commission if it were not interrupted.” As a general statement that seems to be right, although it does not help to define the point of time at which the series of acts begins. That, as Stephen said, depends upon the facts of each case. A helpful definition is given in paragraph 4104 of the [then] (36th) current edition of Archbold’s Criminal Pleading, Evidence and Practice, where it is stated in this form: “It is submitted that the actus reus necessary to constitute an attempt is complete if the prisoner does an act which is a step towards the commission of a specific crime, which is immediately and not merely remotely connected with the commission of it, and the doing of which cannot reasonably be regarded as having any other purpose than the commission of the specific crime.’

Therefore, to constitute an ‘attempt’ a defendant must do an act which is a step towards the commission of the offence which the defendant intended to commit and not merely a step merely connected with the commission of the offence. Furthermore, that act must also be reasonably regarded as having no other purpose other than the commission of the offence in question.

Perhaps a better way of defining the ‘test’ is as follows:

‘A defendant *must* manifest his/her intention by some *overt act/s*. That is, the behaviour of the defendant in taking into account any intention:

- confessed to; or
- which could be inferred from the facts,

should plainly show the defendant’s intention to commit the offence in question. The act/s relied on should be consistent with that intention.’

Intention, which is a state of mind, can never be proved as a fact, it can only be inferred from other facts which are proved: *Sinnasamy Selvamayagam v R* [1951] AC 83 at page 87, if there are no admissions.

ATTEMPTS TO COMMIT OFFENCES

If there are no admissions, '*the guilt of the defendant must be the only rational inference open to the Court to find in the light of the evidence*', see *R v Dudley Pongi* (Unrep. Criminal Case No. 40 of 1999; Muria CJ; at page 22) & *Martin Sutarake v R* (Unrep. Criminal Appeal No. 6 of 1994; Court of Appeal; at page 7).

See also: *R v Marlow Justices; Ex parte O'Sullivan* [1984] QB 381; (1984) 78 CrAppR 13; [1984] 2 WLR 107; [1983] 3 AllER 578; (1983) 5 CrAppR(S) 279; *R v Percy Dalton (Ltd), Dalton & Strong* (1949) 33 CrAppR 102 at 110; *R v Blocham* (1943) 29 CrAppR 37 at 39; *R v Punch* (1927) 20 CrAppR 18 at 20 & *R v Laitwood* (1910) 4 CrAppR 248 at 252.

If it is intended to charge a defendant with an '*attempt to commit an offence*', then the word '*attempt*' should be included in the wording of the charge.

PENAL CODE

UNLAWFUL OATHS TO COMMIT MURDER	59
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- (a) [did administer **or** was present at and consented to the administering of] an [oath **or** engagement in the nature of an oath] which purported to bind the person who took it namely [specify the name of this person] to commit murder.

Penalty: Liable to imprisonment for life.

- (b) did take an [oath **or** engagement in the nature of an oath] which purported to bind (him/her) to commit murder whilst not being compelled to do so.

Penalty: Liable to imprisonment for life.

UNLAWFUL OATHS TO COMMIT OFFENCES OTHER THAN MURDER	60
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- (a) [did administer **or** was present at and consented to the administering of] an [oath **or** engagement in the nature of an oath] purporting to bind the person who took it namely [specify the name of this person] to

- engage in a [mutinous **or** seditious] enterprise; **or**
- commit an offence other than murder to wit [specify the offence]; **or**
- disturb the public peace; **or**
- be of [an association, a society **or** a confederacy] namely [specify the name of (association, society **or** confederacy)] formed for the purpose of [engaging in a (mutinous **or** seditious) enterprise, committing an offence other than murder to wit a (specify the offence) **or** disturbing the public peace]; **or**
- obey the [orders **or** commands] of a [(committee **or** body of persons) not lawfully constituted namely (specify the name of the [committee **or** body of persons] not lawfully constituted) **or** (leader, commander **or** person) namely (specify the name of this person)] not having authority by law for the purpose of [engaging in a (mutinous **or** seditious) enterprise, committing an offence other than murder to wit a (specify the offence) **or** disturbing the public peace]; **or**
- not [inform **or** give evidence] against [an associate, a confederate **or** a person] namely [specify the name of the (associate, confederate **or** person)] of [an association, a society **or** a confederacy] namely [specify the name of the (association, society **or** confederacy)] formed for the purpose of [engaging in a (mutinous **or** seditious) enterprise, committing an offence other than murder to wit a (specify the offence) **or** disturbing the public peace]; **or**

PENAL CODE

- not [reveal **or** discover] [an unlawful (association, society **or** confederacy) namely (specify the name of the [association, society **or** confederacy]), an illegal act (done **or** to be done) to wit a (specify the act) **or** an illegal (oath **or** engagement)] that may have been [administered, tendered to **or** taken] by [(himself/herself) **or** a person namely (specify the name of this person)]; **or**
- not [reveal **or** discover] the import of an illegal [oath **or** engagement] that may have been [administered, tendered to **or** taken] by [(himself/herself) **or** a person namely (specify the name of this person)].

Penalty: Liable to imprisonment for seven years.

(b) did take an [oath **or** engagement in the nature of an oath] purporting to bind (him/her) to

- engage in a [mutinous **or** seditious] enterprise; **or**
- commit an offence other than murder to wit [specify the offence]; **or**
- disturb the public peace; **or**
- be of [an association, a society **or** a confederacy] namely [specify the name of the (association, society **or** confederacy)] formed for the purpose of [engaging in a (mutinous **or** seditious) enterprise, committing an offence other than murder to wit a (specify the offence) **or** disturbing the public peace]; **or**
- obey the [orders **or** commands] of a [(committee **or** body of persons) not lawfully constituted namely (specify the name of the [committee **or** body of persons] not lawfully constituted) **or** (leader **or** commander) **or** person namely (specify the name of this person)] not having authority by law for the purpose of [engaging in a (mutinous **or** seditious) enterprise, committing an offence other than murder to wit a (specify the offence) **or** disturbing the public peace]; **or**
- not [inform **or** give evidence] against [an associate, a confederate **or** a person] namely [specify the name of the (associate, confederate **or** person)] of [an association, society **or** confederacy] namely [specify the name of the (association, society **or** confederacy)] formed for the purpose of [engaging in a (mutinous **or** seditious) enterprise, committing an offence other than murder to wit a (specify the offence) **or** disturbing the public peace]; **or**
- not [reveal **or** discover] [an unlawful (association, society **or** confederacy) namely (specify the name of the [association, society **or** confederacy]), an illegal act (done **or** to be done) to wit a (specify act) **or** an illegal (oath **or** engagement)] that may have been [administered, tendered to **or** taken] by [(himself/herself) **or** a person namely (specify the name of this person)]; **or**

PENAL CODE

- not [reveal **or** discover] the import of an illegal [oath **or** engagement] that may have been [administered, tendered to **or** taken] by [(himself/herself) **or** a person namely (specify the name of this person)].

Penalty: Liable to imprisonment for seven years.

UNLAWFUL DRILLING	62
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- (1) did without the permission of the Governor-General namely [specify the name of this person] [train **or** drill] a person namely [specify the name of this person] to the [use of arms **or** practice of military (exercises, movements **or** evolutions)].

was present at [a meeting **or** an assembly] of persons held without the permission of the Governor-General namely [specify the name of this person] for the purpose of [training **or** drilling] other persons namely [specify the names of these persons, if possible] to the [use of arms **or** practice of military (exercises, movements **or** evolutions)].

Penalty: Liable to imprisonment for seven years.

- (2) was present at [a meeting **or** an assembly] held without the permission of the Governor-General namely [specify the name of this person] and was [trained **or** drilled] to the [use of arms **or** practice of military (exercises, movements **or** evolutions)].

was present at [a meeting **or** an assembly] held without the permission of the Governor-General namely [specify the name of this person] for the purpose of being [trained **or** drilled] to the [use of arms **or** practice of military (exercises, movements **or** evolutions)].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

SPREADING FALSE RUMOURS, etc	63
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- (a) did [maliciously fabricate, knowingly spread abroad **or** publish] by [writing **or** word of mouth **or** (specify any other means used)] false [news **or** report] which tended to [(create **or** foster) public (alarm, anxiety **or** disaffection) **or** produce detriment].

- (b) [did act **or** was acting] in a manner prejudicial to the [public safety **or** peace and good order] of a part of Solomon Islands to wit [specify the location].

- (c) did endeavour to disturb the public peace by exciting [hatred **or** contempt] of a class of persons namely [specify this class of persons].

Penalty: Liable to imprisonment for one year or to a fine of two hundred dollars.

PENAL CODE

DEFAMATION OF FOREIGN PRINCES	64
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did without [justification **or** excuse] as would be sufficient in the case of the defamation of a private person publish a [thing intended to be read, sign **or** visible representation] which tended to [(degrade **or** revile) **or** expose to (hatred **or** contempt)] a [foreign prince, potentate, ambassador **or** foreign dignitary] namely [specify the name of the (foreign prince, potentate, ambassador **or** foreign dignitary)] with intent to disturb peace and friendship between Solomon Islands and the country namely [specify the name of the country] to which the said [prince, potentate, ambassador **or** dignitary] belonged.

Penalty: See section 41 of the *Penal Code* (Ch. 26).

PIRACY	65
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did commit [piracy **or** a crime (connected with **or** [related **or** akin] to) piracy namely (specify the crime)].

Penalty: Liable to be tried and punished according to the law of England for the time being in force:

Provided that a person convicted of piracy or any crime connected with or relating or akin to piracy who on being so convicted would by the law of England be sentenced to death shall instead of being sentenced to death be sentenced to imprisonment for life.

MANAGING UNLAWFUL SOCIETY	67
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did [manage **or** assist in the management] of an unlawful society namely [specify the name of the society].

Penalty: Liable to imprisonment for seven years.

Consent of the Director of Public Prosecutions is required, see section 69 of the *Penal Code* (Ch. 26).

BEING MEMBER OF UNLAWFUL SOCIETY	68
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(a) is a member of an unlawful society namely [specify the name of the society].

(b) did knowingly allow a meeting of [an unlawful society **or** members of an unlawful society] namely [specify the name of unlawful society **and/or** members] to be held in a [house, building **or** place] [(belonging to **or** occupied by (him/her) **or** over which (he/she) had control)].

Penalty: Liable to imprisonment for three years.

Consent of the Director of Public Prosecutions is required, see section 69 of the *Penal Code* (Ch. 26).

PENAL CODE

UNLAWFUL ASSEMBLY

74

did take part in an unlawful assembly.

Penalty: Liable to imprisonment for one year.

RIOT

75

did take part in a riot.

Penalty: Liable to imprisonment for two years.

RIOTING AFTER PROCLAMATION

78

being [engaged in **or** assembled with other persons for the purpose of committing] a riot [at **or** after] the expiration of a reasonable time of a proclamation made commanding to disperse did [take **or** continue to take] part in a [riot **or** assembly].

Penalty: Liable to imprisonment for five years.

PREVENTING OR OBSTRUCTING THE MAKING OF PROCLAMATION

79

did forcibly [prevent **or** obstruct] the making of a proclamation as provided for by section 76 of the *Penal Code* (Ch. 26).

Penalty: Liable to imprisonment for ten years.

did know that the making of a proclamation as provided for by section 76 of the *Penal Code* (Ch. 26) had been forcibly prevented did [take **or** continue to take] part in [a riot **or** an assembly].

Penalty: Liable to imprisonment for five years.

RIOTERS DEMOLISHING BUILDINGS, etc.
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80

in a riotous assembly did unlawfully [(pull down **or** destroy) **or** begin to (pull down **or** destroy)] [a building, machinery **or** a structure].

Penalty: Liable to imprisonment for life.

RIOTERS INJURING BUILDINGS, MACHINERY, etc.
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81

in a riotous assembly did unlawfully damage [a building, machinery **or** a structure].

Penalty: Liable to imprisonment for seven years.

PENAL CODE

RIOTOUSLY INTERFERING WITH AIRCRAFT, VEHICLE OR VESSEL

82

in a riotous assembly did

- unlawfully and with force [prevent, hinder **or** obstruct] the [(loading **or** unloading) of (an aircraft, a vehicle **or** a vessel), (starting **or** transit) of (an aircraft, a vehicle **or** a vessel) **or** (sailing operations **or** navigation) of (an aircraft **or** a vessel)].
- unlawfully and with force board [an aircraft, a vehicle **or** a vessel] with intent to unlawfully and with force [prevent, hinder **or** obstruct] the [(loading **or** unloading) of (an aircraft, a vehicle **or** a vessel), (starting or transit) of (an aircraft, a vehicle **or** a vessel) **or** (sailing operations **or** navigation) of (an aircraft **or** a vessel)].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

GOING ARMED IN PUBLIC

83

did go armed in public without lawful occasion in a manner that caused fear to [a person **or** persons] namely [specify the name of the person/s].

Penalty: Liable to imprisonment for two years, see section 41 of the *Penal Code* (Ch. 26), and any arms used in the commission of the offence may be forfeited.

POSSESSION OF WEAPON

84

- (2) in a restricted [area **or** place] and without reasonable excuse did [carry **or** have in ([his/her] possession **or** under [his/her] control)] a weapon to wit a [specify the weapon].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

- (4) did [obstruct **or** hinder] a police officer namely [specify the name and rank of the officer] from lawfully exercising powers conferred on the said police officer by subsection (3) of section 84 of the *Penal Code* (Ch. 26).

Penalty: See section 41 of the *Penal Code* (Ch. 26).

FORCIBLE ENTRY

85

in order to take possession thereof did enter on [land **or** tenements] in a violent manner which consisted of [actual force applied to a person namely (specify the name of the person), threats, breaking open a house **or** collecting an unusual number of people to wit (specify the number of people)].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

PENAL CODE

FORCIBLE DETAINER

86

being a person in actual possession of land without colour of right did hold possession of it in a manner which was likely to cause a [breach of the peace **or** reasonable apprehension of a breach of the peace] against a person namely [specify the name of the person] entitled by law to the possession of the said land.

Penalty: See section 41 of the *Penal Code* (Ch. 26).

AFFRAY

87

did take part in a fight in a public place to wit [specify the name of the public place].

Penalty: Liable to imprisonment for one year.

THREATENING VIOLENCE

89

- (a) with intent to [intimidate **or** annoy] a person namely [specify the name of the person] did threaten to [break **or** injure] a dwelling-house.
- (b) with intent to alarm a person namely [specify the name of the person] in a dwelling-house did [discharge a loaded firearm **or** commit a breach of the peace].

Penalty: Liable to imprisonment for one year.

If the offence is committed in the night the offender shall be liable to imprisonment for two years.

ASSEMBLING FOR THE PURPOSE OF SMUGGLING
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90

did assemble with a number of [three **or** more] persons for the purpose of evading a provision of the law to wit a [specify the provision of the law] for the time being in force relating to [customs **or** excise].

Penalty: Liable on summary conviction to imprisonment for twelve months.

OFFICIAL CORRUPTION

91

- (a) being employed in the public service namely [specify the employment] and charged with the performance of a duty by virtue of the said employment did corruptly [ask for **or** solicit, receive **or** obtain] [property **or** benefit] to wit a [specify the (property **or** benefit)] for [(himself/herself) **or** person namely (specify the name of this person)] on account of a thing to wit a (specify the thing) [(already done **or** omitted to be done) **or** to be afterwards (done **or** omitted to be done)] by (him/her) in the discharge of the duties of (his/her) office.

PENAL CODE

(b) did corruptly

- [give to, confer upon **or** procure for] [a person employed in the public service **or** a person] namely (specify the name of this person) [property **or** benefit] to wit a [specify the (property **or** benefit)] on account of an [act **or** omission] on the part of [the said person **or** a person employed in the public service namely (specify the name of this person)].
- [promise **or** offer] to [give to, confer upon **or** procure for] [a person employed in the public service **or** a person] namely (specify the name of this person) [property **or** benefit] to wit a [specify the (property **or** benefit)] on account of an [act **or** omission] on the part of [the said person **or** a person employed in the public service namely (specify the name of this person)].
- attempt to procure [to, upon **or** for] [a person employed in the public service **or** a person] namely (specify the name of this person) [property **or** benefit] to wit a [specify the (property **or** benefit)] on account of an [act **or** omission] on the part of [the said person **or** a person employed in the public service namely (specify the name of this person)].

Penalty: Liable to imprisonment for seven years.

EXTORTION BY PUBLIC OFFICERS	92
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being employed in the public service did [take **or** accept] from a person namely [specify the name of this person] for the performance of (his/her) duty a [reward beyond (his/her) proper pay and emoluments **or** promise a reward beyond (his/her) proper pay and emoluments].

Penalty: Liable to imprisonment for three years.

PUBLIC OFFICERS RECEIVING PROPERTY TO SHOW FAVOUR	93
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being employed in the public service did receive [property **or** benefit] to wit a [specify the (property **or** benefit)] for [(himself/herself) **or** a person namely (specify the name of this person)] from [specify the name of this person] on the understanding that (he/she) would favour [the said person **or** a person namely (specify the name of this person) in whom the said person who (gave the property **or** conferred the benefit) was interested] in a transaction [then pending **or** likely to take place] between the said person [(giving the property **or** conferring the benefit) **or** in whom the said person who [gave the property **or** conferred the benefit] was interested **and** a person namely (specify the name of this person) employed in the public service].

Penalty: Liable to imprisonment for six months.

PENAL CODE

OFFICERS CHARGED WITH ADMINISTRATION OF PROPERTY OF A SPECIAL CHARACTER OR WITH SPECIAL DUTIES	94
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being employed in the public service and charged by virtue of (his/her) employment with a [judicial **or** administrative] duty respecting [(property of a special character to wit a (specify the nature of the property) **or** the carrying on of (manufacture, trade **or** business of a special character) to wit a (specify the nature of the (manufacture, trade **or** business))] and [having acquired **or** holding] a private interest in the said [property, manufacture, trade **or** business] did discharge the said duty with respect to the [said (property, manufacture, trade **or** business) in which (he/she) had the said interest **or** conduct of a person namely (specify the name of this person) in relation to the said (property, manufacture, trade **or** business) in which (he/she) had the said interest].

Penalty: Liable to imprisonment for one year.

FALSE CLAIMS BY OFFICIALS	95
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being employed in the public service in a capacity that required (him/her) to furnish [returns **or** statements] touching a sum of money [payable **or** claimed to be payable] to [(himself/herself) **or** a person] namely (specify the name of this person)] made a [return **or** statement] touching the said sum which was to (his/her) knowledge false in a material particular.

being employed in the public service in a capacity that required (him/her) to furnish [returns **or** statements] touching a matter required to be certified for the purpose of [a payment, a sum of money **or** a delivery of goods] to be made to a person namely [specify the name of this person] made a [return **or** statement] touching the said matter which was to (his/her) knowledge false in a material particular.

Penalty: See section 41 of the *Penal Code* (Ch. 26).

ABUSE OF OFFICE	96(1)
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being employed in the public service did [do **or** direct to be done] in abuse of the authority of (his/her) office an arbitrary act prejudicial to the rights of a person namely [specify the name of this person].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

being employed in the public service did [do **or** direct to be done] in abuse of the authority of (his/her) office an arbitrary act prejudicial to the rights of a person namely [specify the name of this person] for purpose of gain.

Penalty: Liable to imprisonment for three years.

Consent of the Director of Public Prosecutions is required, see section 69 of the *Penal Code* (Ch. 26).

PENAL CODE

FALSE CERTIFICATES BY PUBLIC OFFICERS
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97

being [authorized **or** required] by law to give a certificate touching a matter by virtue whereof the rights of a person namely [specify the name of this person] may have been prejudicially affected did give a certificate which was to (his/her) knowledge false in a material particular.

Penalty: See section 41 of the *Penal Code* (Ch. 26).

UNAUTHORISED ADMINISTRATION OF OATHS

98

did [administer an oath **or** take (a solemn declaration, an affirmation **or** an affidavit)] touching a matter with respect to which (he/she) had not by law any authority to do so.

Penalty: See section 41 of the *Penal Code* (Ch. 26).

FALSE ASSUMPTION OF AUTHORITY

99

- (a) not being a judicial officer did assume to act as a judicial officer.
- (b) without authority did assume to act as a person having authority by law to [administer an oath, take (a solemn declaration, an affirmation **or** an affidavit) **or** do an act of a public nature which could only be done by persons authorised by law to do so].
- (c) did represent (himself/herself) to be a person authorised by law to sign a document to wit a [specify the document] testifying to the contents of a [(register **or** record) kept by lawful authority **or** (fact **or** event)] and signed the said document as being so authorised when (he/she) was not and knew that (he/she) was not in fact so authorised.

Penalty: See section 41 of the *Penal Code* (Ch. 26).

PERSONATING PUBLIC OFFICERS

100

- (a) did personate a person namely [specify the name of this person] employed in the public service on an occasion when the said person was required to [do an act to wit a (specify the act) **or** attend in a place namely (specify the name of the place)] by virtue of (his/her) employment.
- (b) did falsely represent (himself/herself) to be a person namely [specify the name of this person] employed in the public service and assumed to [do an act to wit a (specify the act) **or** attend in a place namely (specify the name of the place) for the purpose of doing an act] by virtue of the said employment.

Penalty: Liable to imprisonment for three years.

PENAL CODE

THREAT OF INJURY TO PERSONS EMPLOYED IN PUBLIC SERVICE	101
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did hold out a threat of injury to a person namely [specify the name of this person] [employed in the public service **or** in whom (he/she) believed that the said person was interested] for the purpose of inducing that [the said person **or** a person namely (specify the name of this person) employed in the public service] to [do an act **or** (forbear **or** delay) to do an act] to wit a (specify the act) connected with the exercise of the public functions of the said person employed in the public service.

Penalty: See section 41 of the *Penal Code* (Ch. 26).

Consent of the Director of Public Prosecutions is required, see section 69 of the *Penal Code* (Ch. 26).

PERJURY	102(1)
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being a person lawfully sworn as [a witness **or** an interpreter] in a judicial proceeding did wilfully make a statement material in the said proceeding which (he/she) [knew to be false **or** did not believe to be true].

Penalty: Liable to imprisonment for seven years,

FALSE STATEMENTS ON OATH MADE OTHERWISE THAN IN A JUDICIAL PROCEEDING	103
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(a) being [required **or** authorized] by law to make a statement on oath for a purpose to wit a [specify the purpose] and being lawfully sworn otherwise than in a judicial proceeding did wilfully make a statement which was material for that said purpose and which (he/she) [knew to be false **or** did not believe to be true].

(b) did wilfully use a false affidavit for the *Bills of Sale Act* (Ch. 174).

Penalty: Liable to imprisonment for seven years.

FALSE STATEMENTS etc. WITH REFERENCE TO MARRIAGE	104
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(a) for the purpose of procuring a [marriage **or** (certificate **or** licence) for marriage] did knowingly and wilfully [make a false oath **or** (make **or** sign) a false (declaration, notice **or** certificate)] required under an Act to wit the [specify the Act] relating to marriage.

(b) did knowingly and wilfully [make **or** cause to be made] for the purpose of being inserted in a register of marriage a false statement to wit a [specify the statement] as to a particular required by law to be known and registered to wit a [specify the particular] relating to a marriage namely the marriage of [specify the names of the spouses].

(c) did forbid the issue of a [certificate **or** licence] for marriage of [specify the names of the spouses] by falsely representing (himself/herself) to be a person whose consent to the said marriage was required by law knowing such representation to be false.

PENAL CODE

Penalty: Liable to imprisonment for seven years.

FALSE STATEMENTS, etc., AS TO BIRTHS OR DEATHS	105(1)
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- (a) did wilfully make a false answer namely [specify the answer] to a question to wit a [specify the question] put to (him/her) by a registrar of [births **or** deaths] namely [specify the name of this person] relating to the particulars required to be registered concerning the [birth **or** death] of [specify the name of this person].

did wilfully give to a registrar of [births **or** deaths] [specify the name of this person] false information concerning the [(birth **or** death) **or** cause of the death] of [specify the name of this person].

- (b) did wilfully make a false [certificate **or** declaration] to wit a [specify (certificate **or** declaration)] [under **or** for] the purpose of an Act to wit the [specify the Act] relating to the registration of [births **or** deaths].

knowing a [certificate **or** declaration] to wit a [specify certificate **or** declaration] [under **or** for] the purpose of an Act to wit the [specify the Act] relating to the registration of [births **or** deaths] to be false did [use, give **or** send] the said [certificate **or** declaration] as true to a person namely [specify the name of this person].

- (c) did wilfully [make, give **or** use] a false [statement **or** declaration] to wit a [specify the (statement **or** declaration)] as to [a child born alive namely (specify the name of the child) as having been still-born, the body of a deceased person namely (specify the name of this person) **or** a still-born child namely (specify the name of the still-born child) in a coffin].

did wilfully and falsely pretend that a child born alive namely [specify the name of the child] was still-born.

- (d) did make a false statement to wit a [specify the statement] with intent to have the said statement inserted in a register of [births **or** deaths] to wit a [specify the register].

Penalty: Liable to imprisonment for seven years.

A prosecution under this section shall not be commenced more than three years after the commission of the offence, see section 105(2) of the *Penal Code* (Ch. 26).

FALSE STATUTORY DECLARATIONS AND OTHER FALSE STATEMENTS WITHOUT OATH	106(1)
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- (a) did knowingly and wilfully make otherwise than on oath a statement to wit a [specify the statement] false in a material particular and the said statement was made in a statutory declaration.

PENAL CODE

- (b) did knowingly and wilfully make otherwise than on oath a statement to wit a [specify the statement] false in a material particular and the said statement was made in [an abstract, an account, a balance sheet, a book, a certificate, a declaration, an entry, an estimate, an inventory, a notice, a report, a return **or** a document to (specify the document)] which (he/she) was [authorised **or** required] to [make, attest **or** verify] by an Act to wit the [specify the Act].

- (c) did knowingly and wilfully make otherwise than on oath a statement to wit a [specify the statement] false in a material particular and the said statement was made in an oral [declaration **or** answer] which (he/she) was required to make [by, under **or** in pursuance] of an Act to wit the [specify the Act].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

FALSE DECLARATIONS, etc., TO OBTAIN REGISTRATION, etc., FOR CARRYING ON VOCATION	107
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- (a) did [procure **or** attempt to procure] (himself/herself) to be registered on a [register **or** roll] kept [under **or** in pursuance] of an Act to wit the [specify the Act] of persons qualified by law to practise a [vocation **or** calling] to wit a [specify vocation **or** calling].

- (b) did [procure **or** attempt to procure] a certificate of the registration of a person namely [specify the name of this person] on a [register **or** roll] kept [under **or** in pursuance] of an Act to wit the [specify the Act] of persons qualified by law to practise a [vocation **or** calling] to wit a [specify the (vocation **or** calling)].

- (c) did wilfully [make, produce **or** cause to be produced] [verbally **or** in writing] a [declaration, certificate **or** representation] which (he/she) knew to be [false **or** fraudulent].

Penalty: Liable to imprisonment for twelve months.

FABRICATING EVIDENCE	110
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- (a) being a person with intent to mislead a tribunal in a judicial proceeding to wit a [specify the tribunal] did fabricate evidence to wit [specify the evidence] by a means other than [perjury **or** subornation of perjury].

- (b) being a person with intent to mislead a tribunal in a judicial proceeding to wit a [specify the tribunal] did knowingly make use of evidence to wit [specify the evidence] fabricated by a means other than [perjury **or** subornation of perjury].

Penalty: Liable to imprisonment for seven years.

PENAL CODE

INCONSISTENT OR CONTRADICTORY STATEMENT
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111(1)

did wilfully make on oath [two **or** more] [inconsistent **or** contradictory] statements of [fact **or** alleged fact] to wit a [specify the statements] material to the [issue **or** matter] in question upon being a witness in a judicial [proceeding **or** proceedings] before [specify the name of the (court, tribunal **or** person)].

Penalty: Liable to imprisonment for six months.

DECEIVING WITNESSES

114

did [practise (fraud **or** deceit) **or** knowingly (make **or** exhibit) a false (statement, representation, token **or** writing)] to a person namely [specify the name of this person] [called **or** to be called] as a witness in a judicial proceeding to wit the [specify the judicial proceeding] with intent to affect the testimony of the said person as a witness.

Penalty: See section 41 of the *Penal Code* (Ch. 26).

DESTROYING EVIDENCE

115

being a person who knew that a [book, document, **or** thing] to wit a [specify the (book, document **or** thing)] [was **or** may be] required in evidence in a judicial proceeding did wilfully [(remove **or** destroy) **or** render it (illegible, undecipherable **or** incapable of identification)] with intent thereby to prevent it from being used in evidence.

Penalty: See section 41 of the *Penal Code* (Ch. 26).

CONSPIRACY TO DEFEAT JUSTICE AND INTERFERENCE WITH WITNESSES

116

- (a) did conspire with a person namely [specify the name of this person] to [accuse a person namely (specify the name of this person) falsely of a crime to wit a (specify the crime) **or** do a thing to wit a (specify the thing) to (obstruct, prevent, pervert **or** defeat the course of justice)].
- (b) in order to obstruct the due course of justice did [(dissuade, hinder **or** prevent) **or** endeavour to (dissuade, hinder **or** prevent)] a person namely [specify the name of this person] lawfully bound to appear and give evidence as a witness from so appearing.
- (c) did [(obstruct **or** interfere with) **or** knowingly prevent] the execution of a legal process.

Penalty: See section 41 of the *Penal Code* (Ch. 26).

PENAL CODE

COMPOUNDING FELONIES

117

did [(ask, receive **or** obtain) **or** (agree **or** attempt) to (receive **or** obtain)] [property **or** a benefit] to wit [specify the (property **or** benefit)] for [(himself/herself) **or** ar person namely (specify the name of this person)] upon [agreement **or** understanding] that (he/she) would [(compound **or** conceal) a felony to wit (specify the felony), (abstain from, discontinue **or** delay) a prosecution for a felony to wit (specify the felony) **or** withhold evidence in respect of a felony to wit (specify the felony)].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

COMPOUNDING PENAL ACTIONS

118

being a person who having [brought **or** under pretence of bringing] an action against another person namely [specify the name of this person] upon a Penal Act in order to obtain from (him/her) a penalty for an offence to wit [specify the offence] [committed **or** alleged to have been committed] by (him/her) did compound the action without the [order **or** consent] of the court in which the action [was **or** is to be] brought.

Penalty: See section 41 of the *Penal Code* (Ch. 26).

ADVERTISEMENTS FOR STOLEN PROPERTY

119

- (a) did publicly offer a reward for the return of property to wit [specify the property] which had been [stolen **or** lost] and in the said offer made use of words purporting that [no questions would be asked **or** the person producing the said property would not be (seized **or** molested)].
- (b) did [print **or** publish] an offer of a reward for the return of property to wit [specify the property] which had been [stolen **or** lost] and in the said offer made use of words purporting that [no questions would be asked **or** the person producing the said property would not be (seized **or** molested)].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

CORRUPTLY TAKING A REWARD

120

did corruptly take [money **or** reward] [under pretence **or** upon account] of helping a person namely [specify the name of this person] to recover property which had [under the circumstances which amounted to a (felony **or** misdemeanour), been (stolen, obtained **or** received)].

Penalty: Liable to imprisonment for seven years unless (he/she) has used all due diligence to cause the offender to be brought to trial for the same.

PENAL CODE

JUDICIAL PROCEEDINGS OFFENCES

121(1)

- (a) within the [premises in which a judicial proceeding to wit (specify the judicial proceeding) was being (had **or** taken) **or** precincts of premises in which a judicial proceeding to wit (specify the judicial proceeding) was being (had **or** taken)] did show disrespect in [speech **or** manner] [to **or** with reference to] [the said proceeding **or** a person namely (specify name of person) before whom the said proceeding was being (had **or** taken)].
- (b) having been summoned to give evidence in a judicial proceeding did fail to attend.
- (c) being present at a judicial proceeding to wit [specify the judicial proceeding] and being called upon to give evidence did refuse to [be sworn **or** make an affirmation].
- (d) having been [sworn **or** affirmed] did refuse without lawful excuse to [answer a question **or** produce a document which was within (his/her) power to produce].
- (e) having attended a judicial proceeding to wit [specify the judicial proceeding] to give evidence did remain in the room in which the said proceeding was being [had **or** taken] after the witnesses had been ordered to leave the said room.
- (f) did cause [an obstruction **or** a disturbance] in the course of a judicial proceeding to wit [specify the judicial proceeding].
- (g) while a judicial proceeding to wit [specify the judicial proceeding] was pending did make use of a [speech **or** writing] [misrepresenting the said proceeding, capable of prejudicing a person namely (specify the name of this person) (in favour of **or** against) a party to the said proceeding **or** calculated to lower the authority of a person namely (specify the name of this person) before whom the said proceeding was being (had **or** taken)].
- (h) did publish a report of the evidence taken in a judicial proceeding to wit [specify the judicial proceeding] which had been directed to be held in private.
- (i) did attempt wrongfully to [interfere with **or** influence] a witness namely [specify the name of this person] in a judicial proceeding to wit [specify the judicial proceeding] [before **or** after] (he/she) had given evidence.
- (j) did dismiss a servant namely [specify the name of the servant] because (he/she) had given evidence on behalf of a certain party namely [specify the name of the party] to a judicial proceeding.
- (k) did wrongfully retake possession of land from a person namely [specify the name of this person] who had recently obtained possession by a writ of court.

PENAL CODE

- (l) did commit an act of intentional disrespect to wit [specify the act] to a [judicial proceeding to wit (specify the judicial proceeding) **or** person namely (specify name of this person) before whom a judicial proceeding to wit (specify the judicial proceeding) was being (had **or** taken)].

Penalty: Liable to imprisonment for three months.

- (2) When an offence against paragraphs (a), (b), (c), (d), (e), (f), (g) or (l) of subsection (1) of this section is committed in view of the court, the court may cause the offender to be detained in custody, and at any time before the rising of the court on the same day may take cognisance of the offence and sentence the offender to a fine of one hundred dollars or in default of payment to imprisonment for one month.

BRIBE OR ATTEMPT TO BRIBE	122
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- (a) in relation to an offence to wit [specify the offence] did [(bribe **or** attempt to bribe) **or** make a promise to another person namely (specify the name of this person)] with intent to [obstruct, defeat **or** pervert] the course of justice in a court.
- (b) in relation to an offence to wit [specify the offence] did [(bribe **or** attempt to bribe) **or** make a promise to another person namely (specify the name of this person)] with intent to dissuade a person namely [specify the name of this person] from doing (his/her) duty in connection with the course of justice in a court.

Penalty: See section 41 of the *Penal Code* (Ch. 26).

INJURY, DAMAGE OR THREAT WITH INTENT	123
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- (a) [in a court **or** at (specify any other place)] did [(injure **or** threaten to injure) a person namely (specify the name of this person) **or** (damage **or** threaten to damage) property] with intent to [obstruct, defeat **or** pervert] the course of justice in a court.
- (b) [in a court **or** at (specify any other place)] did [(injure **or** threaten to injure) a person namely (specify the name of this person) **or** (damage **or** threaten to damage) property] with intent to dissuade a person namely [specify the name of this person] from doing (his/her) duty in connection with the course of justice in a court.
- (c) [in a court **or** at (specify any other place)] did [(injure **or** threaten to injure) a person namely (specify the name of this person) **or** (damage **or** threaten to damage) property] for having attended a judicial proceeding to wit [specify the judicial proceeding] and given evidence in connection with the course of justice.

Penalty: See section 41 of the *Penal Code* (Ch. 26).

PENAL CODE

RESCUE PRISONERS

124

- (a) did by force [rescue **or** attempt to rescue] from lawful custody a person namely [specify the name of this person] who was [under sentence of imprisonment for life **or** charged with an offence punishable with imprisonment for life] to wit [specify the offence].

Penalty: Liable to imprisonment for life.

- (b) did by force [rescue **or** attempt to rescue] from lawful custody a person namely [specify the name of this person] who was [imprisoned on a charge **or** under sentence] for an offence not punishable with imprisonment for life to wit [specify the number of years] of imprisonment to wit [specify the offence].

Penalty: Liable to imprisonment for seven years.

- (c) **in any other case use the following wording of charge:**

did by force [rescue **or** attempt to rescue] a person namely [specify the name of this person] from lawful custody and the said person was in lawful custody in that (he/she) [specify why the said person was in lawful custody].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

RESISTING ARREST AND ESCAPE

125

on being arrested for an offence to wit [specify the offence] did violently resist a police officer namely [specify the name and rank of the officer] arresting (him/her).

did escape from lawful custody.

Penalty: See section 41 of the *Penal Code* (Ch. 26).

AIDING PRISONERS TO ESCAPE

126

- (a) did aid a prisoner namely [specify the name of the prisoner] in [escaping **or** attempting to escape] from lawful custody.
- (b) did [convey **or** cause a thing to be conveyed] into a prison with intent to facilitate the escape of a prisoner.
- (c) being [a gaoler, a warder **or** lawfully placed] in charge of a prisoner namely [specify the name of the this prisoner] did [knowingly **or** wilfully] [permit **or** connive at] the escape of the said prisoner from lawful custody].

Penalty: Liable to imprisonment for seven years.

PENAL CODE

REMOVAL, etc., OF PROPERTY UNDER LAWFUL SEIZURE
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127

had property to wit [specify the property] which had been [attached **or** taken] under the [process **or** authority] of a court did knowingly and with intent to [hinder **or** defeat] the [attachment **or** process] did [receive, remove, retain, conceal, **or** dispose of] the said property.

Penalty: Liable to imprisonment for three years.

OBSTRUCTING COURT OFFICERS

128

did wilfully [obstruct **or** resist] a person namely [specify the name of this person] lawfully charged with the execution of [an order **or** a warrant] of a court.

Penalty: Liable to imprisonment for one year.

FRAUDS AND BREACHES OF TRUST BY PERSONS EMPLOYED IN THE PUBLIC SERVICE

129

being employed in the public service in the discharge of the duties of (his/her) office did commit a [fraud **or** breach of trust] affecting the public.

Penalty: See section 41 of the *Penal Code* (Ch. 26).

FALSE INFORMATION TO PUBLIC SERVANT
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130

- (a) did give to a person namely [specify the name of this person] employed in the public service information which (he/she) [knew **or** believed] to be false [intending thereby to cause **or** knowing it to be likely that (he/she) will thereby cause] the said person employed in the public service to [do **or** omit] a thing to wit [specify the thing] which the said person ought not to [do or omit] if the true state of facts respecting which the said information was given were known to (him/her).
- (b) did give to a person namely [specify the name of this person] employed in the public service information which (he/she) [knew **or** believed] to be false [intending thereby to cause **or** knowing it to be likely that (he/she) will thereby cause] the said person employed in the public service to use (his/her) lawful power to the [injury **or** annoyance] of a person namely [specify the name of this person].

Penalty: Liable to imprisonment for six months or to a fine of one hundred dollars.

INSULT TO RELIGION OF ANY CLASS
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131

did [destroy, damage **or** defile] [a place of worship **or** an object which was held sacred by a class of persons namely (specify the name of class of persons)] with the [intention of thereby insulting the religion of the said class of persons **or** knowledge that the said class of persons was likely to consider such (destruction, damage **or** defilement) as an insult to their religion].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

PENAL CODE

DISTURBING RELIGIOUS ASSEMBLIES
--

132

did voluntarily cause a disturbance to an assembly lawfully engaged in the performance of religious [worship **or** ceremony].

Penalty: Liable to imprisonment for two years.

TRESPASSING ON BURIAL PLACES

133

with the intention of [wounding the feelings of a person namely (specify the name of this person) **or** insulting the religion of a person namely (specify the name of this person)] did

- commit a trespass in a place [of (worship **or** sepulture) **or** set apart (for the performance of funeral rites **or** as a depository for the remains of the dead)]; **or**
- [offer an indignity to a human corpse **or** cause a disturbance to persons assembled for the purpose of a funeral ceremony].

with the knowledge that the [feelings of a person namely (specify the name of this person) were likely to be wounded **or** religion of a person was likely to be insulted thereby] did

- commit a trespass in a place [of (worship **or** sepulture) **or** set apart (for the performance of funeral rites **or** as a depository for the remains of the dead)]; **or**
- [offer an indignity to a human corpse **or** cause a disturbance to persons assembled for the purpose of a funeral ceremony].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

HINDERING BURIAL OF DEAD BODY, etc.
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134

did unlawfully hinder the burial of the dead body of a person namely [specify the name of this person].

without lawful authority did [disinter, dissect **or** harm] the dead body of a person namely [specify the name of this person].

being under a duty to cause the dead body of a person namely [specify the name of this person] to be buried did fail to perform the said duty.

Penalty: See section 41 of the *Penal Code* (Ch. 26).

WRITING OR UTTERING WORDS WITH INTENT TO WOUND RELIGIOUS FEELINGS
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135

with the deliberate intention of wounding the religious feelings of a person namely [specify the name of this person] did

- [(write **or** utter) a word **or** make a sound] in the hearing of the said person; **or**

PENAL CODE

- [make a gesture **or** place an object] in the sight of the said person.

Penalty: Liable to imprisonment for one year.

RAPE	137
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did commit rape of [specify the name of the complainant].

Penalty: Liable to imprisonment for life.

ATTEMPTED RAPE	138
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did attempt to commit rape of [specify the name of the complainant].

Penalty: Liable to imprisonment for seven years.

ABDUCTION	139
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with intent to [(marry **or** have sexual intercourse) with a woman namely (specify name of woman) **or** cause a woman namely (specify the name of the woman) to be (married **or** carnally known) by a person namely (specify the name of this person)] did [take the said woman away **or** detain the said woman] against her will.

Penalty: Liable to imprisonment for seven years.

ABDUCTION OF GIRL UNDER EIGHTEEN YEARS OF AGE WITH INTENT TO HAVE SEXUAL INTERCOURSE	140
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with intent that an unmarried girl namely [specify the name of the girl] under the age of eighteen years to wit [specify the age of the girl] should have unlawful sexual intercourse with [a man **or** men] namely [specify the name/s of the (man **or** men)] did [take **or** cause to be taken] the said girl out of the possession and against the will of [her (father, mother, **or** guardian) namely (specify the name of the [father, mother **or** guardian]) **or** the person having the lawful (care **or** charge) of her namely (specify the name of other person having lawful [care **or** charge])].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

INDECENT ASSAULT ON FEMALES	141
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- (1) did unlawfully and indecently assault a [woman **or** girl] namely [specify the name of the (woman **or** girl)].

Penalty: Liable to imprisonment for five years.

PENAL CODE

- (3) with intent to insult the modesty of a [woman **or** girl] namely [specify the name of the woman **or** girl] did
- utter a word to wit [specify the word] intending that the said word would be heard by the said [woman **or** girl]; **or**
 - make a sound intending that the said sound would be heard by the said [woman **or** girl]; **or**
 - make a gesture to wit [specify the gesture] intending that the said gesture would be seen by the said [woman **or** girl]; **or**
 - exhibit an object to wit [specify the object] intending that the said object would be seen by the said [woman **or** girl]; **or**
 - did intrude upon the privacy of the said [woman **or** girl] by doing an act to wit [specify the act] which was likely to offend the modesty of the said [woman **or** girl].

Penalty: Liable to imprisonment for one year.

DEFILEMENT OF GIRL UNDER THIRTEEN YEARS OF AGE	142
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- (1) did have unlawful sexual intercourse with a girl namely [specify the name of the girl] under the age of thirteen years to wit [specify the age of the girl].

Penalty: Liable to imprisonment for life.

- (2) did attempt to have unlawful sexual intercourse with a girl namely [specify the name of the girl] under the age of thirteen years to wit [specify the age of the girl].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

DEFILEMENT OF GIRL BETWEEN THIRTEEN AND FIFTEEN YEARS OF AGE, OR OF IDIOT OR IMBECILE	143
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- (1)(a) did [have **or** attempt to have] unlawful sexual intercourse with a girl namely [specify name of girl] being [of **or** above] the age of [thirteen years and under fifteen years] to wit [specify the age of the girl].
- (b) did [have **or** attempt to have] unlawful sexual intercourse with a [woman **or** girl] namely [specify the name of the (woman **or** girl)] under circumstances which did not amount to rape but which proved that the said [insert the name of the defendant/accused] knew at the time of the commission of the offence that the said [woman **or** girl] was an [idiot **or** imbecile].

Penalty: Liable to imprisonment for five years.

- (2) No prosecution shall be commenced for an offence under paragraph (a) of subsection (1) of this section more than twelve months after the commission of the offence.

PENAL CODE

PROCURATION	144(1)
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- (a) did [procure **or** attempt to procure] a [girl **or** woman] namely [specify the name of the (girl **or** woman)] under the age of eighteen years to wit [specify the age] to have unlawful sexual intercourse in [Solomon Islands to wit (specify the place) **or** (specify any other place)] with [a person **or** other persons] namely [specify the name/s of the (person **or** persons), if possible].

- (b) did [procure **or** attempt to procure] a [woman **or** girl] namely [specify the name of (woman **or** girl)] in [Solomon Islands to wit (specify the place) **or** (specify any other place)] to become a common prostitute.

- (c) did [procure **or** attempt to procure] a [woman **or** girl] namely [specify name of (woman **or** girl)] to leave Solomon Islands with intent that the said [woman **or** girl] may [become an inmate of **or** frequent] a brothel in [specify the location].

- (d) did [procure **or** attempt to procure] a [woman **or** girl] namely [specify name of (woman **or** girl)] to leave her usual place of abode in Solomon Islands such place not being a brothel with intent that the said [woman **or** girl] may for the purpose of prostitution [become an inmate of **or** frequent] a brothel in [Solomon Islands to wit (specify the place) **or** (specify any other place)].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

PROCURING DEFILEMENT OF WOMAN BY THREATS OR FRAUD OR ADMINISTERING DRUGS	145
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- (a) did by [threats **or** intimidation] [procure **or** attempt to procure] a [woman **or** girl] namely [specify the name of the (woman **or** girl)] to have unlawful sexual intercourse in [Solomon Islands to wit (specify the place) **or** (specify any other place)].

- (b) did by false [pretences **or** representations] procure a [woman **or** girl] namely [specify the name of the (woman **or** girl)] to have unlawful sexual intercourse in [Solomon Islands to wit (specify the place) **or** (specify any other place)].

- (c) did [apply, administer to **or** cause to be taken] by a [woman **or** girl] namely [specify the name of the (woman **or** girl)] a [drug, matter **or** thing] to wit a [specify (drug, matter **or** thing)] with intent to [stupefy **or** overpower] so as thereby to enable [a person **or** persons] namely [specify the name/s of (person **or** persons), if possible] to have unlawful sexual intercourse with the said [woman **or** girl].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

PENAL CODE

HOUSEHOLDER PERMITTING DEFILEMENT OF GIRL UNDER THIRTEEN YEARS OF AGE ON HIS/HER PREMISES	146
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[being the (owner **or** occupier) **or** had (acted in the **or** assisted in the) (management **or** control)] of premises namely (specify the name/location of premises) and did [induce **or** knowingly suffer] a girl namely [specify the name of the girl] under the age of thirteen years to wit [specify the age] to [resort to **or** be upon] the said premises for the purpose of having unlawful sexual intercourse with [a man **or** men] namely [specify the name/s of the (man **or** men), if possible].

Penalty: Liable to imprisonment for life.

HOUSEHOLDER PERMITTING DEFILEMENT OF GIRL UNDER FIFTEEN YEARS OF AGE ON HIS/HER PREMISES	147
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[being the (owner **or** occupier) **or** had (acted in the **or** assisted in the) (management **or** control)] of premises namely (specify the name/location of premises) and did [induce **or** knowingly suffer] a girl namely [specify name of the girl] [of **or** above] the age of thirteen years and under the age of fifteen years to wit [specify the age] to [resort to **or** be upon] the said premises for the purpose of having unlawful sexual intercourse with [a man **or** men] namely [specify the name/s of the (man **or** men), if possible].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

DETENTION WITH INTENT OR IN A BROTHEL	148(1)
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- (a) did detain a [woman **or** girl] namely [specify the name of the (woman **or** girl)] against her will [in **or** upon] premises namely [specify the name/location of premises] with intent that the said [woman **or** girl] may have unlawful sexual intercourse with [a man **or** men] namely [specify the name/s of the (man **or** men), if possible].
- (b) did detain a [woman **or** girl] namely [specify the name of the (woman **or** girl)] against her will in a brothel namely [specify the name/location of brothel].

Penalty: Liable to imprisonment for two years.

DISPOSING OF MINORS UNDER THE AGE OF FIFTEEN YEARS FOR IMMORAL PURPOSES	149(1)
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[being a parent **or** having the (custody, charge **or** care)] of a minor namely [specify the name of the minor] under the age of fifteen years did [let for hire **or** dispose of] the said minor with intent that the said minor shall be [employed **or** used] for

- the purpose of [prostitution **or** unlawful sexual intercourse] with [a person **or** people] namely [specify the name/s of the (person **or** persons), if possible]; **or**
- an unlawful and immoral purpose.

PENAL CODE

[being a parent **or** having the (custody, charge **or** care)] of a minor namely [specify the name of the minor] under the age of fifteen years did [let for hire **or** dispose of] the said minor knowing it to be likely that the said minor would be [employed **or** used] for

- the purpose of [prostitution **or** unlawful sexual intercourse] with [a person **or** people] namely [specify the name/s of the (person **or** persons), if possible]; **or**
- an unlawful and immoral purpose.

Penalty: Liable to imprisonment for two years.

OBTAINING MINORS UNDER THE AGE OF FIFTEEN YEARS FOR IMMORAL PURPOSES	150(1)
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did [hire **or** obtain possession of] a minor namely [specify the name of the minor] under the age of fifteen years with intent that the said minor shall be [employed **or** used] for

- the purpose of [prostitution **or** unlawful sexual intercourse] with [a person **or** people] namely [specify the name/s of the (person **or** persons), if possible]; **or**
- an unlawful and immoral purpose.

did [hire **or** obtain possession of] a minor namely [specify the name of the minor] under the age of fifteen years knowing it to be likely that the said minor would be [employed **or** used] for

- the purpose of [prostitution **or** unlawful sexual intercourse] with [a person **or** people] namely [specify the name/s of the (person **or** persons), if possible]; **or**
- an unlawful and immoral purpose.

Penalty: Liable to imprisonment for two years.

LIVING ON EARNINGS OF PROSTITUTION OR AIDING PROSTITUTION	153(1)
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- (a) did knowingly live [wholly **or** in part] on the earnings of prostitution.
- (b) in a public place to wit [specify the name of the public place] did persistently [solicit **or** importune] for immoral purposes.
- (c) did [(gain **or** exercise) control **or** (direct **or** influence)] the movements of a prostitute namely [specify the name of the prostitute] in such a manner as to show that (he/she) was [aiding, abetting **or** compelling] the said prostitute's prostitution with [a person namely (specify the name of this person) **or** persons generally].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

PENAL CODE

BROTHELS

155

- (a) did [(keep **or** manage) **or** (act **or** assist) in the management of] a brothel.
- (b) being a [tenant, lessee **or** occupier] of premises namely [specify name/location of premises] did knowingly permit [the said premises **or** a part of the said premises] to be used [as a brothel **or** for the purpose of habitual prostitution].
- (c) being the [(lessor **or** landlord) of premises **or** agent of the (lessor **or** landlord) of premises namely (specify the name of the [lessor **or** landlord])] did
- let [the said premises **or** a part of the said premises] with the knowledge that the said premises [were **or** was] to be used as a brothel; **or**
 - was wilfully a party to the continued use of the said premises as a brothel.

Penalty: See section 41 of the *Penal Code* (Ch. 26).

CONSPIRACY TO DEFILE

156

did conspire with a person namely [specify the name of this person] to induce a [woman **or** girl] namely [specify the name of (woman **or** girl)] by means of [a false pretence **or** fraudulent means] to permit a man namely [specify the name of the man] to have unlawful sexual intercourse with the said [woman **or** girl].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

ATTEMPTS TO PROCURE ABORTION

157

with intent to procure the miscarriage of a woman namely [specify the name of the woman] did unlawfully [(administer to **or** cause) the said woman to take (poison **or** a noxious thing) to wit (specify the [poison or noxious thing, if possible], use force **or** (specify any other means))].

Penalty: Liable to imprisonment for life.

INTENT TO PROCURE ABORTION BY WOMAN WITH CHILD

158

being with child and with intent to procure her own miscarriage did unlawfully

- administer to herself [poison **or** a noxious thing] to wit [specify, if possible]; **or**
- use [force **or** (specify other means)]; **or**
- permit [a thing **or** means] to be [administered **or** used] to her.

Penalty: Liable to imprisonment for life.

PENAL CODE

SUPPLYING DRUGS OR INSTRUMENTS TO PROCURE ABORTION

159

did unlawfully [supply to **or** procure for] a person namely [specify the name of this person] a thing to wit [specify the thing] knowing that it was intended to be unlawfully used with intent to procure the miscarriage of a woman namely [specify the name of the woman].

Penalty: Liable to imprisonment for five years.

UNNATURAL OFFENCES

160

did commit buggery with [a person namely (specify the name of the person) **or** an animal to wit a (specify the type of animal)].

did permit a male person namely [specify the name of the person] to commit buggery with (him/her).

Penalty: Liable to imprisonment for fourteen years.

ATTEMPTS TO COMMIT UNNATURAL OFFENCES AND INDECENT ASSAULTS
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161

did attempt to commit buggery with [a person namely (specify the name of the person) **or** an animal to wit a (specify the type of animal)].

did attempt to permit a male person namely [specify the name of the person] to commit buggery with (him/her).

did assault with intent to

- commit buggery with [a person namely (specify the name of the person) **or** an animal to wit a (specify the type of animal)]; **or**
- permit a male person namely [specify the name of the person] to commit buggery with (him/her).

did commit an indecent assault upon a male person namely [specify the name of the person].

Penalty: Liable to imprisonment for seven years.

INDECENT PRACTICES BETWEEN PERSONS OF THE SAME SEX

162

- (a) in [public **or** private] did commit an act of gross indecency with another person namely [specify the name of the person] of the same sex.
- (b) in [public **or** private] did procure another person namely [specify the name of the person] of the same sex to commit an act of gross indecency.

PENAL CODE

- (c) in [public **or** private] did attempt to procure the commission of an act of gross indecency by persons namely [specify the name of the persons, if possible] of the same sex.

Penalty: Liable to imprisonment for five years.

INCEST BY MALES

163

- (1) did have sexual intercourse with a female person namely [specify the name of the female] who was to his knowledge his [granddaughter, daughter, sister **or** mother].

Penalty: Liable to imprisonment for seven years:

Provided that if it is alleged in the information or charge and proved that the female person was under the age of thirteen years, the offender shall be liable to imprisonment for life.

- (3) did attempt to have sexual intercourse with a female person namely [specify the name of the female] who was to his knowledge his [granddaughter, daughter, sister **or** mother].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

Consent of the Director of Public Prosecutions is required, see section 166 of the *Penal Code* (Ch. 26).

INCEST BY FEMALES

164

[of **or** above] the age of fifteen years with consent and knowledge did permit her [grandfather, father, brother **or** son] namely [specify the name of the (grandfather, father, brother **or** son)] to have sexual intercourse with her.

Penalty: Liable to imprisonment for seven years.

Consent of the Director of Public Prosecutions is required, see section 166 of the *Penal Code* (Ch. 26).

FRAUDULENT PRETENCE OF MARRIAGE
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169

did wilfully and by fraud cause a woman namely [specify the name of the woman] not lawfully married to him to believe that she was lawfully married to him and to [cohabit **or** have sexual intercourse] with him in that belief.

Penalty: Liable to imprisonment for ten years.

PENAL CODE

BIGAMY	170(1)
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being a person who had been previously married and had a [husband **or** wife] namely [specify the name of (husband **or** wife)] living did go through a ceremony of marriage which was void by reason of its taking place during the life of the said [husband **or** wife].

Penalty: Liable to imprisonment for seven years.

MARRIAGE CEREMONY FRAUDULENTLY GONE THROUGH WITHOUT LAWFUL MARRIAGE	171
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did [dishonestly **or** with fraudulent intention] go through the ceremony of marriage knowing that (he/she) was not thereby lawfully married.

Penalty: Liable to imprisonment for five years.

COMMON NUISANCE	172
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did [do an act not authorised by law **or** omit to discharge a legal duty] and thereby did [cause (a common injury, a danger **or** an annoyance) **or** (obstruct **or** cause) inconvenience] to the public in the exercise of common rights.

Penalty: Liable to imprisonment for one year.

TRAFFIC IN OBSCENE PUBLICATIONS	173(1)
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(a) for [(the purpose **or** by way) of trade **or** (distribution **or** public exhibition)] did [make, produce **or** have in (his/her) possession] [one **or** (specify more than one)] [obscene (writing, drawing, print, painting, printed matter, picture, poster, emblem, photograph **or** cinematograph film) to wit (specify the nature of obscene material) **or** (obscene object **or** object tending to corrupt morals) to wit (specify the objects)].

(b) for [(for the purpose **or** by way) of trade **or** (distribution **or** public exhibition)] did [(import, convey **or** export) **or** cause to be (imported, conveyed **or** exported) **or** put in circulation] [one **or** (specify more than one)] [obscene (writing, drawing, print, painting, printed matter, picture, poster, emblem, photograph **or** cinematograph film) to wit (specify the nature of obscene material) **or** (obscene object **or** object tending to corrupt morals) to wit (specify the objects)].

(c) did [carry on **or** take in] a business concerned with [obscene (writing, drawing, print, painting, printed matter, picture, poster, emblem, photograph **or** cinematograph film) to wit (specify the nature of obscene material) **or** (obscene object **or** object tending to corrupt morals) to wit (specify the objects)].

did [deal in, distribute, publicly exhibit **or** make a business of lending] [obscene (writing, drawing, print, painting, printed matter, picture, poster, emblem, photograph **or** cinematograph film) to wit (specify the nature of obscene material) **or** (obscene object **or** object tending to corrupt morals) to wit (specify the objects)].

PENAL CODE

- (d) did [advertise, make known with a view to assisting the circulation of **or** traffic in] [obscene (writing, drawing, print, painting, printed matter, picture, poster, emblem, photograph **or** cinematograph film) to wit (specify the nature of the obscene material) **or** (obscene object **or** object tending to corrupt morals) to wit (specify the objects)] that a person namely [specify the name of this person] was engaged in [the distribution of, public exhibition of, making of, producing, importing of, conveying of, exporting of, (causing to be [imported, conveyed **or** exported], circulating, carrying on, **or** taking in a business concerned with] [obscene (writing, drawing, print, painting, printed matter, picture, poster, emblem, photograph **or** cinematograph film) to wit (specify the nature of obscene material) **or** (obscene object **or** object tending to corrupt morals) to wit (specify the objects)].
- did [advertise **or** make known (how **or** from whom)] [obscene (writing, drawing, print, painting, printed matter, picture, poster, emblem, photograph **or** cinematograph film) to wit (specify the nature of obscene material) **or** (obscene object **or** object tending to corrupt morals) to wit (specify the objects)] could be procured.
- (e) did publicly exhibit [an indecent (show **or** performance) **or** a (show **or** performance) tending to corrupt morals].

Penalty: Liable to imprisonment for two years or to a fine of two hundred dollars.

IDLE AND DISORDERLY PERSONS	175
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- (a) having [no visible means of support **or** insufficient lawful means] and being thereunto [required by, duly summoned **or** brought before] a Magistrate namely [specify the name of the Magistrate] did not give good account of (his/her) means of support to the satisfaction of the said Magistrate.
- (b) did [wander abroad **or** place (himself/herself) in a street namely (specify the name of the street)] to [beg **or** gather alms].
- did [cause, procure **or** encourage] a child namely [specify the name of the child] to [wander abroad **or** place (himself/herself) in a street namely (specify the name of the street)] to [beg **or** gather alms].
- (c) being a common prostitute did behave in [a disorderly **or** an indecent manner] in a public place namely [specify the name of the public place].
- (d) who [was drunk and disorderly **or** did behave in a (riotous **or** disorderly) manner] in a public place namely [specify the name of the public place].
- assembled with others did behave in a [riotous **or** disorderly] manner.
- (e) without lawful excuse did an indecent act in public.

PENAL CODE

- (f) did solicit for immoral purposes in a public place to wit [specify the name of the public place].
- (g) did wander about and endeavour by the exposure of [wounds **or** deformation] to [obtain **or** gather] alms.

Penalty: Liable to imprisonment for two months or to a fine of twenty dollars.

Circumstance of Aggravation -- section 176(a)

Include this circumstance of aggravation at the end of the abovementioned charges in appropriate cases:

- and being a person, previously convicted of an offence under section 175 of the *Penal Code* (Ch. 26) at the [insert the name] Magistrates' Court on [specify the date].

Penalty: Liable for the first offence to imprisonment for three months, and for every subsequent offence to imprisonment for one year.

RESIDENCE ORDER -- IDLE AND DISORDERLY PERSONS	175
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being previously convicted of an offence under section 175 of the *Penal Code* (Ch. 26) at the [insert the name] Magistrates' Court on [specify the date] and by order directed to be conveyed to a [place **or** province] in Solomon Islands and reside there for a period of [specify the period] did fail to comply with the provisions of the said order in that the said [insert the name of the defendant/accused] did [specify how the order was contravened].

Penalty: Liable to imprisonment for six months.

ROGUES AND VAGABONDS	176
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- (b) did [go about as a (gatherer **or** collector) of alms **or** endeavour to procure charitable contributions of a (kind **or** nature) to wit (specify the (kind **or** nature) of charitable contributions)] under a (false **or** fraudulent) pretence].
- (c) did [wander **or** loiter] [(in, upon **or** near) premises namely (specify the name of the premises) **or** in a (public place, place adjacent to a public place **or** place adjacent to a public place)] to wit [specify the name of the public place] at such time and under such circumstances to wit [specify the time and circumstances] which led to the conclusion that the said person was there for [an illegal **or** a disorderly] purpose.
- (d) did wilfully and obscenely expose (his/her) person [in a public place **or** within view of a public place] namely [specify the name of the public place].

Penalty: Liable for the first offence to imprisonment for three months, and for every subsequent offence to imprisonment for one year.

PENAL CODE

RESIDENCE ORDER -- ROGUES AND VAGABONDS	176
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being previously convicted of an offence under section 176 of the *Penal Code* (Ch. 26) at the [insert the name] Magistrates' Court on [specify the date] and by order directed to be conveyed to a [place **or** province] in Solomon Islands and reside there for a period of [specify the period] did fail to comply with the provisions of the said order in that the said [insert the name of the defendant/accused] did [specify how the order was contravened].

Penalty: Liable to imprisonment for six months.

SLAUGHTER ANIMAL	178(a)
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in a public place namely [specify the name of the public place] did slaughter an animal to wit a [specify the type of animal] not having met with accident or which for public safety or other reasonable cause ought to be killed on the spot.

Penalty: Liable to a fine of ten dollars or to imprisonment for one month.

DRIVING CATTLE	178(b)
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in a public way namely [specify the name of the public way] did [lead **or** drive] cattle without proper and sufficient assistance.

Penalty: Liable to a fine of ten dollars or to imprisonment for one month.

EXPOSING GOODS FOR SALE	178(c)
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did expose for sale goods to wit [specify the type of goods] so that the said goods did project [into **or** over] a public way namely [specify the name of the public way].

Penalty: Liable to a fine of ten dollars or to imprisonment for one month.

HANGING OUT CLOTHES	178(d)
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did [hang **or** place] clothes on a [line **or** cord] projecting over a [part of **or** (wall, fence **or** paling) abutting upon] a public way namely [specify the name of the public way].

Penalty: Liable to a fine of ten dollars or to imprisonment for one month.

EXTINGUISHING LAMPS, RINGING BELLS AND KNOCKING AT DOORS	178(e)
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did wantonly [extinguish the light of **or** (destroy **or** damage) a street-lamp **or** disturb an inhabitant namely (specify the name of the inhabitant) by ([pulling **or** ringing]a door-bell **or** knocking at a door)].

Penalty: Liable to a fine of ten dollars or to imprisonment for one month.

PENAL CODE

DAMAGING SIGNBOARD	178(f)
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did wantonly [pull down, destroy, damage **or** deface] a [sign **or** signboard].

Penalty: Liable to a fine of ten dollars or to imprisonment for one month.

PLACING STONES, TIMBER, etc., IN PUBLIC WAY	178(g)
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without lawful authority did lay down in a public way namely [specify the name of the public way] [stones, timber **or** (specify other materials)] not being building materials so enclosed as to prevent injury to passengers.

Penalty: Liable to a fine of ten dollars or to imprisonment for one month.

THROWING RUBBISH, etc., FROM HOUSES	178(h)
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being the [owner **or** occupier] of a [house **or** building] did [throw **or** permit to be thrown] from a part of the said [house **or** building] into a public way namely [specify the name of the public way] [rubbish, water, matter **or** (specify other thing)].

Penalty: Liable to a fine of ten dollars or to imprisonment for one month.

THROWING AWAY RUBBISH, etc., ON FOOTWAY	178(i)
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without lawful authority did [throw **or** lay] [dirt, ashes, nightsoil, carrion, offal, trees, bush, brushwood, decayed vegetables **or** rubbish] [into **or** upon] a public way namely [specify the name of the public way].

Penalty: Liable to a fine of ten dollars or to imprisonment for one month.

DANGEROUS DOGS AT LARGE UNMUZZLED	178(j)
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being the owner of a [dangerous **or** ferocious] dog did suffer the said dog to go at large unmuzzled in a public place namely [specify the name of the public place].

Penalty: Liable to a fine of ten dollars or to imprisonment for one month.

MAD DOGS	178(k)
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being the owner of a dog to wit a [specify the type of dog] did knowingly suffer the said dog to go at large in a rabid state in a public place namely [specify the name of the public place].

Penalty: Liable to a fine of ten dollars or to imprisonment for one month.

PENAL CODE

BLASTING ROCKS, etc.

178(l)

[in **or** near] a public place namely [specify the name of the public place] did blast [rock, stone **or** timber] without permission of the [Provincial Secretary namely (specify the name of Provincial Secretary) **or** senior police officer namely (specify the name and rank of police officer)] for the province.

Penalty: Liable to a fine of ten dollars or to imprisonment for one month.

INDECENCY AND OBSCENITY

178(m)

in a public place namely [specify the name of the public place] did [(write **or** draw) an indecent (word **or** representation), use (profane, indecent **or** obscene) language] **or** conduct (himself/herself) (obscenely **or** indecently)].

Penalty: Liable to a fine of ten dollars or to imprisonment for one month.

THREATENING, ABUSIVE OR INSULTING BEHAVIOUR
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178(n)

in a public place namely [specify the name of the public place] did use [threatening, abusive **or** insulting] [words **or** behaviour] to wit [specify the (threatening, abusive **or** insulting) (words **or** behaviour)] [with intent to provoke a breach of the peace **or** whereby a breach of the peace may be occasioned].

Penalty: Liable to a fine of ten dollars or to imprisonment for one month.

CARRYING MEAT WITHOUT COVERING

178(o)

in a public place namely [specify the name of the public place] did [carry **or** cause to be carried] butcher's meat to wit [specify the butcher's meat] without proper and sufficient covering.

Penalty: Liable to a fine of ten dollars or to imprisonment for one month.

PLAYING GAMES, etc, IN PUBLIC WAY
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178(p)

in a public place namely [specify the name of the public place] did [play at a game, fly a kite **or** throw a (stone **or** [specify any other missile])] which was likely to [terrify (passengers **or** cattle) **or** injure (passengers, cattle **or** property)].

in a public place namely [specify the name of the public place] did [wilfully **or** negligently] [make a noise **or** do (an act **or** a thing) to wit (specify act **or** thing)] in a manner which was likely to [terrify (passengers **or** cattle) **or** injure (passengers, cattle **or** property)].

Penalty: Liable to a fine of ten dollars or to imprisonment for one month.

PENAL CODE

CARELESS DRIVING, etc

178(q)

in a public way namely [specify the name of the public way] did [drive **or** conduct] [(cattle, a carriage **or** a [specify any other vehicle])] in a [careless, violent **or** furious] manner.

did employ an incompetent person namely [specify the name of this person] **to** [drive **or** conduct] a [carriage **or** [specify any other vehicle]] in a public way namely [specify the name of the public way].

did permit [a horse **or** an animal to wit a (specify the other animal)] to be driven in a [carriage **or** vehicle] not properly harnessed in a public way namely [specify the name of the public way].

Penalty: Liable to a fine of ten dollars or to imprisonment for one month.

CATTLE OR VEHICLE IN A PUBLIC WAY
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178(r)

did [permit cattle to be at large **or** leave a horsedrawn vehicle] in a public way namely [specify the name of the public way] without some person in charge thereof.

Penalty: Liable to a fine of ten dollars or to imprisonment for one month.

OBSTRUCTING PUBLIC WAY

178(r)

did obstruct the passage of a public way namely [specify the name of the public way].

did [neglect **or** refuse] to remove an obstruction when requested to do so by a [police officer namely (specify the name and rank of the officer) **or** private person namely (specify the name of the private person)].

Penalty: Liable to a fine of ten dollars or to imprisonment for one month.

OBSTRUCTING PUBLIC WAY

178(s)

did obstruct the free passage of a public way namely [specify the name of the public way].

did wilfully prevent a person namely [specify the name of this person] from passing (him/her) on a public way namely [specify the name of the public way].

by [negligence **or** misbehaviour] did [prevent **or** interrupt] the free passage on a public way namely [specify the name of the public way] of a [person namely (specify the name of this person), motor vehicle, bicycle, wagon, carriage, cart, horse, mule **or** beast of burden to wit a (specify the beast of burden)].

Penalty: Liable to a fine of ten dollars or to imprisonment for one month.

PENAL CODE

LEAVING THINGS ON PUBLIC WAY

178(t)(i)

did [obstruct, annoy **or** endanger] a [resident **or** passenger] namely [specify the name of the (resident **or** passenger)] by [(leaving **or** placing) **or** causing to be (left **or** placed)] [furniture, goods, a cask, a tub, a basket, a box, a pail, a bucket, a stool, a bench, seat **or** a package] on a public way namely [specify the name of the public way].

Penalty: Liable to a fine of ten dollars or to imprisonment for one month.

PLACING BLINDS, etc., OVER PUBLIC WAY
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178(t)(ii)

did [obstruct, annoy **or** endanger] a [resident **or** passenger] namely [specify the name of the (resident **or** passenger)] by [placing **or** causing to be placed] [a blind, a shade, a covering, an awning **or** (specify any other projection)] [over **or** along] a public way namely [specify the name of the public way] and the said article not being at least eight feet above the said public way.

Penalty: Liable to a fine of ten dollars or to imprisonment for one month.

OBSTRUCT, etc, RESIDENT OR PASSENGER

178(t)(iii)

did [obstruct, annoy **or** endanger] a [resident **or** passenger] namely [specify the name of the (resident **or** passenger)] by carrying a naked light in a public way namely [specify the name of the public way].

Penalty: Liable to a fine of ten dollars or to imprisonment for one month.

DRUNK AND INCAPABLE

179

was found in a public place namely [specify the name of the public place] so drunk as to be incapable of taking care of (himself/herself).

Penalty: Liable to a fine of twenty dollars.

LOUD OR UNSEEMLY NOISE

180(1)

wilfully and wantonly in a town area namely [specify the name of the town area] after being warned to desist did make a loud and unseemly noise by

- [shouting **or** beating a (drum **or** tom-tom)]; **or**
- blowing a [horn **or** shell]; **or**
- [sounding **or** playing] upon a musical instrument; **or**
- singing; **or**
- making a [loud **or** unseemly noise]

to the reasonable [annoyance **or** disturbance] of the public.

Penalty: Liable to a fine of ten dollars or to imprisonment for one month.

PENAL CODE

POLLUTING OR OBSTRUCTING WATERCOURSES	181
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did [pollute **or** obstruct] [an aqueduct, a dam, a sluice, a pipe, a pump, a watercourse **or** a fountain].

Penalty: Liable to a fine of forty dollars or to imprisonment for two months.

POSTING PLACARDS, etc., ON WALLS WITHOUT CONSENT OF OWNER	182
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without the consent of the [owner **or** occupier] namely [specify the name of the (owner **or** occupier)] did

- [post **or** affix] [a placard **or** paper] upon a [wall, house **or** building]; **or**
- deface a [wall, house **or** building] by [chalk, paint **or** (specify any other means)].

Penalty: Liable to a fine of ten dollars or to imprisonment for one month.

DANGEROUS DOGS AND OTHER ANIMALS	183
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- (1) did permit a [dog **or** (specify any other animal)] which (he/she) knew to [be dangerous **or** have injured a person namely (specify the name of this person) to go at large without being under proper control; **or**

did permit a domestic animal to wit a [specify the type of domestic animal] to go at large without being under proper control.

Penalty: Liable to a fine of ten dollars or to imprisonment for one month.

- (2) being the owner of a [dog **or** a (specify any other animal)] who did know that the said [dog **or** animal] to [be dangerous **or** have injured a (person **or** domestic animal)] did [rush at **or** attack] [a person namely (specify the name of this person) **or** an animal to wit (specify the type of animal)] whereby the said [person **or** animal] was [injured **or** endangered] in a public place to wit [specify the name of the public place].

Penalty: Liable to a fine of fifteen dollars or to imprisonment for six weeks, and in the event of any subsequent attack by such dog or animal its owner shall be liable to a fine of thirty dollars or to imprisonment for two months and the court may, in addition to or in lieu of any fine or imprisonment which may be imposed, order the destruction of such dog or animal.

- (3) did incite [a dog **or** a (specify any other animal)] to [attack, worry **or** frighten] [a person namely (specify the name of this person) **or** an animal to wit a (specify the type of animal)].

Penalty: Liable to a fine of twenty dollars or to imprisonment for six weeks.

PENAL CODE

WEARING OF UNIFORM WITHOUT AUTHORITY PROHIBITED	184
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- (1) being a person not serving in [Her Majesty's (naval, military **or** air force), a (constabulary **or** police force) in the (United Kingdom **or** in British possession) **or** a country (under the protection of Her Majesty **or** in respect of which Her Majesty has accepted a mandate) to wit (specify the country)] did without the permission of the Secretary to the Cabinet wear the [uniform of the said force **or** dress (having the appearance **or** bearing the [regimental **or** distinctive] marks) of the uniform of the said force.

Penalty: Liable to imprisonment for one month or to a fine of ten dollars.

- (2) did unlawfully wear

- the uniform of [Her Majesty's (naval, military **or** air force), a (constabulary **or** police force) in the (United Kingdom **or** in British possession) **or** a country (under the protection of Her Majesty **or** in respect of which Her Majesty has accepted a mandate) to wit (specify the country)]; **or**
- the dress [having the appearance **or** bearing any of the (regimental **or** distinctive) marks of a uniform of [Her Majesty's (naval, military **or** air force), a (constabulary **or** police force) in the (United Kingdom **or** in British possession) **or** a country (under the protection of Her Majesty **or** in respect of which Her Majesty has accepted a mandate) to wit (specify the country)]]

in [a manner **or** such circumstances] which was likely to have brought contempt on the said uniform.

did employ another person namely [specify the name of this person] to wear

- the uniform of [Her Majesty's (naval, military **or** air force), a (constabulary **or** police force) in the (United Kingdom **or** in British possession) **or** a country (under the protection of Her Majesty **or** in respect of which Her Majesty has accepted a mandate) to wit (specify the country)]; **or**
- the dress [having the appearance **or** bearing any of the (regimental **or** distinctive) marks of a uniform of [Her Majesty's (naval, military **or** air force), a (constabulary **or** police force) in the (United Kingdom **or** in British possession) **or** a country (under the protection of Her Majesty **or** in respect of which Her Majesty has accepted a mandate) to wit (specify the country)]].

Penalty: Liable to imprisonment for two months or to a fine of forty dollars.

PENAL CODE

- (3) being a person not [in the service of Solomon Islands **or** having previously received the written permission of the Secretary to the Cabinet namely (specify the name of this person) to do so] did [(import **or** sell) **or** have in (his/her) possession for sale]
- the uniform of [Her Majesty's (naval, military **or** air force), a (constabulary **or** police force) in the (United Kingdom **or** in British possession) **or** a country (under the protection of Her Majesty **or** in respect of which Her Majesty has accepted a mandate) to wit (specify the country)]; **or**
 - the [buttons **or** badges] appropriate to the uniform of [Her Majesty's (naval, military **or** air force), a (constabulary **or** police force) in the (United Kingdom **or** in British possession) **or** a country (under the protection of Her Majesty **or** in respect of which Her Majesty has accepted a mandate) to wit (specify the country)].

Penalty: Liable to imprisonment for six months, or to a fine of two hundred dollars.

NEGLIGENT ACT LIKELY TO SPREAD INFECTION OF DISEASE DANGEROUS TO LIFE	185
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did [unlawfully **or** negligently] do an act which was and which (he/she) [knew **or** had reason to believe] was likely to spread the infection of a disease dangerous to life to wit [specify the type of the disease].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

FOULING AIR	186
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did voluntarily vitiate the atmosphere in a place namely [specify the name of the place] so as to make it noxious to the health of persons [in general dwelling, carrying on business in the neighbourhood **or** passing along a public way namely (specify the name of the public way)].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

ENDANGERING PROPERTY WITH FIRE, etc.	188
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in a manner so rash and negligent as to endanger property to wit [specify the property] did [an act with (fire **or** a combustible matter to wit a [specify the combustible matter]) **or** omit to take precautions against a probable danger from a (fire **or** combustible matter to wit a [specify the combustible matter]) in (his/her) possession].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

PENAL CODE

CRIMINAL TRESPASS	189
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- (1)(a) did enter [into **or** upon] property to wit [specify the property] in the possession of a person namely [specify the name of this person] with intent to [commit an offence **or** (intimidate **or** annoy) a person namely (specify the name of this person)] lawfully in possession of the said property.
- (b) did lawfully enter [into **or** upon] property to wit [specify the property] in the possession of a person namely [specify the name of this person] and did unlawfully remain there with intent [thereby to (intimidate, insult **or** annoy) (the said person **or** [specify the name of any other person]) **or** to commit an offence].
- (c) did unlawfully persist in [coming **or** remaining] upon property to wit [specify the property] in the possession of a person namely [specify the name of this person] after being warned [not to come thereon **or** to depart therefrom] the said property.

Penalty: Liable to imprisonment for three months.

If the property upon which the offence is committed is any building, tent or vessel used as a human dwelling, or any building used as a place of worship, or as a place for the custody of property, the offender shall be liable to imprisonment for one year.

- (2) did without lawful excuse enter by night
- the dwelling-house of [specify the name of this person]; **or**
 - the [verandah **or** passage] attached to the dwelling – house of [specify the name of this person]; **or**
 - the [yard, garden **or** (specify any other land)] [adjacent to **or** within] the curtilage of the dwelling – house of [specify the name of this person].

Penalty: Liable to imprisonment for one year.

SORCERY	190
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- (a) did perform a magic ritual in respect of which there was a general belief among a class of persons to wit the [specify the class of persons] that harm may be caused to [a person namely [specify the name of this person] **or** any person].
- (b) did without lawful excuse have in (his/her) possession an article to wit [specify the article] commonly associated by a class of persons to wit the [specify the class of persons] with harmful magic.

Penalty: Liable to imprisonment for two months or to a fine of forty dollars.

PENAL CODE

LIBEL	191
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by [print, writing, painting, effigy, **or** means otherwise than by (gestures, spoken words **or** sounds) to wit (specify the means)] did unlawfully publish defamatory matter concerning a person namely [specify the name of this person] with intent to defame the said person.

Penalty: See section 41 of the *Penal Code* (Ch. 26).

MANSLAUGHTER	199(2)
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did unlawfully kill [specify the name of the deceased].

Penalty: Liable to imprisonment for life.

MURDER	200
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did murder [specify the name of the deceased].

Penalty: Shall be sentenced to imprisonment for life.

INFANTICIDE	206
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being a woman with the balance of her mind disturbed by reason of [her not having fully recovered from the effect of giving birth to her child **or** the effect of lactation consequent upon the birth of her child] did by a wilful [act **or** omission] cause the death of the said child under the age of twelve months to wit [specify the number of years] years namely [specify the name, if possible].

Penalty: Notwithstanding that the circumstances were such that but for the provisions of this section the offence would have amounted to murder, she shall be guilty of felony, to wit, infanticide, and may for such offence be dealt with and punished as if she had been guilty of manslaughter of the child.

ATTEMPTED MURDER	215
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(a) did attempt unlawfully to cause the death of a person namely [specify the name of this person].

(b) with intent to unlawfully cause the death of a person namely [specify the name of this person] did [do an act **or** omit to do an act] which was (his/her) duty to do being of such a nature as to be likely to endanger human life.

Penalty: Liable to imprisonment for life.

PENAL CODE

ACCESSORY AFTER THE FACT TO MURDER

216

well knowing that [specify the name of this person] had murdered [specify the name of this person] did [receive **or** assist] the said person in order to enable the said person to escape punishment.

Penalty: Liable to imprisonment for seven years.

WRITTEN THREATS TO MURDER

217

who knew the contents thereof did cause a person namely [specify the name of this person] to receive writing threatening to kill [the said person **or** a person namely (specify name of this person)].

Penalty: Liable to imprisonment for ten years.

CONSPIRACY TO MURDER

218

did conspire with a person namely [specify the name of this person] to kill a person namely [specify the name of this person] in [Solomon Islands **or** (specify elsewhere)].

Penalty: Liable to imprisonment for ten years.

COMPLICITY IN ANOTHER'S SUICIDE
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219(1)

did [aid, abet, counsel **or** procure] the [suicide **or** attempted suicide] of a person namely [specify the name of this person].

Penalty: Liable to imprisonment for fourteen years.

CONCEALING THE BIRTH OF CHILDREN

220

did endeavour by a secret disposition of the dead body of a child namely [specify the name of the child] to conceal the birth of the said child delivered of a woman namely [specify the name of this woman].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

KILLING AN UNBORN CHILD

221(1)

with intent to destroy the life of a child capable of being born alive did a wilful act which did cause the said child to die before it had an existence independent of its mother namely [specify the name of the mother].

Penalty: Liable to imprisonment for life.

PENAL CODE

DISABLING IN ORDER TO COMMIT FELONY OR MISDEMEANOUR	222
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by means calculated to [choke, suffocate **or** strangle] and with intent to

- [commit **or** facilitate] the commission of a [felony **or** misdemeanour] to wit [specify the (felony **or** misdemeanour)]; **or**
- facilitate the flight of [the said (specify the name of the defendant/accused) **or** an offender namely (specify the name of this person)] after the [commission **or** attempted commission] of a [felony **or** misdemeanour] to wit [specify the (felony **or** misdemeanour)]

did [render **or** attempt to render] a person namely [specify the name of this person] incapable of resistance.

Penalty: Liable to imprisonment for life.

STUPEFYING IN ORDER TO COMMIT FELONY OR MISDEMEANOUR	223
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with intent to

- [commit **or** facilitate] the commission of a [felony **or** misdemeanour] to wit [specify the (felony **or** misdemeanour)]; **or**
- facilitate the flight of [the said (specify the name of the defendant/accused) **or** an offender namely (specify the name of this person)] after the [commission **or** attempted commission] of a [felony **or** misdemeanour] to wit [specify the (felony **or** misdemeanour)]

did [administer **or** attempt to administer] a [stupefying **or** overpowering] [drug **or** (specify the thing)] to wit [specify, if possible] to a person namely [specify the name of this person].

Penalty: Liable to imprisonment for life.

ACTS INTENDED TO CAUSE GRIEVOUS HARM OR PREVENT ARREST	224
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(1) with intent to [(maim, disfigure, disable **or** do grievous harm to) a person namely (specify the name of this person), resist arrest **or** prevent the lawful (arrest **or** detention) of a person namely (specify the name of this person)] did

(a) [unlawfully wound **or** do grievous harm] to a person namely [specify the name of this person].

(b) unlawfully attempt in a manner to strike a person namely [specify the name of this person] with a [projectile, (spear, sword, knife **or** [specify other (dangerous **or** offensive)] weapon].

(c) unlawfully cause an explosive substance to explode to wit [specify, if possible].

(d) [send **or** deliver] [an explosive substance **or** a (specify other [dangerous **or** noxious] thing)] to wit [specify, if possible] to a person namely [specify the name of this person].

PENAL CODE

- (e) cause [an explosive substance **or** a (specify other [dangerous **or** noxious] thing) to wit [specify, if possible] to be [taken **or** received] by a person namely [specify the name of this person].

- (f) put a [corrosive fluid **or** (destructive **or** explosive) substance] to wit [specify, if possible] in a place namely [specify the name of this place].

- (g) unlawfully [cast **or** throw] a [corrosive fluid **or** (destructive **or** explosive) substance] to wit [specify, if possible] [at **or** upon] a person namely [specify the name of this person];
or
unlawfully apply a [corrosive fluid **or** (destructive **or** explosive) substance] to wit [specify, if possible] to a person namely [specify the name of this person].

Penalty: Liable to imprisonment for life.

PREVENTING ESCAPE FROM WRECK	225
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- (a) did unlawfully [prevent **or** obstruct] a person namely [specify the name of this person] in (his/her) endeavours to save (his/her) life who was [on board **or** escaping from] a vessel to wit [specify the name of the vessel] which was [in distress **or** wrecked].

- (b) did unlawfully obstruct a person namely [specify the name of this person] in (his/her) endeavours to save the life of a person namely [specify the name of this person] who was [on board **or** escaping from] a vessel to wit [specify the name of the vessel] which was [in distress **or** wrecked].

Penalty: Liable to imprisonment for life.

GRIEVOUS HARM	226
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did unlawfully do grievous harm to a person namely [specify the name of this person].

Penalty: Liable to imprisonment for fourteen years.

ATTEMPTING TO INJURE BY EXPLOSIVE SUBSTANCES	227
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did unlawfully and with intent to do harm to a person namely [specify the name of this person] put an explosive substance to wit [specify, if possible] in a place namely [specify the name of this place].

Penalty: Liable to imprisonment for fourteen years.

PENAL CODE

MALICIOUSLY ADMINISTERING POISON WITH INTENT TO HARM

228

unlawfully and with intent to [injure **or** annoy] a person namely [specify the name of this person] did cause a [poison **or** noxious thing to wit (specify, if possible)] to be [administered to **or** taken by] the said person and thereby did [endanger (his/her) life **or** do (him/her) grievous harm].

Penalty: Liable to imprisonment for fourteen years.

UNLAWFUL WOUNDING

229

did unlawfully wound a person namely [specify the name of this person].

Penalty: Liable to imprisonment for five years.

UNLAWFUL POISONING

230

unlawfully and with intent to [injure **or** annoy] a person namely [specify the name of this person] did cause a [poison **or** noxious thing to wit (specify, if possible)] to be [administered to **or** taken by] the said person.

Penalty: Liable to imprisonment for five years.

INTIMIDATION AND MOLESTATION

231(1)

did [intimidate **or** molest] a person namely [specify the name of this person].

Penalty: Liable to imprisonment for three years.

FAILURE TO SUPPLY NECESSARIES

232

being charged with the duty of providing for a person namely [specify the name of this person] the necessities of life did without lawful excuse fail to do so whereby the [life of the said person (was **or** was likely) to be endangered **or** health of the said person (was **or** was likely) to be permanently injured].

Penalty: Liable to imprisonment for three years.

PENAL CODE

CRUELTY TO CHILDREN	233(1)
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had attained the age of fifteen years and had the [custody, charge **or** care] of a [child **or** young person under that age] namely [specify the name of the (child **or** young person)] did

- [wilfully assault, ill-treat, neglect, abandon, **or** expose] the said [child **or** young person]; **or**
- [cause **or** procure] the said [child **or** young person] to be [assaulted, ill-treated, neglected **or** abandoned]; **or**
- expose the said [child **or** young person] in a manner likely to cause (him/her) [unnecessary suffering **or** injury to health] to wit [(an injury to **or** a loss of) (sight, hearing, a limb to wit [specify the limb] **or** an organ of the body to wit [specify the organ of the body]), a mental derangement **or** (specify any other injury to health)].

Penalty: Liable to imprisonment for five years.

RECKLESS AND NEGLIGENT ACTS	237
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in a manner so [rash **or** negligent] as to [endanger the life of **or** be likely to cause harm to] a person namely [specify the name of this person] did

- (a) [drive a vehicle **or** ride] on a public way namely [specify the name of the public way].
- (b) [navigate **or** take part in the (navigation **or** working)] of a vessel to wit [specify the name of the vessel].
- (c) [do an act with (fire **or** a combustible matter to wit [specify, if possible]) **or** omit to take precautions against probable danger from a (fire **or** a combustible matter) in (his/her) possession].
- (d) omit to take precautions against a probable danger from an animal to wit [specify the type of animal] in (his/her) possession.
- (e) give [medical **or** surgical] treatment to a person namely [specify the name of this person] whom (he/she) had undertaken to treat.
- (f) [dispense, supply, sell, administer **or** give away] a [medicine **or** (poisonous **or** dangerous matter)] to wit [specify, if possible].
- (g) [do an act with respect to **or** omit to take proper precautions against a probable danger from] machinery of which (he/she) was [solely **or** partly] in charge.

PENAL CODE

(h) [do an act with respect to **or** omit to take proper precautions against a probable danger from] an explosive to wit [specify the explosive, if possible] in (his/her) possession.

Penalty: Liable to imprisonment for two years.

OTHER NEGLIGENT ACTS CAUSING HARM	238
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did unlawfully [do an act **or** omit to do an act which was (his/her) duty to do] not being an [act **or** omission] specified in section 237 of the *Penal Code* (Ch. 26) by which [act **or** omission] harm was caused to a person namely [specify the name of this person].

Penalty: Liable to imprisonment for six months.

DEALING IN POISONOUS SUBSTANCES IN NEGLIGENT MANNER	239
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did an act with a poisonous substance to wit [specify the poisonous substance, if possible] in a manner so [rash **or** negligent] as to [(endanger human life **or** be likely to cause (hurt **or** injury) to another person).

did (knowingly **or** negligently) omit to take such care with a poisonous substance to wit [specify the poisonous substance, if possible] in (his/her) possession as was sufficient to guard against probable danger to human life from the said poisonous substance.

Penalty: Liable to imprisonment for six months or to a fine of two hundred dollars.

ENDANGERING SAFETY OF PERSONS TRAVELLING BY AIRCRAFT, VEHICLE OR VESSEL	240
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by an unlawful [act **or** omission] not otherwise specified in Part XXIV of the *Penal Code* (Ch. 26) to wit [specify the (act **or** omission)] did cause the safety of a person/s namely [specify the name of this person] travelling by [an aircraft, a vehicle **or** a vessel] to wit [specify the (aircraft, vehicle **or** vessel)] to be endangered.

Penalty: See section 41 of the *Penal Code* (Ch. 26).

EXHIBITION OF FALSE LIGHT, MARK OR BUOY	241
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did exhibit a false [light, mark **or** buoy] [intending **or** knowing it to be likely] that the said exhibition would mislead a navigator.

Penalty: Liable to imprisonment for seven years.

PENAL CODE

CONVEYING PERSON BY WATER FOR HIRE IN UNSAFE OR OVERLOADED VESSEL	242
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did [knowingly **or** negligently] [convey **or** cause to be conveyed] for hire a person namely [specify the name of this person] by water in a vessel to wit a [specify the vessel] when the said vessel was [in such a state **or** so loaded] as to be unsafe.

Penalty: See section 41 of the *Penal Code* (Ch. 26).*Penal Code* (Ch. 26).

DANGER OR OBSTRUCTION IN PUBLIC WAY OR LINE OF NAVIGATION	243
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by [doing an act **or** omitting to take reasonable care with property to wit (specify the property) (in [his/her] possession **or** under [his/her] charge)] did cause [danger, obstruction **or** injury] to a person namely [specify the name of this person] in a public [way **or** line of navigation].

Penalty: Liable to a fine of two hundred dollars.

COMMON ASSAULTS	244
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did unlawfully assault a person namely [specify the name of this person].

Penalty: Liable to imprisonment for one year if the assault is not committed in circumstances for which a greater punishment is provided in the *Penal Code* (Ch. 26).

ASSAULTS CAUSING ACTUAL BODILY HARM	245
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did unlawfully assault a person namely [specify the name of this person] thereby occasioning the said person actual bodily harm.

Penalty: Liable to imprisonment for five years.

ASSAULTS ON MAGISTRATES AND OTHER PERSONS PROTECTING WRECK	246
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did assault and [strike **or** wound] a [Magistrate namely (specify the name of the Magistrate), police officer namely (specify the name and rank of the officer), customs officer namely (specify the name of customs officer) **or** person namely (specify the name of this person)] lawfully authorised [in **or** on account of] the execution of (his/her) duty [in **or** concerning] the preservation of [a vessel in distress **or** (a vessel, goods **or** effects) (wrecked, stranded, cast on shore **or** lying under water)].

Penalty: Liable to imprisonment for seven years.

PENAL CODE

ASSAULTS PUNISHABLE WITH TWO YEARS IMPRISONMENT INCLUDING THOSE ON POLICE OFFICERS

247

- (a) did assault a person namely [specify the name of this person] with intent to [commit a felony to wit (specify the felony) **or** (resist **or** prevent) the (lawful apprehension **or** detainer) of ([himself/herself] **or** a person namely [specify name of person])] for an offence to wit (specify the offence)].
- (b) did [assault, resist **or** wilfully obstruct] a [police officer namely (specify the name and rank of police officer) in the due execution of (his/her) duty **or** person acting in aid of a police officer namely (specify the name and rank of officer) in the due execution of (his/her) duty].
- (c) did assault a person namely [specify the name of this person] in pursuance of an unlawful [combination **or** conspiracy] to raise the rate of wages respecting [(a trade, a business, **or** a manufacture) **or** a person namely (specify the name of this person) (concerned **or** employed) in a (trade, business **or** manufacture)] to wit [specify the (trade, business or manufacture)].
- (d) did [assault, resist **or** obstruct] a person namely [specify the name of this person] engaged in [a lawful execution of process **or** making a lawful distress] with intent to rescue property to wit [specify the property] lawfully taken under the said [process **or** distress].
- (e) did assault a person namely [specify the name of this person] on account of an act done by the said person in the execution of a duty imposed on the said person by law to wit [specify act of duty].

Penalty: Liable to imprisonment for two years.

KIDNAPPING

249

did kidnap a person namely [specify the name of the person].

Penalty: Liable to imprisonment for seven years.

KIDNAPPING OR ABDUCTING WITH INTENT TO CONFINED PERSON

250

did [kidnap **or** abduct] a person namely [specify the name of the person] with intent to cause the said person to be secretly and wrongfully confined.

Penalty: Liable to imprisonment for seven years.

PENAL CODE

KIDNAPPING OR ABDUCTING IN ORDER TO SUBJECT PERSON TO GRIEVOUS HARM, SLAVERY, etc	251
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did [kidnap **or** abduct] a person namely [specify the name of this person] in order that the said person may be [subjected **or** so disposed of] as to be put in danger of being subjected to [grievous harm, slavery **or** the unnatural lust of a person namely (specify the name of this person)].

did [kidnap **or** abduct] a person namely [specify the name of this person] knowing it to be likely that the said person would be (subjected **or** so disposed of) as to be put in danger of being subjected to [grievous harm, slavery **or** the unnatural lust of a person namely (specify the name of this person)].

Penalty: Liable to imprisonment for ten years.

CHILD STEALING	253
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unlawfully by [force **or** fraud] [lead, take away, decoy, entice away **or** detain] a child namely [specify the name of the child] under the age of fourteen years to wit [specify the age] with intent to deprive a [parent, guardian **or** person having the lawful (care **or** charge) of the said child] namely (specify the name of parent, guardian **or** other person) of the possession of the said child.

unlawfully by [force **or** fraud] [lead, take away, decoy, entice away **or** detain] a child namely [specify the name of the child] under the age of fourteen years to wit [specify the age] with intent to steal an article to wit [specify the article] [upon **or** about] the person of the said child.

did [receive **or** harbour] a child namely [specify the name of the child] under the age of fourteen years to wit [specify the age] knowing the said child to have been unlawfully by [force **or** fraud] [lead, taken away, decoyed, enticed away **or** detained] with intent to

- [deprive (a parent, guardian **or** other person having the lawful [care **or** charge] of the said child) namely (specify name of parent, guardian **or** other person) of the possession of the said child; **or**
- steal an article to wit [specify the article] [upon **or** about] the person of the said child.

Penalty: Liable to imprisonment for seven years.

ABDUCTION OF GIRLS UNDER FIFTEEN	254
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did unlawfully [take **or** cause to be taken] an unmarried girl namely [specify name of girl] being under the age of fifteen years to wit [specify the age] out of the possession and against the will of her [father, mother **or** other person having the lawful (care **or** charge) of her].

Penalty: Liable to imprisonment for two years.

PENAL CODE

WRONGFUL CONFINEMENT	255
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did wrongfully confine a person namely [specify the name of this person].

Penalty: Liable to imprisonment for one year or to a fine of four hundred dollars.

UNLAWFUL COMPULSORY LABOUR	256
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did unlawfully compel a person namely [specify the name of this person] to labour against the will of the said person.

Penalty: Liable to imprisonment for two years.

SIMPLE LARCENY	261
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(1) did steal [specify the property] the property of [specify the name of the complainant].

Penalty: Stealing for which no special punishment is provided under the *Penal Code* or any other Act for the time being in force is simple larceny and a felony punishable with imprisonment for five years.

Circumstances of Aggravation

Include these circumstance of aggravation at the end of the abovementioned charge in appropriate cases:

(2) and being a person previously convicted of a felony to wit [specify the felony] under section 175 of the *Penal Code* (Ch. 26) at the [insert the name] [Magistrates'/High] Court on [specify the date].

Penalty: Liable to imprisonment for ten years.

(3) and being a person previously convicted of a misdemeanour to wit [specify the misdemeanour] punishable under Part XXXV of the *Penal Code* (Ch. 26) at the [insert the name] [Magistrates'/High] Court on [specify the date].

Penalty: Liable to imprisonment for seven years.

LARCENY OF WILL	262
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did steal a [will, codicil **or** (specify other testamentary instrument)] the property of [specify the name of the complainant].

Penalty: Liable to imprisonment for life.

PENAL CODE

LARCENY OF DOCUMENTS OF TITLE AND OTHER LEGAL DOCUMENTS	263
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- (a) did steal [the whole **or** a part] of a document of title to lands to wit [specify the document] the property of [specify the name of the complainant].
- (b) did steal [the whole **or** a part] of [(a record, a writ, a return, a panel, a petition, a process, an interrogatory, a deposition, an affidavit, a rule, an order **or** a warrant of attorney) **or** an original document ([of **or** belonging to] a court of record **or** relating to a [cause **or** matter] [begun, depending **or** terminated] in a court of record)].
- (c) did steal [the whole **or** a part] of an original document relating to the business of [an office **or** employment] under Her Majesty and [being **or** remaining] in [an office appertaining to a court of justice, Government House **or** a (Government **or** public) office].

Penalty: Liable to imprisonment for five years.

LARCENY OF ELECTRICITY	264
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did [maliciously **or** fraudulently] [abstract, cause to be (wasted **or** diverted), consume **or** use] electricity the property of [specify the name of the complainant].

Penalty: Liable to be punished as in the case of simple larceny, see section 261 of the *Penal Code* (Ch. 26).

LARCENY OF MINERALS	265
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did [steal **or** sever with intent to steal] mineral as defined in the *Mines and Minerals Act* (Ch. 42) to wit [specify the mineral] the property of [specify the name of the complainant].

Penalty: Liable to imprisonment for five years.

LARCENY OF POST PACKETS	266
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- (a) did steal a mail bag the property of [specify the name of the complainant].
- (b) did steal from [a mail bag, a post office, a post office letter box, an officer of the post office **or** the mail] a postal packet in course of transmission by post the property of [specify the name of the complainant].
- (c) did steal [a chattel, a sum of money to wit (specify the amount of money) **or** a valuable security] out of a postal packet in course of transmission by post the property of [specify the name of the complainant].
- (d) did stop mail with intent to rob the said mail.

Penalty: Liable to imprisonment for ten years.

PENAL CODE

EMBEZZLEMENT BY OFFICER OF POST OFFICE	267
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- (a) being an officer of the post office at [specify the location of the post office] did [steal **or** embezzle] a postal packet in the course of transmission by post the property of [specify the name of the complainant] and the said postal packet did contain [a chattel, a sum of money to wit (specify the amount of money) **or** a valuable security].

Penalty: Liable to imprisonment for life.

- (b) being an officer of the post office at [specify the location of the post office] did [steal **or** embezzle] a postal packet in the course of transmission by post the property of [specify the name of the complainant].

Penalty: Liable to imprisonment for seven years.

LARCENY IN DWELLING-HOUSE	269
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- (a) in the dwelling-house of [specify the names of the occupier/s of the dwelling – house] did steal a [chattel to wit (specify the chattel), sum of money **or** valuable security to wit (specify the valuable security)] the property of [specify the name of the complainant] valued at least ten dollars to wit [specify the value of the property].
- (b) in a dwelling-house did steal a [chattel to wit (specify the chattel), sum of money **or** valuable security to wit (specify the valuable security)] the property of [specify the name of the complainant] by a [menace **or** threat] which did put a person namely [specify the name of this person] being in the said dwelling-house in bodily fear.

Penalty: Liable to imprisonment for fourteen years.

LARCENY FROM THE PERSON	270
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did steal a [chattel to wit (specify the chattel), sum of money **or** valuable security to wit (specify the valuable security)] the property of [specify the name of the complainant] from the person of a person namely [specify the name of this person].

Penalty: Liable to imprisonment for fourteen years.

LARCENY FROM SHIP, DOCK, etc	271
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- (a) did steal goods to wit [specify the goods] the property of [specify the name of the complainant] in a [vessel, barge **or** boat] namely [specify the name of the (vessel, barge **or** boat)]
- in a [haven **or** port] of [entry **or** discharge] namely [specify the name of the (haven **or** port)]; **or**
 - upon a navigable [river **or** canal] namely [specify the name of the (river **or** canal)]; **or**

PENAL CODE

- in a [creek **or** basin] namely [specify the name of the (creek **or** basin)] [belonging to **or** communicating with] a [haven, port, river **or** canal] namely [specify the name of the (haven, port, river **or** canal)].
- (b) did steal goods to wit [specify the goods] the property of [specify the name of the complainant] from a [dock, wharf **or** quay] adjacent to
- a [haven **or** port] of [entry **or** discharge] namely [specify the name of the (haven **or** port)]; **or**
 - upon a navigable [river **or** canal] namely [specify the name of the (river **or** canal)]; **or**
 - in a [creek **or** basin] namely [specify the name of the (creek **or** basin)] [belonging to **or** communicating with] a [haven, port, river **or** canal] namely [specify the name of the (haven, port, river **or** canal)].
- (c) did steal a part to wit [specify the part] of a vessel namely [specify the name of the vessel] the property of [specify the name of the complainant] [in distress, wrecked, stranded **or** cast on shore]; **or**
- did steal [goods, merchandise **or** articles] to wit [specify the (goods, merchandise **or** articles)] the property of [specify the name of the complainant] belonging to a vessel namely [specify the name of the vessel] [in distress, wrecked, stranded **or** cast on shore].

Penalty: Liable to imprisonment for fourteen years.

LARCENY BY TENANT OR LODGER	272
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- (a) being [a (tenant **or** lodger) **or** the (husband **or** wife) of a (tenant **or** lodger)] did steal a [chattel **or** fixture] to wit [specify the (chattel **or** fixture)] the value of which exceeded the sum of ten dollars to wit [specify the value of the property] the property of [specify the name of the complainant] let to be used by the said [(insert the name of the defendant/accused) **or** (tenant **or** lodger)] [in **or** with] a [house **or** lodging].

Penalty: Liable to imprisonment for seven years.

- (b) being [a (tenant **or** lodger) **or** the (husband **or** wife) of a (tenant **or** lodger)] did steal a [chattel **or** fixture] to wit [specify the (chattel **or** fixture)] the property of [specify the name of the complainant] let to be used by the said [(insert the name of the defendant/accused) **or** (tenant **or** lodger)] [in **or** with] a [house **or** lodging].

Penalty: In all other cases, liable to imprisonment for two years.

LARCENY AND EMBEZZLEMENT BY CLERKS OR SERVANTS	273
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- (a)(i) being [a (clerk **or** servant) **or** employed in the capacity of a (clerk **or** servant)] did steal a [chattel to wit (specify the chattel), sum of money **or** valuable security to wit (specify the valuable security)] [belonging to **or** in the possession of] (his/her) [master **or** employer] namely [specify the name of the (master **or** employer)].

PENAL CODE

- (a)(ii) being [a (clerk **or** servant) **or** employed in the capacity of a (clerk **or** servant)] did fraudulently embezzle [the whole **or** a part] of a [chattel to wit (specify the chattel), sum of money **or** valuable security to wit (specify the valuable security)] the property of [specify the name of the complainant] [delivered to, received **or** taken into possession] by (him/her) [for **or** (in the name of **or** on the account of)] (his/her) [master **or** employer] namely [specify the name of the (master **or** employer)].
- (b)(i) being employed in the public service of Her Majesty to wit [specify the public service] did steal [a chattel, money to wit (specify the amount of money) **or** a valuable security] [(belonging to **or** in the possession of) Her Majesty **or** (entrusted to **or** [received **or** taken into possession] by) the said [insert the name of the defendant/accused] by virtue of (his/her) employment].
- (b)(ii) being employed in the public service of Her Majesty to wit [specify the public service] did [embezzle **or** fraudulently (apply **or** dispose of)] for a purpose except for the said public service [chattel to wit (specify the chattel), sum of money **or** valuable security to wit (specify the valuable security)] [entrusted to, received **or** taken into possession] by (him/her) by virtue of (his/her) employment.
- (c)(i) being appointed to [an office **or** service] [by **or** under] [a Town Council, a (specify other [local government council **or** public body])] did fraudulently [apply **or** dispose of] [chattel to wit (specify the chattel), sum of money **or** valuable security to wit (specify the valuable security)] received by (him/her) whilst employed in the said [office **or** service] [for **or** on account of] the said [Town Council, local government council **or** public body] for [(his/her) own use **or** a (use **or** purpose) other than that for which the said [chattel to wit (specify the chattel), sum of money **or** valuable security to wit (specify the valuable security)] was (paid, entrusted to **or** received by) (him/her)].
- (c)(ii) being appointed to [an office **or** service] [by **or** under] [a Town Council, a (specify other [local government council **or** public body])] did fraudulently [withhold, retain **or** keep back] [the whole **or** a part thereof] of [chattel to wit (specify the chattel), sum of money **or** valuable security to wit (specify the valuable security)] received by (him/her) whilst employed in the said [office **or** service] [for **or** on account of] the said [Town Council, local government council **or** public body] contrary to lawful [directions **or** instructions] which (he/she) was required to obey in relation to the said [office **or** service].

Penalty: Liable to imprisonment for fourteen years.

LARCENY OF CATTLE, etc	274
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did steal [a horse, cattle, a goat **or** a pig] the property of [specify the name of the complainant].

Penalty: Liable to imprisonment for five years.

PENAL CODE

LARCENY OF DOG	275
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did steal a dog the property of [specify the name of the complainant].

Penalty: Liable for a first offence to imprisonment for six months or to a fine of two hundred dollars, and for a subsequent offence to imprisonment for eighteen months.

LARCENY OF CREATURES NOT THE SUBJECT OF LARCENY AT COMMON LAW	276
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did steal a [bird, beast **or** (specify other animal)] ordinarily kept [in a state of confinement **or** for a domestic purpose] the property of [specify the name of the complainant].

Penalty: Liable to imprisonment for six months or to a fine of two hundred dollars

LARCENY OF FISH	277
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did unlawfully [(take **or** destroy) **or** attempt to (take **or** destroy)] fish in water [which was private property **or** in which there was a private right of fishery] the property of [specify the name of the complainant].

Penalty: Liable to a fine of ten dollars.

CONVERSION	278(1)
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- (a) being entrusted [solely **or** jointly with a person namely (specify the name this person)] with power of attorney for the [sale **or** transfer] of property to wit [specify the property] the property of [specify the name of the complainant] did fraudulently [sell, transfer **or** convert] [the said property **or** a part thereof of the said property] to [(his/her) own (use **or** benefit) **or** the (use **or** benefit) of a person namely (specify the name of this person) other than the person by whom (he/she) was entrusted namely (specify the name of this person)].
- (b) being [a director, a member **or** an officer] of a [body corporate **or** public company] to wit [specify the (body corporate **or** public company)] did fraudulently [take **or** apply] for [(his/her) own (use **or** benefit) **or** a (use **or** purpose) other than the (use **or** purpose) of the said (body corporate **or** public company)] property to wit [specify the property] of the said [body corporate **or** public company].
- (c)(i) being entrusted [solely **or** jointly with a person namely (specify the name of this person)] with property to wit [specify the property] the property of [specify the name of the complainant] in order that (he/she) may [retain in safe custody **or** (apply, pay **or** deliver) (for a purpose **or** to a person namely [specify the name of this person])] [the said property **or** a part thereof of the said property] did fraudulently convert to [(his/her) own (use **or** benefit) **or** the (use **or** benefit) of a person namely (specify the name of this person)] the [said property, said part of the said property **or** proceeds thereof of (the said property **or** part of the said property)].

PENAL CODE

(c)(ii) having [solely **or** jointly with a person namely (specify the name of this person)] received property to wit [specify the property] [for **or** on account of] a person namely [specify the name of this person] did fraudulently convert to [(his/her) own (use **or** benefit) **or** the (use **or** benefit) of a person namely (specify the name of this person)] [the said property, part of the said property **or** the proceeds thereof of (the said property **or** part of the said property)].

Penalty: Liable to imprisonment for seven years.

LARCENY, etc OF TREES, etc	279
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did [steal **or** (cut, break, root up, destroy **or** damage) with intent to steal] [the whole **or** a part] of [a tree, a sapling, a shrub **or** underwood] the property of [specify the name of the complainant] to the value of at least ten cents to wit (specify the value).

Penalty: See section 41 of the *Penal Code* (Ch. 26).

LARCENY, etc OF FENCES	280
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did [steal **or** (cut, break **or** throw down) with intent to steal] a part of a [(live **or** dead) fence **or** (metal **or** wooden) (post, pale, wire **or** rail) (set up **or** used) as a (fence, stile **or** gate)] the property of [specify the name of the complainant].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

LARCENY OF FRUIT AND VEGETABLES	281
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did [steal **or** (destroy, root up **or** damage) with intent to steal] [a plant, a root, fruit **or** vegetable production] the property of [specify the name of the complainant] used [for food of (man **or** beast), for medicine, for distilling, for dyeing **or** (for **or** in) the course of manufacture] and growing in [(a garden, an orchard, a pleasure ground, a green-house **or** a conservatory) **or** land (open **or** enclosed)].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

DAMAGING FIXTURES, TREES, etc, WITH INTENT TO STEAL	282
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- (a) did [steal **or** with intent to steal (rip, cut, sever **or** break)]
- (i) [glass **or** woodwork] belonging to a building the property of [specify the name of the complainant]; **or**
- (ii) [metal, utensil **or** fixture] fixed [in **or** to] a building the property of [specify the name of the complainant]; **or**

PENAL CODE

- (iii) property to wit [specify the property] made of metal [fixed in a land being the private property of (specify the name of the complainant) **or** as a fence (to a dwelling-house, to a garden **or** to an area) the property of (specify the name of the complainant) **or** (in a square, in a street, in a place dedicated to public [use **or** ornament] **or** in a burial ground) namely (specify the name of the [square, street, place **or** burial ground])].

- (b) did [steal **or** with intent to steal (cut, break, roots up, destroy **or** damage)] [the whole **or** a part] of [a tree, a sapling, a shrub **or** underwood growing]

- (i) valued at least ten cents to wit [specify the value] in a place to wit [specify the place] the property of [specify the name of the complainant] and the said [insert the name of the defendant/accused] had been twice previously convicted under section 279 of the *Penal Code* (Ch. 26); **or**

- (ii) valued at least two dollars to wit [specify the value] in [a park, a pleasure ground, a garden, an orchard, an avenue **or** a ground (adjoining **or** belonging to) a dwelling-house] the property of [specify the name of the complainant]; **or**

- (iii) valued at least ten dollars to wit [specify the value] in a place to wit [specify the place] the property of [specify the name of the complainant].

- (c) did [steal **or** with intent to steal (destroy **or** damage)] [a plant, a root, fruit **or** vegetable production] growing in [a garden, an orchard, a pleasure ground, a nursery ground, a green-house **or** a conservatory] the property of [specify the name of the complainant] and the said [insert the name of the defendant/accused] had been previously convicted under section 281 of the *Penal Code* (Ch. 26) at the [insert the court] on [insert the date].

Penalty: Liable to be punished as in the case of simple larceny, see section 261 of the *Penal Code* (Ch. 26).

FRAUDULENT DESTRUCTION OF DOCUMENTS OF TITLE	284
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for a fraudulent purpose did [destroy, cancel, obliterate **or** conceal] [the whole **or** a part] of a document of title to lands.

Penalty: Liable to imprisonment for three years.

FRAUDULENT DESTRUCTION OF WILL	285(1)
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[during the life **or** after the death] of a testator namely [specify the name of the testator] for a fraudulent purpose did [destroy, cancel, obliterate **or** conceal] [the whole **or** a part] of a [will, codicil **or** (specify other testamentary instrument)] relating to [(real **and/or** personal) estate] of the said testator.

Penalty: Liable to imprisonment for life.

PENAL CODE

FRAUDULENT DESTRUCTION OF RECORD, WRIT etc

286

for a fraudulent purpose did [take from (its place of deposit **or** a person having the lawful custody thereof) **or** unlawfully and maliciously (cancel, obliterate, injure **or** destroy)] [the whole **or** a part] of

- [a record, a writ, a return, a panel, a process, an interrogatory, a deposition, an affidavit, a rule, an order, a warrant **or** a power of attorney]; **or**
- an original document [(of **or** belonging to) a court of equity **or** relating to a (cause **or** matter) (begun, depending **or** terminated) in a court of equity], **or**
- an original document relating to [the business of an office **or** employment] under Her Majesty and the said document [was **or** remained] in [an office appertaining to a court of justice, Government House **or** a (Government or public) office].

Penalty: Liable to imprisonment for three years.

MINERS REMOVING MINERALS

287

being employed [in **or** about] a mine the property of [specify the name of the complainant] did [take, remove **or** conceal] a mineral as defined in the *Mines and Minerals Act* (Ch. 42) to wit [specify the mineral] [found **or** being] in the said mine with intent to defraud [(a proprietor of **or** an adventurer in), a (workman **or** miner) employed in **or** the holder of a (mining **or** prospecting) licence in relation to] the said mine namely [specify the name of this person].

Penalty: Liable to imprisonment for two years.

KILLING TAME BIRDS, etc

288

did unlawfully and wilfully [kill, wound **or** take] a [house-dove **or** tame bird] the property of [specify the name of the complainant].

Penalty: Liable to a fine of ten dollars

KILLING ANIMALS WITH INTENT TO STEAL

289

did wilfully kill an animal to wit a [specify the type of animal] the property of [specify the name of the complainant] with intent to steal [the carcass, the skin **or** a part] of the said animal.

Penalty: Liable to the same punishment as if he had stolen such animal, provided that the offence of stealing the animal so killed would have amounted to felony, see section 274 of the *Penal Code* (Ch. 26).

PENAL CODE

LARCENY OF OR DREDGING FOR OYSTERS

290(1)

did unlawfully and wilfully use [a dredge, a net, an instrument **or** an engine] within the limits of [an oyster bed, a laying **or** a fishery] being the property of a person namely [specify the name of this person] and sufficiently [marked out **or** known] as such for the purpose of taking [oysters **or** oyster brood]; **or**

did unlawfully and wilfully with [a net, an instrument **or** an engine] drag upon the [ground **or** soil] of a fishery being the property of a person namely [specify the name of this person] and sufficiently [marked out **or** known] as such for the purpose of taking [oysters **or** oyster brood].

Penalty: Liable to imprisonment for three months.

FACTORS OBTAINING ADVANCES ON THE PROPERTY OF THEIR PRINCIPALS

291(1)

being a person who was a [factor **or** agent] entrusted [solely **or** jointly with a person namely (specify the name of this person)] for the purpose of [sale **or** (specify otherwise)] with the possession of [goods **or** a document of title to goods] to wit [specify the (goods **or** document of title)] [contrary to **or** without] the authority of (his/her) principal namely [specify the name of the principal] in that behalf for [(his/her) own (use **or** benefit) **or** the (use **or** benefit) of a person namely (specify the name of this person) other than the person by whom (he/she) was so entrusted and in violation of good faith did

- [consign, deposit, transfer **or** deliver] the said [goods **or** document of title] so entrusted to (him/her) as by way of [a pledge, a lien **or** security] for [a sum of money to the amount of (specify the amount of money) **or** a valuable security to wit (specify the valuable security)] [(borrowed **or** received) **or** intended to be (borrowed **or** received)] by (him/her); **or**
- accept an advance of [a sum of money to the amount of (specify the amount of money) **or** a valuable security to wit (specify the valuable security)] on the faith of [a contract **or** an agreement] to [consign, deposit, transfer **or** deliver] the said [goods **or** document of title].

Penalty: Liable to imprisonment for seven years.

UNLAWFUL USE OF VEHICLES, ANIMALS, etc

292

unlawfully and without colour of right but not so as to be guilty of stealing did [take **or** convert to ([his/her] own use **or** the use of a person namely [specify the name of this person])] a [(draught **or** riding) animal **or** vessel] the property of [specify the name of the complainant].

Penalty: Liable to imprisonment for six months or to a fine of two hundred dollars or to both such imprisonment and such fine.

PENAL CODE

ROBBERY	293
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(1)(a) [being armed with an offensive (weapon **or** instrument) to wit a (specify the offensive [weapon **or** instrument]) **or** together with (one **or** [specify any number more than one]) person/s namely (specify the name of this/these person/s)] did [rob **or** assault with intent to rob] a person namely [specify the name of this person].

(b) did rob a person namely [specify the name of this person] and [at the time of **or** immediately (before **or** after)] the said robbery did [use **or** threaten to use] personal violence to [the said person **or** a person namely (specify the name of this person)].

Penalty: Liable to imprisonment for life.

(2) did rob a person namely [specify the name of this person].

Penalty: Liable to imprisonment for fourteen years.

(3) did assault a person namely [specify the name of this person] with intent to rob.

Penalty: Liable to imprisonment for five years.

DEMANDING MONEY, etc, WITH MENACES	294
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(1)(a) did utter knowing the contents thereof of a [letter **or** writing] demanding of a person with menaces namely [specify the name of this person] and without any reasonable or probable cause [property **or** a valuable thing] to wit [specify the (property **or** valuable thing)]; **or**

(b) did utter knowing the contents thereof of a [letter **or** writing] [accusing **or** threatening to accuse] a person namely [specify the name of this person] of a crime to which section 294(3) of the *Penal Code* (Ch. 26) applied with intent to [extort **or** gain] thereby [property **or** a valuable thing] to wit [specify the (property **or** valuable thing)] from [the said person **or** a person namely (specify the name of this person)]; **or**

(c) with intent to [extort **or** gain] [property **or** a valuable thing] to wit [specify the (property **or** valuable thing)] from a person namely [specify the name of this person] did [accuse **or** threaten to accuse] [the said person **or** a person namely (specify the name of this person)] of a crime to which section 294(3) of the *Penal Code* (Ch. 26) applied.

Penalty: Liable to imprisonment for life.

PENAL CODE

- (2)(a) with intent to [defraud **or** injure] a person namely [specify the name of this person] by [unlawful violence to **or** restraint of] the person of another did [compel **or** induce] [the said person **or** a person namely (specify the name of this person)] to
- [execute, make, accept, endorse, alter **or** destroy] [the whole **or** a part] of a valuable security; **or**
 - [write, impress **or** affix] the [name of a (person, company, firm **or** co-partnership) namely (specify the name of the [person, company, firm **or** co-partnership])] **or** seal of a (body corporate, company **or** society) namely (specify the name of the [body corporate, company **or** society])] [upon **or** to] a [paper **or** parchment] in order that the said [paper **or** parchment] may be afterwards [(made **or** converted) into, used **or** dealt with] as a valuable security.
- (b) with intent to [defraud **or** injure] a person namely [specify the name of this person] by [accusing **or** threatening to accuse] [the said person **or** a person namely (specify the name of this person)] of a [crime to which section 294(3) of the *Penal Code* (Ch. 26) applied **or** felony to wit (specify the felony)] did [compel **or** induce] [the said person **or** a person namely (specify the name of this person)] to
- [execute, make, accept, endorse, alter **or** destroy] [the whole **or** a part] of a valuable security; **or**
 - [write, impress **or** affix] the [name of a (person, company, firm **or** co-partnership) namely (specify the name of the [person, company, firm **or** co-partnership])] **or** seal of a (body corporate, company **or** society) namely (specify the name of the [body corporate, company **or** society])] [upon **or** to] a [paper **or** parchment] in order that the said [paper **or** parchment] may be afterwards [(made **or** converted) into, used **or** dealt with] as a valuable security.

Penalty: Liable to imprisonment for life.

DEMANDING WITH MENACES THINGS CAPABLE OF BEING STOLEN	295
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did [with menace **or** by force] demand of a person namely [specify the name of this person] a thing capable of being stolen to wit a [specify the thing] the property of [the said person **or** a person namely (specify the name of this person)].

Penalty: Liable to imprisonment for five years.

THREATENING TO PUBLISH WITH INTENT TO EXTORT	296
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- (a)(i) with intent to extort a valuable thing to wit [specify the valuable thing] from a person namely [specify the name of this person] did [publish **or** threaten to publish] libel upon [the said person **or** a person namely (specify the name of this person)].
- (ii) with intent to extort a valuable thing to wit [specify the valuable thing] from a person namely [specify the name of this person] did [threaten to (print **or** publish) **or** propose to (abstain from **or** offer to prevent) the (printing **or** publishing) of] a [matter **or** thing] to wit [specify the (matter **or** thing)] touching [the said person **or** a person namely (specify the name of this person)].

PENAL CODE

- (b)(i) with intent to induce [the said person **or** a person namely (specify the name of this person)] to [confer **or** procure] for [the said (insert the name of the defendant/accused) **or** a person namely (specify the name of this person)] [an appointment **or** office] of [profit **or** trust] did [publish **or** threaten to publish] libel upon [the said person **or** a person namely (specify the name of this person)].
- (ii) with intent to induce [the said person **or** a person namely (specify the name of this person)] to [confer **or** procure] for [the said (insert the name of the defendant/accused) **or** a person namely (specify the name of this person)] [an appointment **or** office] of [profit **or** trust] did [threaten to (print **or** publish) **or** propose to (abstain from **or** offer to prevent) the (printing **or** publishing) of] a [matter **or** thing] to wit [specify the (matter **or** thing)] touching [the said person **or** a person namely (specify the name of this person)].

Penalty: Liable to imprisonment for two years.

SACRILEGE	298
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- (a) did break and enter a place of divine worship namely [specify the name of place of divine worship] and commit a felony therein to wit [specify the felony].
- (b) did break out of a place of divine worship namely [specify the name of place of divine worship] having committed a felony therein to wit [specify the felony].

Penalty: Liable to imprisonment for fourteen years.

BURGLARY	299
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- (a) in the night did break and enter the dwelling-house of a person namely [specify the name/s of the occupier/s] with intent to commit a felony therein to wit [specify the felony].
- (b)(i) in the night did break out of the dwelling-house of a person namely [specify the name/s of the occupier/s] having entered the said dwelling-house with intent to commit a felony therein to wit [specify the felony]; or
- (ii) in the night did break out of the dwelling-house of a person namely [specify the name/s of the occupier/s] having committed a felony therein to wit [specify the felony] in the said dwelling-house.

Penalty: Liable to imprisonment for life.

PENAL CODE

HOUSEBREAKING AND COMMITTING FELONY
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300

(a) did break and enter

- [a dwelling-house **or** a building within the curtilage thereof and occupied therewith a dwelling – house] of a person namely [specify the occupier/s of the dwelling – house]; **or**
- [a school-house to wit [specify the name of the school] **or** (a shop, a warehouse, a counting-house, an office, a store, a garage, a pavilion, a factory **or** a workshop) the property of (specify the name of the owner)]; **or**
- a building the property of [Her Majesty, the Government, a Town Council, the local government council **or** the (specify other public authority)]

and did commit a felony therein to wit [specify the felony].

(b) did break out of

- [a dwelling-house **or** a building within the curtilage thereof and occupied therewith a dwelling – house] of a person namely [specify the occupier/s of the dwelling – house]; **or**
- [a school-house to wit [specify the name of the school] **or** (a shop, a warehouse, a counting-house, an office, a store, a garage, a pavilion, a factory **or** a workshop)] the property of [specify the name of the owner]; **or**
- a building the property of [Her Majesty, the Government, a Town Council, the local government council **or** the (specify other public authority)]

having committed a felony therein to wit [specify the felony].

Penalty: Liable to imprisonment for fourteen years.

HOUSEBREAKING WITH INTENT TO COMMIT FELONY

301

did with intent to commit a felony therein enter a dwelling-house namely [specify name of dwelling-house] of [specify the name of the occupiers] in the night.

with intent to commit a felony therein did break and enter

- [a dwelling-house of (specify the name of the occupiers), a place of divine worship to wit (specify the name of the owner) belonging to (specify the name of the owner) **or** a building within the curtilage of a (dwelling-house of [specify the name of the occupiers] **or** place of divine worship to wit [specify the name of the owner] the property of [specify the name of the owner]]); **or**
- [a school-house, a shop, a warehouse, a counting-house, an office, a store, a garage, a pavilion, a factory **or** a workshop] the property of [specify the name of the owner]; **or**
- a building the property of [Her Majesty, the Government, a Town Council, the local government council **or** the (specify other public authority)].

Penalty: Liable to imprisonment for seven years.

PENAL CODE

BEING FOUND BY NIGHT ARMED OR IN POSSESSION OF HOUSEBREAKING IMPLEMENTS	302
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- (a) was found by night armed with [(a dangerous **or** an offensive) (weapon **or** instrument)] to wit a [specify the (weapon or instrument)] with intent to [break **or** enter] into a building and to commit a felony therein.
- (b) was found by night having in (his/her) possession without lawful excuse a [key, picklock, crow, jack, bit **or** (specify other implement of house-breaking)].
- (c) was found by night having (his/her) face [masked **or** disguised] with intent to commit a felony.
- (d) was found by night in a building the property of [specify the name of the owner] with intent to commit a felony.

Penalty: Liable to imprisonment for five years.

Circumstance of Aggravation

Include the following circumstance of aggravation in appropriate cases:

- and the said [insert the name of the defendant/accused] has been previously convicted of a [misdemeanour **or** felony].

Penalty: Liable to imprisonment for ten years.

CONVERSION BY TRUSTEE	304
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was a trustee of property to wit [specify the property] for [the (use **or** benefit) (wholly **or** partially) of a person namely (specify the name of this person) **or** a (public **or** charitable) purpose] with intent to defraud did [convert **or** appropriate] [the said property **or** a part thereof of the said property]

- [to **or** for] [(his/her) own (use **or** benefit) **or** the (use **or** benefit) of a person namely (specify the name of this person) other than the said person]; **or**
- for a purpose other than the said (public **or** charitable) purpose.

did [dispose of **or** destroy] [property **or** a part thereof of property] to wit [specify the property] which (he/she) was a trustee for [the (use **or** benefit) (wholly **or** partially) of a person namely (specify the name of this person) **or** a (public **or** charitable) purpose].

Penalty: Liable to imprisonment for seven years.

Provided that no prosecution for any offence included in this section shall be commenced –

- (a) by any person without the sanction of the Director of Public Prosecutions; or
- (b) by any person who has taken any civil proceedings against such trustee, without the sanction also of the court before whom such civil proceedings have been or are pending.

PENAL CODE

DIRECTOR, etc, ANY BODY CORPORATE OR PUBLIC COMPANY WILFULLY DESTROYING BOOKS, etc.	305(1)
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- (a) was a [director, manager, public officer **or** member] of a [body corporate **or** public company] to wit [specify the (body corporate **or** public company)] with intent to defraud did
- [destroy, alter, mutilate **or** falsify] [a book, paper, writing **or** a valuable security to wit a (specify the valuable security)]; **or**
 - [(omit **or** concur in) the making of a false entry **or** (omit **or** concur in) omitting a material particular in a (book of account **or** [specify other document])].
- belonging to the said [body corporate **or** public company].
- (b) was a [director, manager, public officer **or** member] of a [body corporate **or** public company] to wit [specify the (body corporate **or** public company)] with intent to defraud did [receive **or** possess (himself/herself) of] property to wit [specify the property] of the said [body corporate **or** public company] otherwise than in payment of a just [debt **or** demand] and with intent to defraud did [omit to make **or** (cause **or** direct to be made)] a full and true entry thereof in the books and accounts of the said [body corporate **or** public company].
- (c) was a [director, manager, public officer **or** member] of a [body corporate **or** public company] to wit [specify the (body corporate **or** public company)] with intent to defraud did [(make, circulate **or** publish) **or** concur in the (making, circulating **or** publishing)] of [a written statement **or** an account] which (he/she) knew to be false in a material particular with intent to [deceive **or** defraud] a [member, shareholder **or** creditor] to wit [specify the name of the (member, shareholder **or** creditor), if possible] of the said [body corporate **or** public company].
- was a [director, manager, public officer **or** member] of a [body corporate **or** public company] to wit [specify the (body corporate **or** public company)] with intent to defraud did induce a person namely [specify the name of this person] to
- become a [shareholder **or** partner] of the said [body corporate **or** public company]; **or**
 - [entrust **or** advance] property to wit (specify the property) to the said [body corporate **or** public company]; **or**
 - enter into a security for the benefit thereof of the said [body corporate **or** public company].

Penalty: Liable to imprisonment for seven years.

PENAL CODE

FRAUDULENT FALSIFICATION OF ACCOUNTS

306(1)

being a [clerk, officer, servant, **or** (employed **or** acting) in the capacity of a (clerk, officer **or** servant)] did wilfully and with intent to defraud

- [destroy, alter, mutilate **or** falsify] [a book, paper, writing, a valuable security to wit (specify the valuable security) **or** an account]; **or**
- [(make **or** concur in making) a false entry in, (omit **or** alter) **or** (concur in [omitting **or** altering]) a material particular (from **or** in)] [a book, a document **or** an account]

which [(belonged to **or** was in the possession of) (his/her) employer **or** had been received by the said (insert the name of the defendant/accused) (for **or** on behalf of) (his/her) employer].

Penalty: Liable to imprisonment for seven years.

FALSE PRETENCE

308

- (a) by a false pretence to wit [specify the false pretence] and with intent to defraud did
- obtain from a person namely [specify the name of this person] [a sum of money to wit (specify the amount of money) **or** a (chattel **or** valuable security) to wit a [specify the (chattel **or** valuable security)] **or**
 - [cause **or** procure] [a sum of money to wit (specify the amount of money) to be paid **or** a (chattel **or** valuable security) to wit a [specify the (chattel **or** valuable security)] to be delivered to [(himself/herself) **or** a person namely (specify the name of this person)] [for the (use **or** benefit) **or** on account] of [(himself/herself) **or** a person namely (specify the name of this person)].
- (b)(i) by a false pretence to wit [specify the false pretence] and with intent to [defraud **or** injure] a person namely [specify the name of this person] did fraudulently [cause **or** induce] a person namely [specify the name of this person] to [execute, make, accept, endorse, alter **or** destroy] [the whole **or** a part] of a valuable security to wit [specify the valuable security]; **or**
- (b)(ii) by a false pretence to wit [specify the false pretence] and with intent to [defraud **or** injure] a person namely [specify the name of this person] did fraudulently [cause **or** induce] a person namely [specify the name of this person] to [write, impress **or** affix] [(his/her) name, the name of a person namely (specify the name of this person) **or** the seal of a (body corporate **or** society) to wit (specify the name of the [body corporate **or** society])] upon a [paper **or** parchment] in order that the said [paper **or** parchment] may be afterwards [(made **or** converted) into **or** (used **or** dealt with) as] a valuable security.

Penalty: Liable to imprisonment for five years.

OBTAINING CREDIT BY FALSE PRETENCES
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309

- (a) in incurring a [debt **or** liability] did obtain credit by [a false pretence **or** means of a fraud] to [specify the (false pretence **or** fraud)].

PENAL CODE

- (b) with intent to defraud [(his/her) creditors **or** a creditor of (his/her)] namely [specify the name of the creditor/s] did
- make a [gift **or** (delivery of, transfer of **or** a charge on) (his **or** her) property to wit (specify the property)]; **or**
 - cause a [gift **or** (delivery of, transfer of **or** a charge on) (his **or** her) property to wit (specify the property)] to be made.
- (c) with intent to defraud [(his/her) creditors **or** a creditor of (his/her)] namely [specify the name of the creditor/s] did [conceal, sell **or** remove] a part of (his/her) property to wit [specify the property] [after **or** within two months before] the date of an [unsatisfied judgement **or** order for payment of money] obtained against (him/her).

Penalty: Liable to imprisonment for one year.

PRETENDING TO TELL FORTUNES	310
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for [gain **or** reward] did undertake to [tell fortunes **or** pretend from (his/her) (skill **or** knowledge) in an occult science to discover (where **or** in what manner) a thing to wit a (specify the thing) supposed to have been (stolen **or** lost) may be found].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

OBTAINING REGISTRATION, etc, BY FALSE PRETENCE	311
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did wilfully [procure **or** attempt to procure] for [(himself/herself) **or** a person namely (specify the name of this person)] a [registration, licence **or** certificate] to wit a [specify the (registration, licence **or** certificate)] under an Act to wit the [specify the Act] by a false pretence.

Penalty: See section 41 of the *Penal Code* (Ch. 26).

FALSE DECLARATION FOR PASSPORT	312
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did make a statement which was to (his/her) knowledge untrue for the purpose of procuring a passport for [(himself/herself) **or** for a person namely (specify the name of this person)].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

RECEIVING	313
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- (1) did receive property to wit [specify the property] knowing the said property to have been [stolen **or** obtained] in a way and under circumstances which amounted to a [felony **or** misdemeanour] to wit [specify the (felony **or** misdemeanour)].

Penalty: Liable –

- i. in the case of felony, to imprisonment for fourteen years; and
- ii. in the case of misdemeanour, to imprisonment for seven years.

PENAL CODE

- (2) did receive [a mail bag, a postal packet, a chattel to wit (specify the chattel), a sum of money to wit (specify the amount of money) **or** a valuable security to wit (specify the valuable security)] the [stealing, taking, embezzling **or** secreting] whereof did amount to a [felony **or** misdemeanour] to wit [specify the (felony **or** misdemeanour)] under the [*Post Office Act* (Ch. 113) **or** *Penal Code* (Ch. 26)] did know the said [mail bag, postal packet, chattel, money **or** valuable security] to have been so feloniously [stolen, taken, embezzled **or** secreted] and to have been [sent **or** intended to be sent] by post.

Penalty: Liable to the same punishment as if he/she had stolen, taken, embezzled or secreted the same, see section 265.

RECEIVING GOODS STOLEN OUTSIDE SOLOMON ISLANDS	314
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did [receive **or** have in (his/her) possession] property to wit [specify the property] without lawful excuse and knowing the said property to have been [stolen **or** obtained] in a way and under such circumstances that if the act had been committed in Solomon Islands the person committing it would have been guilty of a [felony **or** misdemeanour] to wit [specify the (felony **or** misdemeanour)].

Penalty: Liable to imprisonment for seven years.

ARSON	319
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did wilfully and unlawfully set fire to [a building, a structure, an aircraft, a vehicle, a vessel, a stack of (cultivated vegetable produce, mineral **or** vegetable fuel), a mine **or** the [workings, fittings **or** appliances of a mine]] the property of [specify the name of the complainant].

Penalty: Liable to imprisonment for life.

ATTEMPTED ARSON	320
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- (a) did attempt unlawfully to set fire to [a building, a structure, an aircraft, a vehicle, a vessel, a stack of (cultivated vegetable produce, mineral **or** vegetable fuel), a mine **or** the [workings, fittings **or** appliances of a mine]] the property of [specify the name of the complainant].
- (b) did wilfully and unlawfully set fire to a thing to wit [specify the thing] which was so situated to [a building, a structure, an aircraft, a vehicle, a vessel, a stack of (cultivated vegetable produce, mineral **or** vegetable fuel), a mine **or** the [workings, fittings **or** appliances of a mine]] the property of [specify the name of the complainant] that it was likely to catch fire from the said thing.

Penalty: Liable to imprisonment for fourteen years.

PENAL CODE

SETTING FIRE TO CROPS AND GROWING PLANTS

321

did wilfully and unlawfully set fire to [a crop of cultivated produce, (hay **or** grass) under cultivation) **or** a (standing tree, sapling **or** shrub)] the property of [specify the name of the complainant].

Penalty: Liable to imprisonment for fourteen years.

ATTEMPTING TO SET FIRE TO CROPS, etc.
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322

- (a) did attempt unlawfully to set fire to [a crop of cultivated produce, (hay **or** grass) under cultivation) **or** a (standing tree, sapling **or** shrub)] the property of [specify the name of the complainant].
- (b) did wilfully and unlawfully set fire to a thing to wit [specify the thing] which was so situated to [a crop of cultivated produce, (hay **or** grass) under cultivation) **or** a (standing tree, sapling **or** shrub)] the property of [specify the name of the complainant] that it was likely to catch fire from the said thing.

Penalty: Liable to imprisonment for seven years.

CASTING AWAY VESSELS

323

- (a) did wilfully and unlawfully [cast away **or** destroy] a vessel the property of [specify the name of the complainant].
- (b) did wilfully and unlawfully do an act which did tend to the immediate [loss **or** destruction] of a vessel in distress the property of [specify the name of the complainant].
- (c) with intent to bring a vessel into danger did [interfere with a (light, beacon, buoy, mark **or** signal) used for purposes of navigation **or** exhibit a false (light **or** signal)].

Penalty: Liable to imprisonment for fourteen years.

ATTEMPTS TO CAST AWAY VESSELS

324

did attempt unlawfully to

- [cast away **or** destroy] a vessel the property of [specify the name of the complainant]; **or**
- do an act tending to the immediate [loss **or** destruction] of a vessel in distress the property of [specify the name of the complainant].

Penalty: Liable to imprisonment for seven years.

PENAL CODE

INJURING ANIMALS	325
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did wilfully and unlawfully [kill, maim **or** wound] [an animal **or** a bird] to wit a [specify the type of (animal **or** bird)] capable of being stolen the property of [specify the name of the complainant].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

WILFUL AND UNLAWFUL DAMAGE OR DESTRUCTION	326
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(1) did wilfully and unlawfully [destroy **or** damage] property to wit [specify the property] the property of [specify the name of the complainant].

Penalty: Liable to imprisonment for two years.

(2) did wilfully and unlawfully [destroy **or** damage] a [dwelling-house **or** vessel] the property of [specify the name of the complainant] and the injury was caused by the explosion of an explosive substance and

- a person namely [specify the name of this person] was in the said [dwelling-house **or** vessel]; **or**
- the [destruction **or** damage] actually endangered the life of a person namely [specify the name of this person].

Penalty: Liable to imprisonment for life.

(3)(a) did wilfully and unlawfully [destroy **or** damage] a [bank **or** wall] of [a river, a canal, an aqueduct, a reservoir, inland water **or** work which appertained to (a dock, a reservoir **or** inland water)] the property of [specify the name of the complainant] and the injury caused [actual danger of inundation **or** damage] to [land **or** a building] the property of [specify the name of the complainant]; **or**

(b) did wilfully and unlawfully [destroy **or** damage] [a bridge, a viaduct **or** an aqueduct] the property of [specify the name of the complainant] which was constructed over [a (highway **or** canal) **or** which a (highway **or** canal) passes] and the said property was destroyed; **or**

(c) did wilfully and unlawfully [destroy **or** damage] [a bridge, a viaduct **or** an aqueduct] the property of [specify the name of the complainant] which was constructed over [a (highway **or** canal) **or** which a (highway **or** canal) passes] and the said property was damaged and the damage was done with intent to render

- the said [(bridge, viaduct **or** aqueduct) **or** (highway **or** canal) passing (over **or** under) the said (bridge, viaduct **or** aqueduct)]; **or**
- a part thereof of the said [(bridge, viaduct **or** aqueduct) **or** (highway **or** canal) passing (over **or** under) the said (bridge, viaduct **or** aqueduct)] [dangerous **or** impassable] and

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- the said [(bridge, viaduct **or** aqueduct) **or** (highway **or** canal) passing (over **or** under) the said (bridge, viaduct **or** aqueduct)]; **or**
- a part thereof of the said [(bridge, viaduct **or** aqueduct) **or** (highway **or** canal) passing (over **or** under) the said (bridge, viaduct **or** aqueduct)]
was rendered dangerous or impassable.

Penalty: Liable to imprisonment for life.

- (4) did wilfully and unlawfully [destroy **or** damage]
- [testamentary instrument **or** register which was (authorised **or** required) by law to be kept for ([authenticating **or** recording] the title to any property **or** recording [births, baptisms, marriages, deaths **or** burials]); **or**
 - a copy of a part of a register which was (authorised **or** required) by law to be kept for ([authenticating **or** recording] the title to any property **or** recording [births, baptisms, marriages, deaths **or** burials] which is required by law to be sent to a public officer.

Penalty: Liable to imprisonment for fourteen years.

- (5) did wilfully and unlawfully [destroy **or** damage] [a vessel (in distress, wrecked **or** stranded) **or** property to wit (specify the property) which belonged to a vessel (in distress, wrecked **or** stranded)] the property of [specify the name of the complainant].

Penalty: Liable to imprisonment for seven years.

- (6)(a) did wilfully and unlawfully destroy a vessel the property of [specify the name of the complainant]; **or**
- (b) did wilfully and unlawfully damage a vessel the property of [specify the name of the complainant] and the said damage was done with intent to [destroy it **or** render it useless]; **or**
- (c) did wilfully and unlawfully [destroy **or** damage] a [light, beacon, buoy, mark **or** signal] the property of [specify the name of the complainant] used for the [purposes of navigation **or** guidance of persons engaged in navigation]; **or**
- (d) did wilfully and unlawfully [destroy **or** damage] a [bank **or** wall] of [a river, a canal, an aqueduct, a reservoir, inland water **or** work] which [appertained to (a dock, a canal, an aqueduct, a reservoir **or** inland water) **or** was used for the purpose of (lading **or** unlading) goods] the property of [specify the name of the complainant]; **or**
- (e) did wilfully and unlawfully damage [a bridge, a viaduct **or** an aqueduct] which [was constructed over a (highway **or** canal) **or** a (highway **or** canal) passes] and the damage was done with intent to render
- the said [(bridge, viaduct **or** aqueduct) **or** (highway **or** canal) passing (over **or** under) the said (bridge, viaduct **or** aqueduct)]; **or**
 - a part thereof of the said [(bridge, viaduct **or** aqueduct) **or** (highway **or** canal) passing (over **or** under) the said (bridge, viaduct **or** aqueduct)]
dangerous or impassable; **or**

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- (f) did wilfully and unlawfully destroy [property used in the process of manufacture to wit a (specify the property), an (agricultural **or** manufacturing) machine, a manufacturing implement, **or** (a machine **or** an appliance) (used **or** intended to be used) for performing a process connected with the preparation of (agricultural **or** pastoral) produce] the property of [specify the name of the complainant]; **or**
- (g) did wilfully and unlawfully damage [property used in the process of manufacture to wit a (specify the property), an (agricultural **or** manufacturing) machine, a manufacturing implement, **or** (a machine **or** an appliance) (used **or** intended to be used) for performing a process connected with the preparation of (agricultural **or** pastoral) produce] and the damage was done with intent to destroy the said thing or to render it useless; **or**
- (h) did wilfully and unlawfully [destroy **or** damage] a [shaft **or** passage] of a mine the property of [specify the name of the complainant] and the injury was done with intent to damage the said mine or to obstruct its working; **or**
- (i) did wilfully and unlawfully [destroy **or** damage] [a machine, an appliance, an apparatus, a building, an erection, a bridge **or** a road] [appertaining to **or** used with] a mine the property of [specify the name of the complainant]; **or**
- (j) did wilfully and unlawfully destroy a [rope, chain, **or** tackle] [which was used in a mine **or** upon (a way **or** work) (appertaining to **or** used with) a mine] the property of [specify the name of the complainant]; **or**
- (k) did wilfully and unlawfully damage a [rope, chain, **or** tackle] [which was used in a mine **or** upon (a way **or** work) (appertaining to **or** used with) a mine] the property of [specify the name of the complainant] and the damage was done with intent to destroy the said thing in question or to render it useless; **or**
- (l) did wilfully and unlawfully [destroy **or** damage] [a (well **or** bore for water) **or** the (dam, bank, wall **or** floodgate) of a (millpond **or** pool)] the property of [specify the name of the complainant].

Penalty: Liable to imprisonment for seven years.

- (7) did wilfully and unlawfully [destroy **or** damage] a document which was [(deposited **or** kept) in a public office to wit (specify the public office) **or** evidence of title to (land or estate in land)].

Penalty: Liable to imprisonment for seven years.

ATTEMPT TO DESTROY, etc PROPERTY BY EXPLOSIVES	327
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unlawfully and with intent to [destroy **or** damage] property to wit [specify the property] the property of [specify the name of the complainant] did put an explosive substance to wit [specify the explosive substance, if possible] in a place near to the said property.

Penalty: Liable to imprisonment for fourteen years.

PENAL CODE

COMMUNICATING INFECTIOUS DISEASES TO ANIMALS	328
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did wilfully and unlawfully cause an infectious disease to wit [specify the infectious disease] to be communicated [to **or** among] [an animal **or** animals] to wit [specify the animal/s] capable of being stolen the property of [specify the name of the complainant].

was concerned in causing an infectious disease to wit [specify the infectious disease] to be communicated [to **or** among] [an animal **or** animals] to wit [specify the animal/s] capable of being stolen the property of [specify the name of the complainant].

did attempt to cause an infectious disease to wit [specify the infectious disease] to be communicated [to **or** among] [an animal **or** animals] to wit [specify the animal/s] capable of being stolen the property of [specify the name of the complainant].

Penalty: Liable to imprisonment for seven years.

REMOVING BOUNDARY MARKS WITH INTENT TO DEFRAUD	329
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wilfully and unlawfully and with intent to defraud did [remove **or** deface] [an object **or** a mark] which had been lawfully [erected **or** made] as an indication of the boundary of land belonging to [specify the names of the respective owners].

Penalty: Liable to imprisonment for three years.

WILFUL DAMAGE, etc, TO SURVEY AND BOUNDARY MARKS	330
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- (a) did wilfully [remove, deface **or** injure] a [survey **or** boundary] mark which was [made **or** erected] [(by **or** under) the direction of a Government department to wit the (specify the name of the Government department) **or** (in the course of **or** for the purpose of) a Government survey].
- (b) was under an obligation to maintain in repair a boundary mark [made **or** erected] [(by **or** under) the direction of a Government department to wit the (specify the name of the Government department) **or** (in the course of **or** for the purpose of) a Government survey] did [neglect **or** refuse to repair] the said boundary mark.
- (c) did wilfully [remove, deface **or** injure] a [survey mark erected (by or under) the authority of a licensed surveyor namely (specify the name of this person) **or** mark erected by an intending applicant namely (specify the name of this person) for a (lease, licence **or** right) under an Act to wit (specify the Act) relating to (mines **or** minerals)].

Penalty: Liable to imprisonment for two years, and may further be ordered by the court to pay the cost of repairing or replacing the survey mark or boundary mark and of making any survey rendered necessary by the offender's act or neglect.

PENAL CODE

THREATS TO BURN, etc.	331
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knowing the contents thereof did [send, deliver, utter **or** cause to be received] a [letter **or** writing] threatening to [(burn **or** destroy) a (house, barn **or** building), a (rick **or** stack) of (grain, hay, straw **or** [specify other agricultural produce] **or** a vessel **or** (kill, maim **or** wound) cattle] the property of [specify the name of the complainant].

Penalty: Liable to imprisonment for seven years.

FORGERY OF CERTAIN DOCUMENTS WITH INTENT TO DEFRAUD	336
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(1)(a) did forge a document to wit [a will, a codicil, a (specify other testamentary document) **or** (a probate **or** letters of administration) (with **or** without) a will annexed] of [specify the name of this person] with intent to defraud [the said person **or** a person namely (specify the name of this person)].

(b) did forge a document to wit [a deed, a bond, an assignment (at law **or** in equity) of a (deed **or** bond) **or** an attestation of the execution of a (deed **or** bond)] of [specify the name of this person] with intent to defraud [the said person **or** a person namely (specify the name of this person)].

(c) did forge a document to wit [a currency note, bank note **or** an (endorsement on **or** assignment of) a bank note] with intent to defraud.

Penalty: Liable to imprisonment for life.

(2)(a) did forge a document to wit [a valuable security, an (assignment thereof **or** endorsement thereon) a valuable security to wit a (specify the valuable security) **or** an acceptance thereof of a valuable security to wit a bill of exchange] of [specify the name of this person] with intent to defraud [the said person **or** a person namely (specify the name of this person)].

(b) did forge [a document of title to lands **or** an (assignment thereof **or** endorsement thereon) a document of title to lands] of [specify the name of this person] with intent to defraud [the said person **or** a person namely (specify the name of this person)].

(c) did forge [a document of title to goods **or** an (assignment thereof **or** endorsement thereon) a document of title to goods] of [specify the name of this person] with intent to defraud [the said person **or** a person namely (specify the name of this person)].

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- (d) did forge a document to wit a [power of attorney **or** (specify other authority)] to transfer [a share **or** interest]
- in [stock, an annuity **or** the public fund of (Solomon Islands, a part of Her Majesty's dominions to wit [specify the name of this country] **or** a [foreign state **or** country] to wit [specify the name of this country])]; **or**
 - in the [debt **or** capital stock] of a [Solomon Islands **or** foreign] [public body, company **or** society] to wit the [specify the name of the (public body, company **or** society)]
- with intent to defraud a person namely [specify the name of this person].

did forge a document to wit a [power of attorney **or** (specify other authority)] to receive [a dividend **or** money payable] in respect of [a share **or** interest]

- in [stock, an annuity **or** the public fund of (Solomon Islands, a part of Her Majesty's dominions to wit [specify the name of this country] **or** a [foreign state **or** country] to wit [specify the name of this country])]; **or**
 - in the [debt **or** capital stock] of a [Solomon Islands **or** foreign] [public body, company **or** society] to wit the [specify the name of the (public body, company **or** society)]
- with intent to defraud a person namely [specify the name of this person].

did forge a document to wit a [power of attorney **or** (specify other authority)] to transfer [a share **or** interest]

- in [stock, an annuity **or** the public fund of (Solomon Islands, a part of Her Majesty's dominions to wit [specify the name of this country] **or** a [foreign state **or** country] to wit [specify the name of this country])]; **or**
- in the [debt **or** capital stock] of a [Solomon Islands **or** foreign] [public body, company **or** society] to wit the [specify the name of the (public body, company **or** society)].

to receive an attestation of the said [power of attorney **or** authority] with intent to defraud a person namely [specify the name of this person].

- (e) did forge a document to wit an entry in a [book **or** register] which was evidence of the title of a person namely [specify the name of this person] to [a share **or** interest]
- in [stock, an annuity **or** the public fund of (Solomon Islands, a part of Her Majesty's dominions to wit [specify the name of this country] **or** a [foreign state **or** country] to wit [specify the name of this country])]; **or**
 - in the [debt **or** capital stock] of a [Solomon Islands **or** foreign] [public body, company **or** society] to wit the [specify the name of the (public body, company **or** society)]
- with intent to defraud a person namely [specify the name of this person].

PENAL CODE

did forge a document to wit an entry in a [book **or** register] which was evidence of the title of a person namely [specify the name of this person] to [a dividend **or** money payable] in respect of [a share **or** interest]

- in [stock, an annuity **or** the public fund of (Solomon Islands, a part of Her Majesty's dominions to wit [specify the name of this country] **or** a [foreign state **or** country] to wit [specify the name of this country]); **or**
- in the [debt **or** capital stock] of a [Solomon Islands **or** foreign] [public body, company **or** society] to wit the [specify the name of the (public body, company **or** society)]

with intent to defraud a person namely [specify the name of this person].

- (f) did forge a document to wit [a policy of insurance **or** an (assignment thereof **or** endorsement thereon) a policy of insurance] with intent to defraud a person namely [specify the name of this person].
- (g) did forge a document to wit [a charter-party **or** an assignment thereof a charter-party] with intent to defraud a person namely [specify the name of this person].
- (h) did forge a certificate of [the Chief Accountant **or** an officer acting in execution of the *Income Tax Act* (Ch. 123)] namely [specify the name of this person] with intent to defraud the Government of the Solomon Islands.

Penalty: Liable to imprisonment for fourteen years.

FORGERY OF CERTAIN DOCUMENTS WITH INTENT TO DEFRAUD OR DECEIVE	337
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- (1) did forge a document having [thereon **or** affixed thereto] [the (stamp **or** impression) of the Great Seal of the United Kingdom, Her Majesty's Privy Seal, a privy signet of Her Majesty, Her Majesty's Royal Sign Manual, (specify other of Her Majesty's official seals) **or** the National Seal of Solomon Islands] with intent to [defraud **or** deceive] a person namely [specify the name of this person].

Penalty: Liable to imprisonment for life.

- (2)(a) did forge a document to wit a [register **or** record] of [births, baptisms, namings, dedications, marriages, deaths, burials **and/or** cremations] which [was **or** hereafter may be] by law [authorised **or** required] to be kept relating to any [birth, baptism, naming, dedication, marriage, death, burial **and/or** cremation] with intent to [defraud **or** deceive] a person namely [specify the name of this person].

did forge a document to wit a part of a [register **or** record] of [births, baptisms, namings, dedications, marriages, deaths, burials **and/or** cremations] which [was **or** hereafter may be] by law [authorised **or** required] to be kept relating to any [birth, baptism, naming, dedication, marriage, death, burial **and/or** cremation] with intent to [defraud **or** deceive] a person namely [specify the name of this person].

PENAL CODE

- (b) did forge a document to wit a copy of a register of [baptisms, marriages, burials **or** cremations] [directed **or** required] by law to be transmitted to [a registrar **or** an officer of (specify the position of this officer)] with intent to [defraud **or** deceive] a person namely [specify the name of this person].
- (c) did forge a document to wit a certified copy of a record purporting to be signed by an officer having charge of public [documents **or** records] with intent to [defraud **or** deceive] a person namely [specify the name of this person].
- (d) did forge a document to wit a [wrapper **or** label] provided [by **or** under] the authority of the [Chief Accountant **or** Comptroller of Customs and Excise] with intent to [defraud **or** deceive] a person namely [specify the name of this person].

Penalty: Liable to imprisonment for fourteen years.

- (3)(a) did forge an official document [(of **or** belonging to) a court of justice **or** (made **or** issued) by a (Judge, Magistrate, officer **or** clerk of a court of justice)] to wit a [specify the document] with intent to [defraud **or** deceive] a person namely [specify the name of this person].
- (b) did forge a document to wit a [register **or** book] kept under the [provisions of a law in **or** authority of] a court of justice to wit a [specify the (register **or** book)] with intent to [defraud **or** deceive] a person namely [specify the name of this person].
- (c) did forge a document to wit [a certificate **or** (an office **or** a certified) copy] of
 - an official document [(of **or** belonging to) a court of justice **or** (made **or** issued) by a (Judge, Magistrate, officer **or** clerk of a court of justice)] to wit a [specify the document]; **or**
 - a [register **or** book] kept under the [provisions of a law in **or** authority of] a court of justice to wit a [specify the (register **or** book)]
 with intent to [defraud **or** deceive] a person namely [specify the name of this person].

did forge a document to wit a part of [a certificate **or** (an office **or** a certified) copy] of

 - an official document [(of **or** belonging to) a court of justice **or** (made **or** issued) by a (Judge, Magistrate, officer **or** clerk of a court of justice)] to wit a [specify the document]; **or**
 - a [register **or** book] kept under the [provisions of a law in **or** authority of] a court of justice to wit a [specify the (register **or** book)]
 with intent to [defraud **or** deceive] a person namely [specify the name of this person].
- (d) did forge a document which a Magistrate was [authorised **or** required] by law to [make **or** issue] to wit a [specify the document] with intent to [defraud **or** deceive] a person namely [specify the name of this person].
- (e) did forge a document which a person authorised to administer an oath under the law is [authorised **or** required] by law to [make **or** issue] to wit a [specify the document] with intent to [defraud **or** deceive] a person namely [specify the name of this person].

PENAL CODE

- (f) did forge a document [made **or** issued] by a head of a [Government department **or** law officer of the Crown] to wit a [specify the document] with intent to [defraud **or** deceive] a person namely [specify the name of this person].

did forge a document upon which by [the law **or** usage] at the time in force [a court of justice **or** an officer] might act to wit a [specify the document] with intent to [defraud **or** deceive] a person namely [specify the name of this person].

- (g) did forge a [document **or** copy of a document] [used **or** intended to be used] in evidence in a court of record to wit a [specify the document] with intent to [defraud **or** deceive] a person namely [specify the name of this person].

did forge a document which was made evidence by law to wit a [specify the document] with intent to [defraud **or** deceive] a person namely [specify the name of this person].

- (h) did forge a document to wit [a certificate **or** the consent] required by an Act to wit the [specify the Act] for the celebration of marriage to wit a [specify the document] with intent to [defraud **or** deceive] a person namely [specify the name of this person].

- (i) did forge a document to wit a licence for the celebration of marriage which may be given by law with intent to [defraud **or** deceive] a person namely [specify the name of this person].

- (j) did forge a document to wit [a certificate, a declaration **or** an order] under an enactment relating to the registration of births or deaths to wit [specify the enactment] with intent to [defraud **or** deceive] a person namely [specify the name of this person].

- (k) did forge a document to wit [a register, a book, a builder's certificate, a surveyor's certificate, a certificate of registry, a declaration, a bill of sale, an instrument of mortgage, **or** certificate of (mortgage **or** sale)] under Part I of the *Merchant Shipping Act* 1894 with intent to [defraud **or** deceive] a person namely [specify the name of this person].

did forge a document to wit an [entry **or** endorsement] required by Part I of the *Merchant Shipping Act* 1894 to be made [in **or** on] [a register, a book, a builder's certificate, a surveyor's certificate, a certificate of registry, a declaration, a bill of sale, an instrument of mortgage, **or** certificate of (mortgage **or** sale)] with intent to [defraud **or** deceive] a person namely [specify the name of this person].

- (l) did forge a document to wit a [permit, certificate **or** (specify a similar document)] [made **or** granted] [by **or** under] the authority of [the Comptroller of Customs and Excise **or** an officer of Customs and Excise] with intent to [defraud **or** deceive] a person namely [specify the name of this person].

- (m) did forge a document to wit a certificate to wit a [specify the certificate] with intent to [defraud **or** deceive] a person namely [specify the name of this person].

Penalty: Liable to imprisonment for seven years.

PENAL CODE

FORGING COPIES OF CERTIFICATES OR RECORDS
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was [(a clerk of a court **or** an officer having the custody of the records of a court) **or** the deputy of (a clerk of a court **or** an officer having the custody of the records of a court)] to wit the [specify the court] did utter a [false copy of (specify the record of the court) **or** certificate of a record of the court to wit (specify the record of the court) knowing the said certificate to be false].

did [deliver **or** cause to be delivered] to a person namely [specify the name of this person] a paper falsely purporting to be

- [(a record of a court **or** a certificate of a record of a court) **or** a copy thereof of (a record of a court **or** a certificate of a record of a court)]; **or**
- [a judgement, a decree **or** an order] of a court of [law **or** equity] **or** a copy thereof of [a judgement, a decree **or** an order] of a court of [law **or** equity] knowing the same to be false.

did [act **or** profess to act] under a paper falsely purporting to be

- [(a record of a court **or** a certificate of a record of a court) **or** a copy thereof of (a record of a court **or** a certificate of a record of a court)]; **or**
- [a judgement, a decree **or** an order] of a court of [law **or** equity] **or** a copy thereof of [a judgement, a decree **or** an order] of a court of [law **or** equity] knowing the same to be false.

Penalty: Liable to imprisonment for seven years.

FORGING REGISTERS OF BIRTH, BAPTISM, MARRIAGE, DEATHS OR BURIALS

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did knowingly and unlawfully [insert **or** (cause **or** permit) to be inserted] in

- a register of [birth, baptisms, marriages, deaths **or** burials] which [was **or** hereafter shall be] by law [authorised **or** required to be kept]; **or**
- a certified copy thereof of [birth, baptisms, marriages, deaths **or** burials] which [was **or** hereafter shall be] by law [authorised **or** required to be kept] a false entry of a matter relating to a [birth, baptism, marriage, death **or** burial].

did knowingly and unlawfully give to a person namely [specify the name of this person] a false certificate relating to a [birth, baptism, marriage, death **or** burial] of [specify the name of this person].

did knowingly and unlawfully certify writing to be [a copy **or** extract] from a register of [birth, baptisms, marriages, deaths **or** burials] knowing [the said writing **or** part of the said register whereof the said (copy **or** extract)] to be false in a material particular was to be given to [specify the name of this person].

PENAL CODE

did [offer, utter, dispose of **or** put off]

- a register of [birth, baptisms, marriages, deaths **or** burials] which [was **or** hereafter shall be] by law [authorised **or** required to be kept]; **or**
- a certified copy thereof of [birth, baptisms, marriages, deaths **or** burials] which [was **or** hereafter shall be] by law [authorised **or** required to be kept]; **or**
- a certificate relating to a [birth, baptism, marriage, death **or** burial] of [specify the name of this person]; **or**
- writing to be [a copy **or** extract] from a register of [birth, baptisms, marriages, deaths **or** burials]

knowing the said [register, certified copy, certificate **or** writing] to be false.

did [offer, utter, dispose of **or** put off] a copy of an entry in a register of [birth, baptisms, marriages, deaths **or** burials] which [was **or** hereafter shall be] by law [authorised **or** required to be kept] knowing the said entry to be false.

Penalty: Liable to imprisonment for life.

MAKING FALSE ENTRY IN COPIES OF REGISTER SENT TO REGISTRAR	340
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did knowingly and wilfully [insert **or** (cause **or** permit) to be inserted] in a copy of a register [directed **or** required] by law to be transmitted to [a registrar **or** an officer] to wit the [specify the position of the (registrar **or** officer)] a false entry of a matter relating to a [baptism, marriage **or** burial] of [specify the name of this person].

did knowingly and wilfully [sign **or** verify] a copy of a register [directed **or** required] by law to be transmitted to [a registrar **or** an officer] to wit the [specify the position of the (registrar **or** officer)] relating to a [baptism, marriage **or** burial] of [specify the name of this person] knowing the said copy in part to be false.

for a fraudulent purpose did [take from its place of deposit **or** conceal] a copy of a register [directed **or** required] by law to be transmitted to [a registrar **or** an officer] to wit the [specify the position of the (registrar **or** officer)] relating to a [baptism, marriage **or** burial].

Penalty: Liable to imprisonment for life.

FORGERY OF OTHER DOCUMENTS WITH INTENT TO DEFRAUD OR DECEIVE A MISDEMEANOUR	341
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(1) did forge a document to wit a [specify the document] with intent to defraud a person namely [specify the name of this person].

(2) did forge a public document to wit a [specify the public document] with intent to defraud a person namely [specify the name of this person].

(3) did forge a passport in the name of [specify the name of this person].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

PENAL CODE

FORGERY OF SEALS AND DIES

342

- (1)(a) did forge a document to wit [the Great Seal of the United Kingdom, Her Majesty's Privy Seal, a privy signet of Her Majesty, Her Majesty's Royal Sign Manual, (specify any other of Her Majesty's seals) **or** the National Seal of Solomon Islands] with intent to [defraud **or** deceive] a person namely [specify the name of this person].
- (b) did forge a document to wit the seal of a court of record to wit the [specify the court] with intent to [defraud **or** deceive] a person namely [specify the name of this person].

Penalty: Liable to imprisonment for life.

- (2)(a) did forge the seal of a registry office relating to [births, baptisms, marriages **and/or** deaths] with intent to [defraud **or** deceive] a person namely [specify the name of this person].
- (b) did forge the seal of a [burial authority **or** local authority performing the duties of a burial authority] namely the [specify the name of the (burial authority or local authority)] with intent to [defraud **or** deceive] a person namely [specify the name of this person].
- (c) did forge the seal [of **or** belonging to an office for] the registry of [deeds **and/or** titles] to lands with intent to [defraud **or** deceive] a person namely [specify the name of this person].

Penalty: Liable to imprisonment for fourteen years.

- (3)(a) did forge the seal of a court of justice other than a court of record to wit the [specify the name of the court of justice] with intent to [defraud **or** deceive] a person namely [specify the name of this person].
- (b) did forge the seal of a notary public namely [specify the name of the notary public] with intent to [defraud **or** deceive] a person namely [specify the name of this person].

Penalty: Liable to imprisonment for seven years.

- (4)(a) did forge a die [provided, made **or** used] by the [Chief Accountant **or** Comptroller of Customs and Excise] with intent to [defraud **or** deceive] a person namely [specify the name of this person].
- (b) did forge a die which [was **or** had been] [required **or** authorised] by law to be used for the [marking **or** stamping] of [(gold **or** silver) plate **or** (gold **or** silver) wares] with intent to [defraud **or** deceive] a person namely [specify the name of this person].

Penalty: Liable to imprisonment for fourteen years.

PENAL CODE

- (5) did forge [a stamp **or** die] [provided, made **or** used] in pursuance of the [*Stamp Duties Act* (Ch. 126) **or** *Post Office Act* (Ch. 113)] with intent to [defraud **or** deceive] a person namely [specify the name of this person].

Penalty: Liable to imprisonment for seven years.

UTTERING	343(1)
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knowingly and with intent to [defraud **or** deceive] did utter a [forged document, seal **or** die].

Penalty: See section 343(1) of the *Penal Code* (Ch. 26).

UTTERING CANCELLED OR EXHAUSTED DOCUMENTS	344
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did knowingly utter a document to wit [specify the document]

- which had by a lawful authority to wit [specify the lawful authority] been ordered to be [revoked, cancelled **or** suspended]; **or**
- the operation of which had ceased by [effluxion of time, death of (specify the name of this person) **or** the happening of an event to wit (specify the event)].

Penalty: See section 344 of the *Penal Code* (Ch. 26).

DEMANDING PROPERTY ON FORGED DOCUMENTS	345
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- (a) with intent to defraud did
- [demand, receive **or** obtain]; **or**
 - [cause **or** procure] to be [delivered, paid **or** transferred] to a person namely [specify the name of this person]; **or**
 - endeavour to [receive **or** obtain]; **or**
 - [cause **or** procure] to be [delivered, paid **or** transferred] to a person namely [specify the name of this person]

[a sum of money to wit (specify the amount of money), security for money **or** (specify other property whether [real **or** personal])] [under, upon **or** by virtue of] a forged instrument to wit [specify the forged instrument] knowing the said instrument to be forged.

- (b) with intent to defraud did
- [demand, receive **or** obtain]; **or**
 - [cause **or** procure] to be [delivered, paid **or** transferred] to a person namely [specify the name of this person]; **or**
 - endeavour to [receive **or** obtain]; **or**
 - [cause **or** procure] to be [delivered, paid **or** transferred] to a person namely [specify the name of this person]

PENAL CODE

[a sum of money to wit (specify the amount of money), security for money **or** (specify other property whether [real **or** personal])] [under, upon **or** by virtue of] [probate **or** letters of administration] knowing the [will, testament, codicil **or** testamentary writing] on which the said [probate **or** letters of administration] had been obtained

- to have been forged; **or**
- by a false [oath, affirmation **or** affidavit].

Penalty: Liable to imprisonment for fourteen years.

POSSESSION OF FORGED DOCUMENTS, SEALS AND DIES	346
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- (1) without lawful [authority **or** excuse] and no proof whereof
- did [import into Solomon Islands; **or**
 - did [purchase **or** receive] from a person namely [specify the name of this person]; **or**
 - had in (his/her) [custody **or** possession]
- a forged [currency **or** bank note] to wit [specify the (currency **or** bank note)] knowing the said [currency **or** bank note] to be forged.

Penalty: Liable to imprisonment for fourteen years.

- (2)(a) without lawful [authority **or** excuse] and knowing the same to be forged had in (his/her) [custody **or** possession]
- a forged die [required **or** authorised] by law to be used for the marking of [(gold **or** silver plate) **or** (gold **or** silver wares)]; **or**
 - a ware of [gold, silver **or** base metal] bearing the impression of forged die.
- (b) without lawful [authority **or** excuse] and knowing the same to be forged had in (his/her) [custody **or** possession] [a forged stamp **or** forged die] as defined by the [*Stamp Duties Act* (Ch. 126) **or** *Post Office Act* (Ch. 113)].
- (c) without lawful [authority **or** excuse] and knowing the same to be forged had in (his/her) [custody **or** possession] a forged [wrapper **or** label] provided [by **or** under] the authority of the [Chief Accountant **or** Comptroller of Customs and Excise].

Penalty: Liable to imprisonment for fourteen years.

- (3) without lawful [authority **or** excuse] and knowing the same to be forged had in (his/her) [custody **or** possession] a forged [stamp **or** die] [resembling **or** intended to resemble] [wholly **or** in part] [a stamp **or** die] which [had been **or** may have been] [provided, made **or** used] [by **or** under] the direction of the local authority for the purpose of the [(*Stamp Duties Act* (Ch. 126) **or** *Post Office Act* (Ch. 113)].

Penalty: Liable to imprisonment for seven years.

PENAL CODE

MAKING OR HAVING IN POSSESSION PAPER OR IMPLEMENTS FOR FORGERY	347
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- (a) without lawful authority or excuse did [make, use **or** knowingly have in (his/her) (custody **or** possession)] paper intended to [resemble **or** pass as]
- special paper such as was provided and used for making a [currency note, bank note **or** treasury bill]; **or**
 - revenue paper.
- (b) without lawful authority or excuse did [make, use **or** knowingly have in (his/her) (custody **or** possession)] [a frame, a mould **or** an instrument] for making paper intended to [resemble **or** pass as]
- special paper such as was provided and used for making a [currency note, bank note **or** treasury bill]; **or**
 - revenue paper.
- without lawful authority or excuse did [make, use **or** knowingly have in (his/her) (custody **or** possession)] [a frame, a mould **or** an instrument] for producing [in **or** on]
- special paper such as was provided and used for making a [currency note, bank note **or** treasury bill]; **or**
 - revenue paper
- [words, figures, letters, marks, lines **or** devices] peculiar to and used [in **or** on] the said paper.
- (c) being a person without lawful authority or excuse did [engrave **or** make] upon [a plate, wood, a stone **or** (specify other material)] [words, figures, letters, marks, lines **or** devices] peculiar to and used [in **or** on]
- a [currency **or** bank note]; **or**
 - a document [entitling **or** evidencing the title of] a person namely [specify the name of this person]
 - to [a share **or** an interest] in [public stock, annuity, fund **or** debt] of a [part of Her Majesty's dominions **or** foreign state] to wit [specify the country]; **or**
 - in [stock, annuity, fund **or** debt] of [a body corporate, company **or** society] to wit the [specify the name of the (body corporate, company **or** society)].
- (d) without lawful authority or excuse did [use **or** knowingly have in (his/her) (custody **or** possession)] [a plate, wood, a stone **or** (specify other material)] upon which [words, figures, letters, marks, lines **or** devices] peculiar to and used [in **or** on]
- a [currency **or** bank note]; **or**
 - a document [entitling **or** evidencing the title of] a person namely [specify the name of this person]
 - to [a share **or** an interest] in [public stock, annuity, fund **or** debt] of a [part of Her Majesty's dominions **or** foreign state] to wit [specify the country]; **or**
 - in [stock, annuity, fund **or** debt] of [a body corporate, company **or** society] to wit the [specify the name of the (body corporate, company **or** society)]
- had been [engraved **or** made].

PENAL CODE

- (e) without lawful authority or excuse did [use **or** knowingly have in (his/her) (custody **or** possession)] paper upon which [words, figures, letters, marks, lines **or** devices] peculiar to and used [in **or** on]
- a [currency **or** bank note]; **or**
 - a document [entitling **or** evidencing the title of] a person namely [specify the name of this person]
 - to [a share **or** an interest] in [public stock, annuity, fund **or** debt] of a [part of Her Majesty's dominions **or** foreign state] to wit [specify the country]; **or**
 - in [stock, annuity, fund **or** debt] of [a body corporate, company **or** society] to wit the [specify the name of the (body corporate, company **or** society)]
- had been [printed **or** made].

Penalty: Liable to imprisonment for seven years.

PURCHASING OR HAVING IN POSSESSION CERTAIN PAPER BEFORE IT HAS BEEN STAMPED AND ISSUED	348
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- (a) without lawful authority or excuse did [purchase, receive **or** knowingly have in (his/her) (custody **or** possession)] special paper provided and used for making [currency notes, treasury bills **or** revenue paper] before the said paper had been duly stamped, signed, and issued for public use.
- (b) without lawful authority or excuse did [purchase, receive **or** knowingly have in (his/her) (custody **or** possession)] a die peculiarly used in the manufacture of special paper provided and used for making [currency notes, treasury bills **or** revenue paper].
- (c) without lawful authority or excuse did [purchase, receive **or** knowingly have in (his/her) (custody **or** possession)] a facsimile of the [signature on **or** design of] currency notes which are lawful tender in Solomon Islands.
- (d) without lawful authority or excuse did [purchase, receive **or** knowingly have in (his/her) (custody **or** possession)] an [unfinished **or** incomplete] currency note purporting to be similar to a currency note which was lawful tender in Solomon Islands.

Penalty: Liable to imprisonment for two years.

FALSIFYING WARRANTS FOR MONEY PAYABLE UNDER PUBLIC AUTHORITY	349
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being employed in the public service did knowingly and with intent to defraud [make out **or** deliver] to a person namely [specify the name of this person] a warrant for the payment of money payable by public authority for a [greater **or** less amount] than that to which the person namely [specify the name of this person] on whose behalf the said warrant was made out was entitled.

Penalty: Liable to imprisonment for seven years.

PENAL CODE

LETTER WRITTEN FOR CERTAIN PERSONS TO BE SIGNED, etc., BY WRITER	351(1)
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did write a [letter **or** petition] [at the request **or** in the name] of a person namely [specify the name of this person] who was unable to read the language in which the said [letter **or** petition] was written and did write thereon (his/her) own name and address and in doing so did imply a statement by (him/her) that (he/she) was instructed to write the said [letter **or** petition] by the said person and that it conveyed neither more nor less than the meaning intended by the said person [and that it was read over and explained to the said person and that the said person fully understood the contents thereof before the said person [signed or executed it] and that the [mark **or** signature] thereon which purports to be (his/her) was (his/her) [mark **or** signature].

Penalty: Liable to a fine of ten dollars.

COUNTERFEITING	352(1)
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- (a) did falsely [make **or** counterfeit] a coin resembling a current [gold **or** silver] coin of the Solomon Islands to wit the [specify the coin].

Penalty: Liable to imprisonment for life.

- (b) did falsely [make **or** counterfeit] a coin resembling a current copper coin of the Solomon Islands to wit the [specify the coin].

Penalty: Liable to imprisonment for seven years.

GILDING, SILVERING, FILING AND ALTERING	353
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- (a)(i) did [(gild **or** silver) **or** with (a wash **or** materials) capable of producing the (colour **or** appearance) of (gold **or** silver) **or** by (specify other means) (wash, case over **or** colour)] a coin resembling a current [gold **or** silver] coin of the Solomon Islands to wit the [specify the coin].
- (ii) did [(gild **or** silver) **or** with (a wash **or** materials) capable of producing the (colour **or** appearance) of (gold **or** silver) **or** by (specify other means) (wash, case over **or** colour)] a current copper coin of the Solomon Islands to wit the [specify the coin] with intent to make it resemble or pass for a current [gold **or** silver coin] to wit the [specify the coin].
- (iii) did [(gild **or** silver) **or** with (a wash **or** materials) capable of producing the (colour **or** appearance) of (gold **or** silver) **or** by (specify other means) (wash, case over **or** colour)] a piece of [silver, copper, coarse (gold **or** silver), metal **or** a mixture of metals] being of a fit size and figure to be coined with intent that it shall be coined into false and counterfeit coin resembling current [gold **or** silver] coin to wit the [specify the coin].
- (b) did [gild, with (a wash **or** materials) capable of producing the (colour **or** appearance) of gold **or** by (specify other means [wash, case over **or** colour])] a current silver coin to wit the [specify the coin] with intent to make it resemble or pass for a current gold coin to wit the [specify the coin].

PENAL CODE

- (c)(i) did [file **or** alter] a current silver coin to wit the [specify the coin] with intent to make it resemble or pass for a current gold coin to wit the [specify the coin].
- (ii) did [file **or** alter] a current copper coin to wit the [specify the coin] with intent to make it resemble or pass for a current [gold **or** silver] coin to wit the [specify the coin].

Penalty: Liable to imprisonment for life.

IMPAIRING GOLD OR SILVER COIN AND UNLAWFUL POSSESSION OF FILING, etc.	354
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- (1) did [impair, diminish **or** lighten] a current [gold **or** silver] coin to wit a [specify the coin] with intent that the [impaired, diminished **or** lightened] coin may pass for a current [gold **or** silver] coin to wit the [specify the coin].

Penalty: Liable to imprisonment for fourteen years.

- (2) did unlawfully have in (his/her) possession [a (filing **or** chipping), (gold **or** silver) bullion **or** (gold **or** silver) in (dust, solution **or** [specify otherwise])] which had been [produced **or** obtained] by [impairing, diminishing **or** lightening] a current [gold **or** silver] coin to wit the [specify the coin] knowing that it had been so [produced **or** obtained].

Penalty: Liable to imprisonment for seven years.

UTTERING AND POSSESSION WITH INTENT TO UTTER	355
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- (1) did [tender, utter **or** put off] a [false **or** counterfeit] coin resembling a current coin to wit the [specify the coin] knowing it to be [false or counterfeit].

Penalty: Liable to imprisonment for one year.

- (5) **Circumstance of aggravation in respect of a coin resembling a current gold or silver coin.**

The following circumstance of aggravation is to be included at the end of the abovementioned charge:

- and the said [insert the name of the defendant/accused] had been previously convicted of a [misdemeanour under section 355(1) **or** felony under Part XXXVI] of the *Penal Code* (Ch. 26).

Penalty: Liable to imprisonment for life.

- (2)(a) did [tender, utter **or** put off] a [false **or** counterfeit] coin resembling a current [gold **or** silver] coin to wit the [specify the coin] knowing it to be [false or counterfeit] and at the time of the [tendering, uttering **or** putting off] had in (his/her) possession besides the said coin another [false **or** counterfeit] coin; **or**

PENAL CODE

- (b) did [tender, utter **or** put off] a [false **or** counterfeit] coin resembling a current [gold **or** silver] coin to wit the [specify the coin] knowing it to be [false or counterfeit] and [on the date of the (tendering, uttering **or** putting off) **or** within the period of ten days next following [tenders, utters **or** puts off] another [false **or** counterfeit] coin knowing the said coin to be [false **or** counterfeit].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

(5) Circumstance of Aggravation

The following circumstance of aggravation is to be included at the end of the abovementioned charge:

- and the said [insert the name of the defendant/accused] had been previously convicted of a [misdemeanour under section 355(2) **or** felony under Part XXXVI] of the *Penal Code* (Ch. 26).

Penalty: Liable to imprisonment for life.

- (3) did have in (his/her) possession [three **or** (specify a number more than three)] [false **or** counterfeit] coins resembling a current [gold **or** silver] coin to wit the [specify the coin] knowing the said coins to be [false **or** counterfeit] and with intent to [utter **or** put off] any of the said coins.

Penalty: Liable to imprisonment for five years.

(5) Circumstance of Aggravation

The following circumstance of aggravation is to be included at the end of the abovementioned charge:

- and the said [insert the name of the defendant/accused] had been previously convicted of a [misdemeanour under section 355(3) **or** felony under Part XXXVI] of the *Penal Code* (Ch. 26).

Penalty: Liable to imprisonment for life.

- (4) did have in (his/her) possession [three **or** (specify a number more than three)] [false **or** counterfeit] coins resembling a current copper coin to wit the [specify the coin] knowing the said coins to be [false **or** counterfeit] and with intent to [utter **or** put off] any of the said coins.

Penalty: Liable to imprisonment for one year.

- (6)(a) with intent to defraud did [tender, utter **or** put off] [as **or** for] a current [gold **or** silver] coin to wit the [specify the coin] a coin not being the said current coin and being of less value than the said current coin.

PENAL CODE

- (b) with intent to defraud did [tender, utter **or** put off] [as **or** for] a current [gold **or** silver] coin to wit the [specify the coin] [metal, a piece of metal **or** mixed metals] resembling in size, figure and colour the said current coin and being of less value than the said current coin.

is guilty of a misdemeanour, and shall be liable to imprisonment for one year.

BUYING OR SELLING, etc., COUNTERFEIT COIN FOR LOWER VALUE THAN ITS DENOMINATION	356(1)
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- (a) without lawful authority or excuse did import by [(buying, selling, receiving, paying **or** putting off) **or** offering to (buy, sell, receive, pay **or** put off)] a [false **or** counterfeit] coin resembling a current [gold **or** silver] coin to wit a [specify the coin] [at **or** for] a lower rate of value than the said [false **or** counterfeit] coin [import **or** apparently was intended to import].

without lawful authority or excuse did [(buy, sell, receive, pay **or** put off) **or** offering to (buy, sell, receive, pay **or** put off)] a [false **or** counterfeit] coin resembling a current [gold **or** silver] coin to wit a [specify the coin] [at **or** for] a lower rate of value than the said [false **or** counterfeit] coin which apparently was intended to be imported.

Penalty: Liable to imprisonment for life.

- (b) without lawful authority or excuse did import by [(buying, selling, receiving, paying **or** putting off) **or** offering to (buy, sell, receive, pay **or** put off)] a [false **or** counterfeit] coin resembling a current copper coin to wit a [specify the coin] [at **or** for] a lower rate of value than the said [false **or** counterfeit] coin [import **or** apparently was intended to import].

without lawful authority or excuse did [(buy, sell, receive, pay **or** put off) **or** offering to (buy, sell, receive, pay **or** put off)] a [false **or** counterfeit] coin resembling a current copper coin to wit a [specify the coin] [at **or** for] a lower rate of value than the said [false **or** counterfeit] coin which apparently was intended to be imported.

Penalty: Liable to imprisonment for seven years.

IMPORTING AND EXPORTING COUNTERFEIT COIN	357(1)
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- (a) without lawful authority or excuse did [import **or** receive] into Solomon Islands from beyond the seas to wit [specify the country] a [false **or** counterfeit] coin resembling a current [gold **or** silver] coin to wit [specify the coin] knowing the said coin to be [false **or** counterfeit].

Penalty: Liable to imprisonment for fourteen years.

PENAL CODE

- (b) without lawful authority or excuse did [export from Solomon Islands **or** put on board a (ship, vessel **or** boat) to wit (specify the [ship, vessel **or** boat])] for the purpose of being so exported] a [false **or** counterfeit] coin resembling a current coin to wit [specify the coin] knowing the said coin to be [false **or** counterfeit].

Penalty: Liable to imprisonment for fourteen years.

MAKING, POSSESSING AND SELLING MEDALS RESEMBLING GOLD OR SILVER COIN	358
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- (a) without lawful excuse did [make, sell, offer for sale **or** have in (his/her) possession for sale] a [medal, cast, coin, **or** (specify other like thing)] made [wholly **or** partially] of [metal **or** a mixture of metals] resembling in size, figure and colour a current [gold **or** silver] coin to wit the [specify the coin].
- (b) without lawful excuse did [make, sell, offer for sale **or** have in (his/her) possession for sale] a [medal, cast, coin, **or** (specify other like thing)] made [wholly **or** partially] of [metal **or** a mixture of metals] having thereon a device resembling a device on a current coin to wit the [specify the current coin].
- (c) without lawful excuse did [make, sell, offer for sale **or** have in (his/her) possession for sale] a [medal, cast, coin, **or** (specify other like thing)] made [wholly **or** partially] of [metal **or** a mixture of metals] being so formed that it could by [gilding, silvering, colouring, washing **or** (specify other like process)] be so dealt with as to resemble a current coin to wit the [specify the coin].

Penalty: Liable to imprisonment for one year.

MAKING, MENDING AND HAVING POSSESSION OF COINING IMPLEMENTS	359
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- (1) without lawful authority or excuse did knowingly [(make **or** mend), ([begin **or** proceed] to [make **or** mend]), (buy **or** sell) **or** have in (his/her) possession] a [puncheon, counter puncheon, matrix, stamp, die, pattern **or** mould] [in **or** upon] which [there was (made **or** impressed) **or** (would **or** was adapted and intended to) (make **or** impress)] the [figure, stamp **or** apparent resemblance] of [(both **or** either) **or** a part of (both **or** either)] of the sides of a current [gold **or** silver] coin to wit the [specify the coin].

Penalty: Liable to imprisonment for life.

- (2)(a) without lawful authority or excuse did knowingly [(make **or** mend), ([begin **or** proceed] to [make **or** mend]), (buy **or** sell) **or** have in (his/her) possession] [an edger, edging, a tool, a collar, an instrument **or** an engine] adapted and intended for the marking of coin round the edges with [letters, graining, marks **or** figures] apparently resembling those on the edges of a current [gold **or** silver] coin to wit [specify the coin] knowing it to be so adapted and intended as aforesaid.

PENAL CODE

- (b) without lawful authority or excuse did knowingly [(make **or** mend), ([begin **or** proceed] to [make **or** mend]), (buy **or** sell) **or** have in (his/her) possession] a [press for coinage **or** (cutting engine **or** machine) for cutting by force of a (screw **or** [specify other contrivance])] round blanks out of (gold, silver, metal **or** mixture of metals] knowing the said [press to be a press for coinage **or** (engine **or** machine)] to [have been used **or** intended to be used] for the [false making **or** counterfeiting] of a current [gold **or** silver] coin to wit [specify the coin].

Penalty: Liable to imprisonment for life.

- (3) without lawful authority or excuse did knowingly [(make **or** mend), ([begin **or** proceed] to [make **or** mend]), (buy **or** sell) **or** have in (his/her) possession] [an instrument, a tool **or** an engine] adapted and intended for the counterfeiting of a current copper coin to wit [specify the coin].

Penalty: Liable to imprisonment for seven years.

DEFACING AND UTTERING DEFACED COINS	362
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- (1) did deface a current coin to wit [specify the coin] by stamping thereon [a name **or** words] to wit [specify the (name **or** words)].

Penalty: Liable to imprisonment for one year.

- (3) did [tender, utter **or** put off] a coin to wit [specify the coin] which had been defaced by stamping thereon [a name **or** words] to wit [specify the (name **or** words)].

Penalty: Liable to a fine of four dollars:

To institute proceedings the consent of the Director of Public Prosecutions is required.

MELTING DOWN OF CURRENCY	363
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did [melt down, break up **or** use] otherwise than as currency a silver coin to wit [specify the coin] current for the time being in Solomon Islands.

Penalty: Liable to imprisonment for six months.

MUTILATING OR DEFACING CURRENCY NOTES	364
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without lawful authority or excuse did [mutilate **or** deface] a currency note to wit [specify the currency note] by [(writing, printing, drawing **or** stamping) thereon **or** (attaching **or** affixing) thereto a thing in the (nature **or** form) of an advertisement].

Penalty: Liable to a fine of forty dollars.

PENAL CODE

IMITATION OF CURRENCY

365

- (1) without lawful authority or excuse did [(sell **or** offer) **or** expose for sale] an article which did bear a design in imitation of a [(currency **or** bank) note **or** coin] to wit a [specify the (currency **or** bank) note **or** coin] in current use in [Solomon Islands **or** (specify elsewhere)].

Penalty: Liable to imprisonment for six months.

- (2) did [(make **or** cause to be made) **or** use for a purpose to wit (specify the purpose)] a document [purporting to be **or** in a way (resembling **or** so nearly resembling as to be calculated to deceive)] a [currency note **or** a part thereof of a currency note] to wit [specify the currency note].

Penalty: Liable to a fine of ten dollars in respect of each such document.

- (3) whose name appeared on a document to wit [specify the document] the making of which was an offence under section 365 of the *Penal Code* (Ch. 26) did refuse to disclose to a police officer namely [specify the name and rank of the officer] the name and address of the person namely [specify the name of this person] by whom it was [printed **or** made].

Penalty: Liable to a fine of twenty dollars.

PERSONATION IN GENERAL

367

with intent to defraud a person namely [specify the name of this person] did falsely represent (himself/herself) to be some other person namely [specify the name of this person].

Penalty: See section 41 of the *Penal Code* (Ch. 26).

with intent to defraud a person namely [specify the name of this person] did falsely represent (himself/herself) to be some other person namely [specify the name of this person] who was entitled by [will **or** the operation of law] to specific property to wit [specify the property] to [obtain **or** gain possession of] the said property.

Penalty: Liable to imprisonment for seven years.

FALSELY ACKNOWLEDGING DEEDS, RECOGNISANCES, etc
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368

without lawful authority or excuse did make in the name of another person namely [specify the name of this person] before a [court to wit the (specify the court) **or** person namely (specify the name of this person)] lawfully authorised to take [such an acknowledgment, an acknowledgment, a liability **or** an acknowledgment of (a deed **or** [specify other instrument])].

Penalty: Liable to imprisonment for seven years.

PENAL CODE

PERSONATION OF A PERSON NAMED IN A CERTIFICATE

369

did utter a document to wit [specify the document] which had been issued by lawful authority whereby (he/she) was certified to be a person possessed of a qualification to wit [specify the qualification] recognised by law

- for a purpose to wit [specify the purpose]; **or**
- to be the holder of an office to wit the office of [specify the office]; **or**
- to be entitled to exercise a [profession, trade **or** business]; **or**
- to be entitled to a [right **or** privilege] to wit the [right **or** privilege] to [specify the (right **or** privilege)]; **or**
- to enjoy [a rank **or** status] to wit [specify the (rank **or** status of)]

and did falsely represent (himself/herself) to be the person named in the said document to a person namely [specify the name of this person].

Penalty: Liable to the same punishment as if (he/she) had forged the document, see sections 336 & 337 of the *Penal Code* (Ch. 26).

LENDING etc CERTIFICATE FOR PERSONATION
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370

to whom a document to wit [specify the document] which had been issued by lawful authority whereby (he/she) was certified to be a person possessed of a qualification to wit [specify the qualification] recognised by law

- for a purpose to wit [specify the purpose]; **or**
- to be the holder of an office to wit the office of [specify the office]; **or**
- to be entitled to exercise a [profession, trade **or** business]; **or**
- to be entitled to a [right **or** privilege] to wit the [right **or** privilege] to [specify the (right **or** privilege)]; **or**
- to enjoy [a rank **or** status] to wit [specify the (rank **or** status of)]

did [sell, give **or** lend] the said document to another person namely [specify the name of this person] with intent that the said person may represent (himself/herself) to be the person named therein.

Penalty: See section 41 of the *Penal Code* (Ch. 26).

PERSONATION OF PERSON NAMED IN A TESTIMONIAL OF CHARACTER
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371

did for the purpose of obtaining employment utter a document to wit [specify the document] of the nature of a testimonial of character given to another person namely [specify the name of this person].

Penalty: Liable to imprisonment for one year.

PENAL CODE

LENDING, etc., TESTIMONIAL FOR PERSONATION	372
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being a person to whom a document to wit [specify document] of the nature of a testimonial of character had been given did [give, sell **or** lend] said document to a person namely [specify name of person] with the intent that said person may utter said document for the purpose of obtaining employment.

Penalty: Liable to imprisonment for two years.

CORRUPT PRACTICES	374
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- (a) was an agent did corruptly [(accept **or** obtain) **or** agree to (accept **or** attempt to obtain)] from a person namely [specify the name of this person] for [(himself/herself) **or** a person namely (specify the name of this person)] a [gift **or** consideration] as an [inducement **or** reward] for [(doing **or** forbearing to do) **or** (having done **or** forborne to do) an act **or** (showing **or** forbearing to show) (favour **or** disfavour) to a person namely (specify the name of this person)] in relation to the [affairs **or** business] of (his/her) principal namely [specify the name of the principal].

- (b) did corruptly [(give **or** agree to give) **or** offer] a [gift **or** consideration] to an agent namely [specify the name of the agent] as [an inducement **or** a reward] for [(doing **or** forbearing to do) **or** (having done **or** forborne to do) an act **or** (showing **or** forbearing to show) (favour **or** disfavour) to a person namely (specify the name of this person)] in relation to the [affairs **or** business] of (his/her) principal namely [specify the name of the principal].

- (c) did knowingly give to an agent namely [specify the name of the agent] a [receipt **or** document] in respect of which the principal namely [specify the name of the principal] was interested and which did contain a statement which was [(false **or** erroneous) **or** defective in a material particular] and which to (his/her) knowledge was intended to mislead the said principal.

- (d) was an agent did knowingly use with intent to deceive (his/her) principal namely [specify the name of the principal] a [receipt **or** document] in respect of which the principal namely [specify the name of the principal] was interested and which did contain a statement which was [(false **or** erroneous) **or** defective in a material particular] and which to (his/her) knowledge was intended to mislead the said principal.

Penalty: Liable to imprisonment for two years or to a fine of six hundred dollars.

To institute proceedings the consent of the Director of Public Prosecutions is required, see section 377 of the *Penal Code* (Ch. 26).

PENAL CODE

SECRET COMMISSION OF GOVERNMENT CONTRACTS	375
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did commit an offence under Part XXX of the *Penal Code* (Ch. 26) where the [matter **or** transaction] in relation to which the said offence was committed was a [contract **or** proposal for a contract] with

- the Government; **or**
- a Government department to wit the [specify the Government department]; **or**
- a Town Council to wit the [specify the Town Council]; **or**
- a local government council to wit the [specify the local government council]; **or**
- a public body to wit the [specify the public body].

did commit an offence under Part XXX of the *Penal Code* (Ch. 26) where the [matter **or** transaction] in relation to which the said offence was committed was a sub – contract to execute work comprised in a contract with

- the Government; **or**
- a Government department to wit the [specify the Government department]; **or**
- a Town Council to wit the [specify the Town Council]; **or**
- a local government council to wit the [specify the local government council]; **or**
- a public body to wit the [specify the public body].

Penalty: Liable to imprisonment for seven years, or to a fine of one thousand dollars.

To institute proceedings the consent of the Director of Public Prosecutions is required, see section 377 of the *Penal Code* (Ch. 26).

TRAFFIC ACT

VEHICLES TO BE LICENSED (Subject to section 8)	7
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- (1) did [use **or** permit to be used] a [motor vehicle to wit a (specify the motor vehicle) **or** trailer] on a road namely [specify the name of the road] which was repairable at the public expense and which was not licensed under and in accordance with the provisions of Part II of the *Traffic Act* (Ch. 131) and the said [vehicle **or** trailer] was not exempted from the provisions of section 7 by or under the provisions of the *Traffic Act* (Ch. 131) or any regulations made thereunder.

Penalty: Liable to a fine of five hundred dollars or to imprisonment for six months or to both such fine and such imprisonment.

- (4) did [use **or** permit to be used] a motor vehicle to wit a [specify the motor vehicle] for which a licence fee had been paid as a motor vehicle of a class for which a higher licence fee is payable and had not been paid.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment.

IDENTIFICATION PLATES	12
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did [use **or** permit to be used] a motor vehicle to wit a [specify the motor vehicle] on a road namely [specify the name of the road] without having affixed thereto in the prescribed manner [the prescribed number of identification plates of the prescribed design and colour on which was inscribed the registration number of the vehicle **or** the dealer's general licence].

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment.

LICENCE TO BE DISPLAYED ON VEHICLE	13(1)
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on a road namely [specify the name of the road] did [use **or** permit to be used] a vehicle to wit a [specify the vehicle] the licence to which was [illegible **and/or** defaced **and/or** displayed on the said vehicle not in the prescribed manner].

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months.

DEALERS GENERAL LICENCE	16(2)
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being the holder of a dealer's general licence issued under section 16 of the *Traffic Act* (Ch. 131) did [contravene **or** fail to comply with] a [term **or** condition] to which (his/her) licence was subject to wit [describe the (term **or** condition) not complied with].

Penalty: Liable to a fine of five hundred dollars or to imprisonment for six months or to both such fine and such imprisonment.

TRAFFIC ACT

DRIVERS TO BE LICENSED

20

- (1) did drive a motor vehicle to wit a [specify the motor vehicle] on a road namely [specify the name of the road] not being the holder of a valid driving licence or a provisional licence endorsed in respect of that class of vehicle.
- (2) being [the owner of **or** in charge of a motor vehicle] to wit a [specify the motor vehicle] did [cause **or** permit] a person namely [specify the name of this person] to drive the said motor vehicle whilst the said person was not the holder of a valid driving licence or a valid provisional licence endorsed in respect of that class of motor vehicle.

Penalty: Liable on first conviction to a fine of two hundred dollars or to imprisonment for six months, and on a second or subsequent conviction to a fine of five hundred dollars or to imprisonment for six months or to both such fine and such imprisonment.

PROVISIONAL DRIVING LICENCE

23(3)

being the holder of a provisional licence did fail to comply with a [term or condition] as [endorsed thereon **or** prescribed in relation thereto] to wit [specify the (term **or** condition) not complied with].

Penalty: Liable to a fine of one hundred and fifty dollars or to imprisonment for two months or to both such fine and such imprisonment.

PRODUCTION OF DRIVING LICENCE

25

being the driver of a motor vehicle to wit a [specify the motor vehicle] on a road namely [specify the name of the road] did fail to carry (his/her) [driving licence **or** provisional licence] and on being so required by a police officer namely [specify the rank and name of police officer] did fail to produce the said license for examination.

Penalty: Liable to a fine of fifty dollars.

OFFENCE OF APPLYING FOR OR OBTAINING LICENCE, OR DRIVING, WHILE DISQUALIFIED

35

- (a) being disqualified for holding or obtaining a licence did [apply for **or** obtain a licence] while (he/she) was so disqualified.
- (b) being disqualified for holding or obtaining a licence did drive on a road namely [specify the name of the road] a motor vehicle to wit [specify the motor vehicle].

being disqualified for holding or obtaining a licence of a particular [class **or** description] to wit [specify the (class **or** description)] did drive on a road namely [specify the name of the road] a motor vehicle of the said [class **or** description].

TRAFFIC ACT

Penalty: Liable to imprisonment for twelve months, or, if the court thinks that having regard to the special circumstances of the case a fine would be adequate punishment for the offence, to a fine of five hundred dollars or to both such imprisonment and such fine.

ENDORSEMENT OF LICENSE	36
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(4) being the holder of a licence did fail to [post (his/her) license, cause (his/her) license to be delivered **or** produce (his/her) license] to a court to wit the [specify the type of court and its location] as required by a [court to wit (specify the type of court and its location) **or** police officer namely (specify the rank and name of the officer)] in accordance with section 36 of the *Traffic Act* (Ch. 131).

(6) whose license had been ordered to be endorsed with particulars of a disqualification order issued under the *Traffic Act* (Ch. 131) and who had not previously become entitled under subsection (7) of section 36 of the said Act to have the license issued to (him/her) free from the said particulars did [apply for **or** obtain] a license without giving the particulars of the order issued in respect of (his/her) license under the said Act.

Penalty: Liable to a fine of two hundred dollars and any license so ordered shall be of no effect.

CAUSING DEATH BY RECKLESS OR DANGEROUS DRIVING	38
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did cause the death of a person namely [specify the name of this person] by the driving of a motor vehicle to wit a [specify the motor vehicle] on a road namely [specify the name of the road] [recklessly **or** (at a speed **or** in a manner) which was dangerous to the public] having regard to all the circumstances of the case including the nature condition and use of the said road and the amount of traffic which was actually at the time or which might have been reasonably be expected to be on the said road by [specify the manner of driving].

Penalty: Liable to imprisonment for five years.

RECKLESS AND DANGEROUS DRIVING GENERALLY	39(1)
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did drive a motor vehicle to wit a [specify the motor vehicle] on a road namely [specify the name the of road] [recklessly **or** (at a speed **or** in a manner) which was dangerous to the public] having regard to all the circumstances of the case including the nature condition and use of the said road and the amount of traffic which was actually at the time or which might have been reasonably be expected to be on the said road by [specify the manner of driving].

Penalty: Liable –

(a) on conviction by the High Court, to a fine of one thousand dollars or to imprisonment for two years or to both such fine and such imprisonment;

TRAFFIC ACT

- (b) on conviction by a Magistrate's Court, to a fine of five hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, or in the case of a second or subsequent conviction to a fine of six hundred dollars or to imprisonment for twelve months or to both such fine and such imprisonment.

CARELESS AND INCONSIDERATE DRIVING	40(1)
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did drive a motor vehicle to wit a [specify the motor vehicle] on a road namely [specify the name of the road] without [due care and attention **or** reasonable consideration for other persons using the road] by [specify the actions of the defendant/accused].

Penalty: Liable to a fine of five hundred dollars or to imprisonment for six months, and in the case of a second or subsequent conviction to a fine of seven hundred dollars or to imprisonment for six months or to both such fine and such imprisonment.

SPEEDING	41(1)
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did drive a motor vehicle to wit a [specify the motor vehicle] on a road namely [specify the name of the road] at a speed of [specify the speed] greater than the speed prescribed by an order under section 68 or the speed prescribed for such vehicle or class of such vehicles in the regulations under section 82 of the *Traffic Act* (Ch. 131).

Penalty: Liable to a fine of five hundred dollars, or in the case of a second or subsequent conviction, to a fine of seven hundred dollars or to imprisonment for six months.

MINIMUM AGE FOR DRIVING AND PENALTY FOR CONTRAVENTION	42(3)
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aged [specify the age of the defendant/accused] did [drive **or** (cause **or** permit) a person namely (specify the name of this person) to drive] a motor vehicle to wit a [specify the motor vehicle] in contravention of the provisions of section 42(3) of the *Traffic Act* (Ch. 131) relating to the minimum age for driving a motor vehicle.

Penalty: Liable to a fine of two hundred dollars, or in the case of a second or subsequent conviction to a fine of four hundred dollars or to imprisonment for six months.

DRIVING OR BEING IN CHARGE, WHEN UNDER THE INFLUENCE OF DRINK OR DRUGS	43(1)
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did [drive **or** attempt to drive] a motor vehicle to wit a [specify the motor vehicle] on a [road namely (specify the name of the road) **or** public place to wit (specify the public place)] whilst being unfit to drive through drink or drugs.

Penalty: Liable –

- (a) on conviction by the High Court, to a fine of two thousand dollars or to imprisonment for two years or to both such fine and such imprisonment;

TRAFFIC ACT

- (b) on conviction by a Magistrate's Court, to a fine of four hundred dollars or to imprisonment for twelve months or in the case of a second or subsequent conviction to a fine of five hundred dollars or to imprisonment for twelve months.

PENALTY FOR IMPROPER CONDITION OR OVERLOADING
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46(1)

did [(drive **or** use) **or** (cause **or** permit) to be used] on the road namely [specify the name of the road] a vehicle to wit a [specify the vehicle] in contravention of the provisions of section [44 **or** 45] of the *Traffic Act* (Ch. 131).

Penalty: Liable to a fine of two hundred dollars, or to imprisonment for six months, or to both such fine and such imprisonment.

MOTOR RACING ON PUBLIC ROADS

47

did [promote **or** take part in] a [race **or** trial of speed] between motor vehicles [specify, if possible] on a road namely [specify the name of the road] which was not authorised by and conducted in accordance with the directions of the Commissioner of Police or other police officer deputed by that officer for that purpose.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment.

RESTRICTION ON CARRIAGE OF PERSONS ON MOTOR CYCLES

48(2)

being the driver of a two-wheeled motor cycle to wit a [specify the motor cycle] did have more than one person namely [specify the name of the additional pillion passenger] in addition to (him/her) on a road namely [specify the name of the road].

being the driver of a two-wheeled motor cycle to wit a [specify the motor cycle] did have a person namely [specify the name of this person] carried otherwise than sitting astride the cycle and on a proper seat securely fixed to the said cycle behind the driver's seat on a road namely [specify the name of the road].

Penalty: Liable to a fine of fifty dollars, or in the case of a second or subsequent conviction to a fine of one hundred dollars.

RECKLESS AND DANGEROUS CYCLING

49

did ride a [bicycle **or** tricycle] not being a motor vehicle on a road namely [specify the name of the road] [recklessly **or** (at a speed **or** in a manner) which was dangerous to the public] having regard to all the circumstances of the case including the nature condition and use of the said road and the amount of traffic which was actually at the time or which might have been reasonably be expected to be on the said road by [specify the manner of driving].

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Penalty: Liable to a fine of one hundred dollars or to imprisonment for three months, or in the case of a second or subsequent conviction to a fine of one hundred and fifty dollars or to imprisonment for three months.

CARELESS AND INCONSIDERATE CYCLING	50
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did ride a [bicycle **or** tricycle] not being a motor vehicle on a road namely [specify the name of the road] without [due care and attention **or** without reasonable consideration for other persons using the road] by [specify the riding of the (bicycle **or** tricycle)] on a road namely [specify the name of the road].

Penalty: Liable to a fine of fifty dollars or to imprisonment for two months, or in the case of a second or subsequent conviction to a fine of one hundred and fifty dollars or to imprisonment for three months.

CYCLING WHEN UNDER THE INFLUENCE OF DRINK AND DRUGS	51(1)
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did ride a [bicycle **or** tricycle] not being a motor vehicle on a [road namely (specify the name of the road) **or** public place to wit (specify the public place)] whilst being unfit to ride through drink or drugs.

Penalty: Liable to a fine of one hundred dollars or to imprisonment for three months, or in the case of a second or subsequent conviction to a fine of one hundred and fifty dollars or to imprisonment for three months.

CYCLE RACING ON ROADS	52
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did [promote **or** take part in] a [race **or** trial of speed] on a road namely [specify the name of the road] between [bicycles **or** tricycles] not being motor vehicles which was not authorised by and conducted in accordance with the directions of the Commissioner of Police or any police officer deputed by that officer for that purpose.

Penalty: Liable to a fine of fifty dollars.

DRIVERS TO COMPLY WITH TRAFFIC DIRECTIONS	53
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(a) did whilst [driving **or** propelling] a vehicle to wit a [specify the vehicle] on a road namely [specify the name of the road] did [neglect **or** refuse] to [stop the said vehicle **or** make it (proceed in **or** keep to) a particular line of traffic] when directed to do so by a police officer [specify the rank and name of the officer] who was in uniform engaged in the regulation of traffic and in the execution of his/her duty.

(b) did whilst [driving **or** propelling] a vehicle to wit a [specify the vehicle] did fail to comply with the indication given by a traffic sign which had been lawfully placed on or near a road namely [specify the name of the road].

Penalty: Liable to a fine of two hundred dollars, or in the case of a second or subsequent conviction to a fine of three hundred dollars.

TRAFFIC ACT

PEDESTRIANS TO COMPLY WITH DIRECTIONS TO STOP GIVEN BY POLICE OFFICERS REGULATING VEHICULAR TRAFFIC
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54

on foot did proceed [across **or** along] the carriageway of a road namely [specify the name of the road] in contravention of a direction to stop given by a police officer namely [specify the rank and name of the officer] in uniform engaged in the regulation of vehicular traffic in the execution of (his/her) duty.

Penalty: Liable to a fine of fifty dollars, or in the case of a second or subsequent conviction to a fine of one hundred dollars.

LEAVING VEHICLES IN DANGEROUS POSITION

55

being in charge of a vehicle to wit a [specify the vehicle] did [cause **or** permit] the said vehicle to remain at rest on a road namely [specify the name of the road] in such a [position, condition **or** circumstance] as to be likely to cause danger to other persons using the said road.

Penalty: Liable to a fine of one hundred dollars, or in the case of a second or subsequent conviction to a fine of one hundred and fifty dollars or to imprisonment for three months.

OBSTRUCTING DRIVER OF MOTOR VEHICLE
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56(4)

in a motor vehicle to wit a [specify the motor vehicle] did [molest **or** obstruct] the driver namely [specify the name of the driver] of the said motor vehicle whilst it was in motion.

being the [driver **or** person in charge] of a motor vehicle to wit a [specify the motor vehicle] on a road namely [specify the name of the road] did carry passengers in the said motor vehicle in such [numbers to wit (specify the number) **or** a position] as to be likely to interfere with the safe driving of the said motor vehicle.

did drive a motor vehicle to wit a [specify the motor vehicle] on a road namely [specify the name of the road] in such a position that (he/she) could not [control the said motor vehicle **or** obtain a full view of the road and traffic ahead].

Penalty: Liable to a fine of one hundred dollars or to imprisonment for three months.

RIDING IN DANGEROUS POSITION

57(4)

[did ride **or** was carried] on the [footboard, tailboard, steps, mudguards, canopy, roofing **or** (describe elsewhere)] on the outside of a motor vehicle to wit a [specify the motor vehicle] on a road namely [specify the name of the road] not for the purpose of testing or repairing of said motor vehicle.

[did ride **or** was carried] on a load upon a vehicle to wit a [specify the vehicle] on a road namely [specify the name of the road] which was unsafe by reason of the [insufficiency of space available for such person to stand or sit, position in which (he/she) was carried **or** (height **or** arrangement of the load)].

TRAFFIC ACT

[(did ride **or** was carried) **or** did (cause **or** permit) a person namely (specify the name of this person) (to ride **or** be carried)] upon a vehicle to wit a [specify the vehicle] on a road namely [specify the name of the road] in circumstances in which the person [riding **or** carried] may have sustained injury by reason of the absence of such [railings, sides, tailboards **or** (describe other things)] as afford adequate means of hold or support.

Penalty: Liable to a fine of one hundred dollars or to imprisonment for three months.

THROWING OBJECTS AT OR IMPEDING PROGRESS OF VEHICLES ON ROADS	58(1)
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did throw an object at a [vehicle to wit a (specify the vehicle) on a road namely (specify the name of the road) **or** person namely (specify the name of this person) (in **or** on) a vehicle to wit a (specify the vehicle) on a road namely (specify the name of the road)].

did [place an object on a road namely (specify the name of the road) **or** impede the progress of a motor vehicle to wit a (specify the motor vehicle)] whereby injury or damage might have been caused to the said vehicle, another vehicle or to any person.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for three months.

TAKING VEHICLES WITHOUT AUTHORITY	59(1)
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did take and drive away a vehicle to wit a [specify the vehicle] without having either the consent of the owner thereof namely [specify the name of the owner] or other lawful authority.

Penalty: Liable –

- (a) on conviction by the High Court, to a fine of five hundred dollars or to imprisonment for six months or to both such fine and such imprisonment;
- (b) on conviction by a Magistrate's Court, to a fine of two hundred dollars or to imprisonment for three months.

OFFENCE TO TAMPER WITH MOTOR VEHICLES	60(1)
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did without lawful authority or reasonable cause tamper with [the brake **or** a part of the mechanism to wit (describe mechanism)] of a motor vehicle to wit a [specify the motor vehicle].

Penalty: Liable to a fine of one hundred dollars or in the case of a second or subsequent conviction to a fine of two hundred dollars or to imprisonment for three months.

TRAFFIC ACT

PENALISATION OF HOLDING OR GETTING ON TO VEHICLE IN ORDER TO BE TOWED, OR CARRIED	61
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did without lawful authority or reasonable cause [take retain hold of **or** got on to] a [motor vehicle to wit a (specify the motor vehicle) **or** trailer] whilst it was in motion on a road namely [specify the name of the road] for the purpose of being [drawn **or** carried].

Penalty: Liable to a fine of fifty dollars or in the case of a second or subsequent conviction to a fine of one hundred dollars.

CARELESSNESS WHILE IN CHARGE OF ANIMALS	62
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whilst [driving **or** conducting] [cattle, a dog **or** a (specify any other animal)] who on a road namely [specify the name of the road] did [fail to exercise reasonable care to keep (it **or** them) under proper control **or** allow the said animal to become a (danger **or** annoyance) to other persons using the said road].

Penalty: Liable to a fine of fifty dollars.

DUTY TO STOP AND REPORT	63
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(1)(a) being the driver of a motor vehicle to wit a [specify the motor vehicle] on a road namely [specify the name of the road] involved in an accident whereby [injury **or** damage] was caused to [a person namely (specify the name of this person), a vehicle to wit a (specify the vehicle) **or** an animal (specify the animal)] did stop but did fail to give (his/her) name and address and also the name and address of the owner and the identification marks of the said motor vehicle to a person namely [specify the name of this person] having reasonable grounds for so requiring.

(b) being the driver of a motor vehicle to wit a [specify the motor vehicle] on a road namely [specify the name of the road] involved in an accident whereby [injury **or** damage] was caused to [a person namely (specify the name of this person), a vehicle to wit a (specify the vehicle) **or** an animal (specify the animal)] did fail to stop although (he/she) had no reasonable cause to believe that the safety of (his/her) [person, passengers **or** vehicle] would be endangered by so stopping.

being the driver of a motor vehicle to wit a [specify the motor vehicle] on a road namely [specify the name of the road] involved in an accident whereby [injury **or** damage] was caused to [a person namely (specify the name of this person), a vehicle to wit a (specify the vehicle) **or** an animal (specify the animal)] did fail to stop and proceed forthwith to the nearest police station and there make a report of the accident and of (his/her) reasons for not stopping.

TRAFFIC ACT

- (2)(a) being the driver of a motor vehicle to wit a [specify the motor vehicle] on a road namely [specify the name of the road] involved in an accident whereby [injury **or** damage] was caused to [a person namely (specify the name of this person), a vehicle to wit a (specify the vehicle) **or** an animal (specify the animal)] did fail to report the accident at a police station or to a police officer as soon as reasonably possible although (he/she) did not for any reason give (his/her) name and address to a person namely [specify the name of this person] as required by section 63(1) of the *Traffic Act* (Ch. 131).
- (b) being the driver of a motor vehicle to wit a [specify the motor vehicle] on a road namely [specify the name of the road] involved in an accident whereby [injury **or** damage] was caused to [a person namely (specify the name of this person), a vehicle to wit a (specify the vehicle) **or** an animal (specify the animal)] did fail to report the accident at a police station or to a police officer as soon as reasonably possible although [property to wit (specify the property) **or** another vehicle to wit a (specify the vehicle)] was damaged and the owner or person in charge of the said [vehicle **or** property] was not present.
- (c) being the driver of a motor vehicle to wit a [specify the motor vehicle] on a road namely [specify the name of the road] involved in an accident whereby [injury **or** damage] was caused to [a person namely (specify the name of this person), a vehicle to wit a (specify the vehicle) **or** an animal (specify the animal)] did fail to report the accident at a police station or to a police officer as soon as reasonably possible although injury had been caused to a person namely [specify the name of this person].
- (3) being the owner of a motor vehicle to wit a [specify the motor vehicle] involved in an accident did refuse to supply a police officer namely [specify the rank and name of the officer] with all information necessary for the identification of the driver in the said accident.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for three months, or in the case of a second or subsequent conviction to a fine of three hundred dollars or to imprisonment for six months or to both such fine and such imprisonment.

INSPECTION OF VEHICLE INVOLVED IN AN ACCIDENT
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64

did [obstruct a police officer namely (specify the rank and name of the officer) in the (due exercise of [his/her] powers **or** performance of [his/her] duties) **or** fail to comply with an order issued by a police officer namely (specify the rank and name of the officer)] under section 64 of the *Traffic Act* (Ch. 131) in that (he/she) did [specify how the defendant did (obstruct **or** fail to comply) in accordance with that section].

Penalty: Liable to a fine of three hundred dollars or to imprisonment for six months or to both such fine and such imprisonment.

TRAFFIC ACT

CLOSURE OF ROADS	69(5)
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being the [driver **or** person in charge] of a vehicle to wit a [specify the vehicle] and trailer [if, applicable] which had a weight and axle/wheel loading of [specify the weight and wheel loading] did [(drive **or** haul) **or** cause it to be (driven **or** hauled)] over a bridge [on **or** near] which a conspicuous notice had been placed to effect that the said bridge was insufficient to carry traffic in excess of a specified [weight, axle **or** wheel] loading to wit [specify the weight and axle/wheel loading] unless [the gross weight and the (axle **or** wheel) loading of the said vehicle and any trailer attached thereto is less than the weight and loading specified or (he/she) had obtained the consent in writing of the highway authority or an authorised officer].

being the [driver **or** person in charge] of a vehicle to wit a [specify the vehicle] and trailer [if, applicable] did without receiving the permission in writing of the highway authority or an authorised officer [(drive **or** haul) **or** cause it to be (driven **or** hauled)] over a road namely [specify the name of the road] which was closed to traffic and where a conspicuous notice was displayed to the effect that the said road was closed.

Penalty: Liable to a fine of two hundred dollars, or in the case of a second or subsequent conviction to a fine of three hundred dollars.

INSPECTION OF VEHICLES	71(3)
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did fail to comply with an [instruction **or** order] as issued by [a police officer namely (specify the rank and name of the police officer **or** an inspector appointed under section 4(3) of the *Traffic Act* (Ch. 131) namely (specify the name of the inspector)] on [specify the date] under section 71 of the *Traffic Act* (Ch. 131) in that (he/she) did [specify how the defendant did fail to comply with the (instruction **or** order) issued in accordance with that section].

Penalty: Liable to a fine of one hundred dollars.

REMOVAL OF VEHICLES FROM ROAD	72
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(5) did [permit the use of **or** drive] a vehicle to wit a [specify the vehicle] in respect of which a [prohibition **or** restriction] was in force other than in conformity with [the condition/s **or** purpose] as specified in the [prohibition **or** restriction] to wit [specify the (condition/s **or** purpose)].

Penalty: Liable to a fine of eight hundred dollars or to imprisonment for twelve months, or to both such fine and such imprisonment.

(7) did fail to comply with an [instruction **or** order] given under section 72 of the *Traffic Act* (Ch. 131) given by [specify the name of this person].

Penalty: Liable to a fine of two hundred dollars

TRAFFIC ACT

OWNER OR OTHER PERSON TO FURNISH INFORMATION AS TO IDENTITY OF DRIVER OF VEHICLE	77(2)
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being the owner of a vehicle the driver of which namely [specify the name of the driver] was alleged to be guilty of an offence under the *Traffic Act* (Ch. 131) did fail to comply with the requirements of paragraph (a) of section 77(1) of the said Act in that (he/she) did not give such information as to the identity of the said driver as required to give by a police officer namely [specify the rank and name of the officer].

did fail to comply with the requirement of paragraph (b) of section 77(1) of the *Traffic Act* (Ch. 131) in that (he/she) as required by a police officer [specify the rank and name of the officer] did not give all information which [was in (his/her) power to give as **or** may have lead] to the identification of the driver of a vehicle to wit a [specify the vehicle] alleged to have been guilty of an offence under the said Act.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment.

OWNER TO KEEP LIST OF DRIVERS EMPLOYED	78(3)
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being the employer did fail to comply with the provisions of subsection (1) of section 78 of the *Traffic Act* (Ch. 131) in that (he/she) did fail to keep a written record of the name, address and driving license number of a person/s employed to drive a motor vehicle to wit a [specify the motor vehicle].

Penalty: Liable to a fine of one hundred dollars.

GIVING FALSE INFORMATION	80
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did make a statement which to (his/her) knowledge was [false **or** misleading] in connection with information lawfully [demanded **or** required] by [specify the title and name of this person] under section [specify the number] of the *Traffic Act* (Ch. 131).

Penalty: Liable to a fine of three hundred dollars or to imprisonment for six months, or to both such fine and such imprisonment, and if such statement is made to any person in connection with an application for any licence or permit the court convicting such person may also order that such licence or permit be not granted for a stated period.

FRAUDULENT IMITATION, etc., OF DOCUMENTS	81
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did fraudulently [imitate, alter, mutilate, destroy, use **or** (lend **or** allow) to be used by another person namely (specify the name of this person)] a [licence, document, plate **or** mark] [issued **or** prescribed] under the *Traffic Act* (Ch. 131).

Penalty: Liable to a fine of six hundred dollars or to imprisonment for twelve months, or to both such fine and such imprisonment.

TRAFFIC ACT

HIGHWAY AUTHORITIES' POWERS TO MAKE TRAFFIC ORDERS	83
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did contravene an order made under section 83 of the *Traffic Act* (Ch. 131) in that (he/she) did [specify how the order was contravened].

TRAFFIC REGULATIONS

WHEELS AND TYRES OF MOTOR VEHICLES AND TRAILERS
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23

did drive a [motor vehicle other than a road roller to wit a (specify the motor vehicle) **or** trailer] on a road namely [specify the name of the road] not fitted with wheels and adequately inflated pneumatic tyres or other type of wheel or tyre approved in writing by the highway authority.

Penalty: Liable, in the case of a first conviction, to a fine of eighty dollars or imprisonment for two months or to both fine and such imprisonment, and, in the case of a second or subsequent conviction, to a fine of one hundred dollars or imprisonment for three months or to both such fine and such imprisonment, see regulation 49.

WHEELS AND TYRES OF OTHER VEHICLES

24

- (1) on a road namely [specify the name of the road] did use a vehicle to wit a [specify the vehicle] not fitted with wheels and adequately inflated pneumatic tyres the laden weight of which exceeded 1,000 lb. without approval in writing being granted by the highway authority to be used on the said road.
- (2) on a road namely [specify the name of the road] did use a vehicle to wit a [specify the vehicle] fitted with wheels without pneumatic tyres that had a [wheel **or** tyre] fitted to the said vehicle so defective that it did not bear evenly on a level surface when the said vehicle was moving thereon.

Penalty: Liable, in the case of a first conviction, to a fine of eighty dollars or imprisonment for two months or to both fine and such imprisonment, and, in the case of a second or subsequent conviction, to a fine of one hundred dollars or imprisonment for three months or to both such fine and such imprisonment, see regulation 49.

WHEELS AND TYRES TO BE ADEQUATE
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25

on a road namely [specify the name of the road] did use a vehicle to wit a [specify the vehicle] not equipped with [tyres **and/or** wheels] as are adequate to carry safely the permitted maximum laden weight of the said vehicle.

Penalty: Liable, in the case of a first conviction, to a fine of eighty dollars or imprisonment for two months or to both fine and such imprisonment, and, in the case of a second or subsequent conviction, to a fine of one hundred dollars or imprisonment for three months or to both such fine and such imprisonment, see regulation 49.

TRAFFIC REGULATIONS

SUSPENSION

26

on a road namely [specify the name of the road] did use a vehicle other than a tractor or motor cycle to wit a [specify the vehicle] not equipped with suitable and sufficient springs or other suspension between each wheel and the frame of the vehicle.

Penalty: Liable, in the case of a first conviction, to a fine of eighty dollars or imprisonment for two months or to both fine and such imprisonment, and, in the case of a second or subsequent conviction, to a fine of one hundred dollars or imprisonment for three months or to both such fine and such imprisonment, see regulation 49.

BRAKES ON MOTOR VEHICLES

27

- (1) did use a motor vehicle to wit a [specify the motor vehicle] not equipped with two entirely independent and efficient braking systems or with one efficient braking system having two independent means of operation in either case so designed and constructed that the failure of any single portion of any braking system would prevent the brakes on [two wheels **or** one wheel as the said vehicle had less than four wheels] from operating effectively so as to bring the said vehicle to rest within the distance and under the conditions specified in paragraph (9) of Regulation 27 of the *Traffic Regulations* (Ch. 131) on a road namely [specify the name of the road].
- (2) did use a motor vehicle having more than three wheels to wit a [specify the motor vehicle] not equipped with two independent braking systems which were both designed and constructed that if the brakes thereof act either directly or indirectly on two wheels each braking system acted on two wheels on the same axle on a road namely [specify the name of the road].
- (4)(a) did use a trailer having a permissible laden weight exceeding [one ton **or** one-half of the unladen weight of the drawing vehicle] not equipped with at least one braking device capable acting symmetrically on at least half the number of wheels on each side of the trailer and preventing the rotation of the wheels when the trailer is uncoupled and automatically stopping the trailer if the trailer becomes detached whilst in motion on a road namely [specify the name of the road].
- (b) did use a trailer whose permissible laden weight does not exceed one ton not [fitted with a device capable of automatically stopping the trailer if the trailer becomes detached whilst in motion **and/or** equipped in addition to the main towing attachment with a secondary attachment in the form of a chain or wire rope of adequate strength] on a road namely [specify the name of the road].

[Note that Regulation 27(4) is currently suspended]

TRAFFIC REGULATIONS

- (6) did use a motor vehicle to wit a [specify the motor vehicle] and [one **or** (specify the number, more than one)] trailers not equipped with brakes capable of controlling the movement of and of stopping the combination in an efficient safe and rapid way under any conditions of loading on any up or down gradient on which it was operated on a road namely [specify the name of the road].

- (7) did use a motor vehicle other than a motor cycle with or without a sidecar attached to wit a [specify the motor vehicle] not equipped with a braking system so designed and constructed that it could be set so as effectively to prevent [at least two of the wheels **or** one of the wheels as the said vehicle had only three wheels] from revolving when the said vehicle was unattended on a road namely [specify the name of the road].

- (8) did use a vehicle to wit a [specify the vehicle] not equipped with a brake or brakes capable of bringing it to rest within a reasonable distance other than as provided for in Regulation 27 of the *Traffic Regulations* (Ch. 131) on a road namely [specify the name of the road].

Penalty: Liable, in the case of a first conviction, to a fine of eighty dollars or imprisonment for two months or to both fine and such imprisonment, and, in the case of a second or subsequent conviction, to a fine of one hundred dollars or imprisonment for three months or to both such fine and such imprisonment, see regulation 49.

LIGHTS ON MOTOR VEHICLES AND TRAILERS	28
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- (1) did use a motor vehicle to wit a [specify the motor vehicle] not equipped with two lamps at the front of the vehicle with one on each side on a road namely [specify the name of the road].

did use a motor vehicle to wit a [specify the motor vehicle] in motion at night with the two lamps at the front of the said vehicle not lighted on a road namely [specify the name of the road].

did use a motor vehicle to wit a [specify the motor vehicle] in motion at night with the two lamps at the front of the said vehicle lighted and the rays from the said lamps were not white or yellow on a road namely [specify the name of the road].

did on a road namely [specify the name of the road] use a motor vehicle to wit a [specify the motor vehicle] which is capable of proceeding at a speed greater than 20 miles per hour in motion at night with the two lamps at the front of the said vehicle lighted and the rays from the said lamps were not of such intensity as to illuminate the said road ahead for a distance of at least 110 yards.

[Note that Regulation 28(1) is suspended in respect of its application to tractors, unless such vehicles are used on a road at night.]

TRAFFIC REGULATIONS

(2) did have at night a [motor vehicle to wit a (specify the motor vehicle) **or** a trailer not attached to a motor vehicle] stationary on a road namely [specify the name of the road] other than in a car park or in a place reserved for parking in a street where adequate lighting is normally provided which did not show two lights in front one at each side of sufficient intensity to indicate the presence of the [motor vehicle **or** trailer] from a distance of 500 feet to approaching traffic.

(3) did use a [motor vehicle to wit a (specify the motor vehicle) **or** trailer] on a road namely [specify the name of the road] at night which did not carry one lamp showing to the rear a red light of such intensity as to indicate clearly within a reasonable distance its presence on the said road to traffic approaching from behind.

did use a [motor vehicle to wit a (specify the motor vehicle) **or** trailer] on a road namely [specify the name of the road] at night which did not carry one lamp so constructed as to show an uncoloured light of sufficient intensity to illuminate clearly the figures and numbers on the rear identification plate where no other means of so illuminating such plate was otherwise provided.

(5) did use a [motor vehicle to wit a (specify the motor vehicle) **or** trailer] on a road namely [specify the name of the road] equipped with more than one swivelling light.

(6)(a) did use a motor vehicle to wit a [specify the motor vehicle] on a road namely [specify the name of the road] with a [spot-light **or** swivelling light] in place of a headlight although the said vehicle was not completing a journey where the headlight had been damaged.

(b) did use a [motor vehicle to wit a (specify the motor vehicle) **or** trailer] on a road namely [specify the name of the road] with a [spot-light **or** swivelling light] in such a manner as to [impede the vision of **or** cause annoyance to] any user of the said road.

Penalty: Liable, in the case of a first conviction, to a fine of eighty dollars or imprisonment for two months or to both fine and such imprisonment, and, in the case of a second or subsequent conviction, to a fine of one hundred dollars or imprisonment for three months or to both such fine and such imprisonment, see regulation 49.

LIGHTS ON VEHICLES OTHER THAN MOTOR VEHICLES AND TRAILERS	29
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(a) did use a vehicle other than a motor vehicle or trailer to wit a [specify the vehicle] on a road namely [specify the name of the road] not fitted with two lamps showing a white light so fixed and lighted as to indicate clearly to approaching traffic from a distance of 500 feet the presence and width of the said vehicle and of any load carried thereon.

(b) did use a vehicle other than a motor vehicle or trailer to wit a [specify the vehicle] on a road namely [specify the name of the road] not fitted with one lamp to the rear so as to indicate clearly its presence on the said road to traffic approaching from behind.

TRAFFIC REGULATIONS

Penalty: Liable, in the case of a first conviction, to a fine of eighty dollars or imprisonment for two months or to both fine and such imprisonment, and, in the case of a second or subsequent conviction, to a fine of one hundred dollars or imprisonment for three months or to both such fine and such imprisonment, see regulation 49.

REFLECTORS	30
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(1)(a) did use a [goods vehicle to wit a (specify the goods vehicle) **or** a trailer] on a road namely [specify the name of the road] not fixed with two red reflectors on the back thereof with one reflector within 12 inches of the nearside and the other within 12 inches of the offside of the said [vehicle **or** trailer] and all at a height not exceeding 6 feet nor less than 2 feet 6 inches from the ground.

(b) did use at night a private motor car to wit a [specify the motor car] on a road namely [specify the name of the road] not fitted with one red reflector on the back thereof at a height not exceeding 6 feet nor less than 18 inches from the ground and on the offside thereof.

(2) did use a [goods vehicle to wit a (specify the goods vehicle) **or** a trailer] on a road namely [specify the name of the road] although fixed with two red reflectors on the back thereof the said reflectors did not have an [effective reflecting area of not less than 9 square inches **or** unbroken reflecting surface circular in shape with a diameter of not less than 3 inches].

did use a private motor car to wit a [specify the motor car] on a road namely [specify the name of the road] although fixed with two red reflectors on the back thereof the said reflectors did not have an [effective reflecting area of not less than 9 square inches **or** unbroken reflecting surface circular in shape with a diameter of not less than 1½ inches].

Penalty: Liable, in the case of a first conviction, to a fine of eighty dollars or imprisonment for two months or to both fine and such imprisonment, and, in the case of a second or subsequent conviction, to a fine of one hundred dollars or imprisonment for three months or to both such fine and such imprisonment, see regulation 49.

SILENCERS	31
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did drive a motor vehicle to wit a [specify the motor vehicle] propelled by [an internal combustion engine **or** a compression ignition engine] that was not so constructed that the exhaust gases from the engine cannot escape into the atmosphere without first passing through a silencer, expansion chamber or other contrivance suitable and sufficient for reducing as far as may be reasonable the noise which would otherwise be caused by the escape of such gases.

TRAFFIC REGULATIONS

Penalty: Liable, in the case of a first conviction, to a fine of eighty dollars or imprisonment for two months or to both fine and such imprisonment, and, in the case of a second or subsequent conviction, to a fine of one hundred dollars or imprisonment for three months or to both such fine and such imprisonment, see regulation 49.

REVERSIBILITY	32
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did drive a motor vehicle to wit a [specify the motor vehicle] whose unladen weight exceeds 8 cwt. not so constructed and maintained as to be capable of travelling either forwards or backwards.

Penalty: Liable, in the case of a first conviction, to a fine of eighty dollars or imprisonment for two months or to both fine and such imprisonment, and, in the case of a second or subsequent conviction, to a fine of one hundred dollars or imprisonment for three months or to both such fine and such imprisonment, see regulation 49.

REFLECTING MIRROR	33
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(1) did drive on a road namely [specify the name of the road] a motor vehicle to wit a [specify the motor vehicle] that was not equipped with a reflecting mirror so constructed and fitted as to enable the driver to be or become aware of the presence in the rear of any other vehicle.

(2) did drive on a road namely [specify the name of the road] a motor vehicle to wit a [specify the motor vehicle] with its reflecting mirror/s so obstructed by a [part of the said vehicle, person namely (specify the name of this person) **or** thing to wit (specify the thing)] [therein **or** thereupon] that the said driver was not able to become aware of the presence in the rear of any other vehicle by means of such mirror/s.

Penalty: Liable, in the case of a first conviction, to a fine of eighty dollars or imprisonment for two months or to both fine and such imprisonment, and, in the case of a second or subsequent conviction, to a fine of one hundred dollars or imprisonment for three months or to both such fine and such imprisonment, see regulation 49.

DRIVER TO HAVE UNINTERRUPTED VIEW AHEAD	34
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(1) did drive on a road to wit [specify the name of the road] a motor vehicle to wit a [specify the motor vehicle] with a windscreen not so [designed, constructed **and/or** used] that the said driver controlling it had a full view of the road and traffic ahead.

(2) did drive on a road to wit [specify the name of the road] a motor vehicle to wit a [specify the motor vehicle] with [a mascot **or** an object to wit a (specify the object)] carried [in **or** on] the said motor vehicle in a position in which it was likely to impede the driver's view of the road and traffic ahead of the said motor vehicle.

TRAFFIC REGULATIONS

Penalty: Liable, in the case of a first conviction, to a fine of eighty dollars or imprisonment for two months or to both fine and such imprisonment, and, in the case of a second or subsequent conviction, to a fine of one hundred dollars or imprisonment for three months or to both such fine and such imprisonment, see regulation 49.

MASCOTS LIKELY TO INJURE PEDESTRIANS	35
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did drive on a road to wit [specify the name of the road] a motor vehicle to wit a [specify the motor vehicle] with [a mascot **or** an object to wit a (specify the object)] carried [in **or** on] the said motor vehicle in a position where it was likely to strike a person namely [specify the name of this person] with whom the vehicle may have collided and caused injury to the said person by reason of the projection thereon of the said [mascot **or** object].

General Penalty: Liable, in the case of a first conviction, to a fine of eighty dollars or imprisonment for two months or to both fine and such imprisonment, and, in the case of a second or subsequent conviction, to a fine of one hundred dollars or imprisonment for three months or to both such fine and such imprisonment. [Regulation 49]

VEHICLES STEERED FROM NEARSIDE	36
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(1) did drive on a road to wit [specify the name of the road] a motor vehicle to wit a [specify the motor vehicle] which was steered from the nearside but did not have painted on the rear nearside a white arrow pointing to the nearside which was not less than one foot long and two inches broad and clearly visible to traffic approaching from behind.

(2) did drive on a road to wit [specify the name of the road] a motor vehicle other than a goods vehicle to wit a [specify the motor vehicle] which was steered from the nearside but not equipped with direction indicators of a type mentioned in Regulation 37 of the *Traffic Regulations* (Ch. 131) and fitted at the rear with a red light which lights when the brakes are applied.

did drive on a road to wit [specify the name of the road] a motor vehicle other than a goods vehicle to wit a [specify the motor vehicle] which was not fitted at the rear with a red light which lights when the brakes are applied.

(3) did drive on a road to wit [specify the name of the road] a goods vehicle to wit a [specify the goods vehicle] registered in Solomon Islands which was steered from the nearside but not equipped with mechanical direction indicators capable of being worked by hand by the driver.

did drive on a road to wit [specify the name of the road] a goods vehicle to wit a [specify the goods vehicle] registered in Solomon Islands which was steered from the nearside but not fitted at the rear with a red light which lights when the brakes are applied.

TRAFFIC REGULATIONS

Penalty: Liable, in the case of a first conviction, to a fine of eighty dollars or imprisonment for two months or to both fine and such imprisonment, and, in the case of a second or subsequent conviction, to a fine of one hundred dollars or imprisonment for three months or to both such fine and such imprisonment, see regulation 49.

DIRECTION INDICATORS (SUBJECT TO REGULATION 36)	37
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(1) did drive on a road to wit [specify the name of the road] a motor vehicle to wit a [specify the motor vehicle] not equipped with direction indicators which were one of the types as specified in Regulation 37 of the *Traffic Regulations* (Ch. 131).

(2) did drive on a road to wit [specify the name of the road] a motor vehicle to wit a [specify the motor vehicle] and did use a direction indicator other than to indicate that the said vehicle was about to turn right or left.

Penalty: Liable, in the case of a first conviction, to a fine of eighty dollars or imprisonment for two months or to both fine and such imprisonment, and, in the case of a second or subsequent conviction, to a fine of one hundred dollars or imprisonment for three months or to both such fine and such imprisonment, see regulation 49.

REVERSING LIGHTS	38
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did drive on a road to wit [specify the name of the road] a motor vehicle to wit a [specify the motor vehicle] not equipped with [reversing lights **or** a reversing light] the colour of the said [lights **or** light] being white or orange/amber.

did drive on a road to wit [specify the name of the road] a motor vehicle to wit a [specify the motor vehicle] with [reversing lights **or** a reversing light] operating although the said vehicle was not reversing or about to reverse.

Penalty: Liable, in the case of a first conviction, to a fine of eighty dollars or imprisonment for two months or to both fine and such imprisonment, and, in the case of a second or subsequent conviction, to a fine of one hundred dollars or imprisonment for three months or to both such fine and such imprisonment, see regulation 49.

SAFETY GLASS	39
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did drive on a road to wit [specify the name of the road] a motor vehicle to wit a [specify the motor vehicle] which did not have all the glass fitted to the said motor vehicle maintained in such a condition that the vision of the said driver was not obscured while the said vehicle was being driven.

TRAFFIC REGULATIONS

did drive on a road to wit [specify the name of the road] a motor vehicle to wit a [specify the motor vehicle] which did not have only safety glass fitted to the said motor vehicle so constructed or treated that in the event of an accident or if fractured it does not fly into fragments and is less likely to cause severe cuts or physical injury than ordinary glass.

Penalty: Liable, in the case of a first conviction, to a fine of eighty dollars or imprisonment for two months or to both fine and such imprisonment, and, in the case of a second or subsequent conviction, to a fine of one hundred dollars or imprisonment for three months or to both such fine and such imprisonment, see regulation 49.

WARNING INSTRUMENTS	40
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(1) did drive on a road to wit [specify the name of the road] a motor vehicle to wit a [specify the motor vehicle] not fitted with an instrument capable of giving audible and sufficient warning of its approach or position.

(2) did [use **or** permit to be used] when a motor vehicle to wit [specify the motor vehicle] was stationary [on a road to wit (specify the name of the road) **or** in a parking place at (specify the location of the parking place)] a warning instrument when such use was not necessary on grounds of safety.

did [use **or** permit to be used] when a motor vehicle to wit [specify the motor vehicle] was stationary [on a road to wit (specify the name of the road) **or** in a parking place at (specify the location of the parking place)] a warning instrument in such a manner as to be a nuisance to the public.

Penalty: Liable, in the case of a first conviction, to a fine of eighty dollars or imprisonment for two months or to both fine and such imprisonment, and, in the case of a second or subsequent conviction, to a fine of one hundred dollars or imprisonment for three months or to both such fine and such imprisonment, see regulation 49.

WINGS	41
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did drive on a road to wit [specify the name of the road] a motor vehicle other than a motor tractor or a specialist vehicle to wit a [specify the motor vehicle] not fitted with wings or mudguards or other similar fittings at the front and rear of the vehicle to catch and deflect downwards any stones, mud, water or any other substance thrown up by the rotation of the wheels.

Penalty: Liable, in the case of a first conviction, to a fine of eighty dollars or imprisonment for two months or to both fine and such imprisonment, and, in the case of a second or subsequent conviction, to a fine of one hundred dollars or imprisonment for three months or to both such fine and such imprisonment, see regulation 49.

TRAFFIC REGULATIONS

TRAILER COUPLINGS

42

did drive on a road to wit [specify the name of the road] a motor vehicle to wit a [specify the motor vehicle] which a trailer was attached the couplings to which were not [efficient for the purpose **and/or** maintained in a safe condition].

Penalty: Liable, in the case of a first conviction, to a fine of eighty dollars or imprisonment for two months or to both fine and such imprisonment, and, in the case of a second or subsequent conviction, to a fine of one hundred dollars or imprisonment for three months or to both such fine and such imprisonment, see regulation 49.

SPEEDOMETER

43(3)

did drive on a road to wit [specify the name of the road] a motor vehicle to wit a [specify the motor vehicle] not fitted with a speedometer for recording the speed of the said vehicle with reasonable accuracy.

did drive on a road to wit [specify the name of the road] a motor vehicle to wit a [specify the motor vehicle] with a speedometer not [fitted in such a manner as to be visible to the driver at all times **and/or** maintained in good working order].

Penalty: Liable, in the case of a first conviction, to a fine of eighty dollars or imprisonment for two months or to both fine and such imprisonment, and, in the case of a second or subsequent conviction, to a fine of one hundred dollars or imprisonment for three months or to both such fine and such imprisonment, see regulation 49.

WINDSCREEN WIPER

44(1)

did drive on a road to wit [specify the name of the road] a motor vehicle other than a motor cycle to wit a [specify the motor vehicle] fitted with a windscreen but not equipped with an efficient mechanically operated windscreen wiper to prevent interference by weather conditions with the vision of the driver.

Penalty: Liable, in the case of a first conviction, to a fine of eighty dollars or imprisonment for two months or to both fine and such imprisonment, and, in the case of a second or subsequent conviction, to a fine of one hundred dollars or imprisonment for three months or to both such fine and such imprisonment, see regulation 49.

ADDITIONAL MARKING ON TRAILERS AND TOWED VEHICLES FOURTH SCHEDULE
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45

being the owner of a [trailer **or** towed vehicle other than a vehicle which required to be towed on account of a breakdown] which did not have affixed in a conspicuous position on the rear thereof the letter "T" in the form in the diagram contained in the Fourth Schedule of the *Traffic Regulations* (Ch. 131).

TRAFFIC REGULATIONS

Penalty: Liable, in the case of a first conviction, to a fine of eighty dollars or imprisonment for two months or to both fine and such imprisonment, and, in the case of a second or subsequent conviction, to a fine of one hundred dollars or imprisonment for three months or to both such fine and such imprisonment, see regulation 49.

WEIGHTS AND DIMENSIONS OF VEHICLES (Subject to the provisions of section 45 of the Act)	46
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- (a) did use on a road namely [specify the name of the road] a vehicle to wit a [specify the vehicle] the maximum weight of the said vehicle [laden **or** unladen] which exceeded 68,000 lb.
- (b)(i) did use on a road namely [specify the name of the road] a vehicle to wit a [specify the vehicle] the maximum weight of the said vehicle [laden **or** unladen] which exceeded 7,000 lb on its most heavily loaded wheel.
- (ii) did use on a road namely [specify the name of the road] a vehicle to wit a [specify the vehicle] the maximum weight of the said vehicle [laden **or** unladen] which exceeded 17,000 lb on its most heavily loaded axle.
- (iii) did use on a road namely [specify the name of the road] a vehicle to wit a [specify the vehicle] the maximum weight of the said vehicle [laden **or** unladen] which exceeded 32,000 lb on its most heavily loaded tandem axle group that is to say a group whereof the two axles are not less than 40 nor more than 84 inches apart.
- (c) did use on a road namely [specify the name of the road] a vehicle other than a motor cycle or trailer to wit a [specify the vehicle] which had more than three-quarters of its laden weight being transmitted to the road surface by any two wheels of the said vehicle.
- (e)(i) did use on a road namely [specify the name of the road] a vehicle to wit a [specify the vehicle] the overall width of the said vehicle including the total distance by which the load projected beyond the overall width of the said vehicle which exceeded 8 feet 3 inches.
- (ii) did use on a road namely [specify the name of the road] a vehicle to wit a [specify the vehicle] the distance by which the load carried on the said vehicle projected beyond the overall width thereof which exceeded 6 inches on either side.
- (f)(i) did use on a road namely [specify the name of the road] a goods vehicle with two axles to wit a (specify the goods vehicle) the maximum overall length of the vehicle or combination of vehicles [laden **or** unladen] including [tow ropes **or** drawing bars] which exceeded 33 feet.
- (ii) did use on a road namely [specify the name of the road] a passenger vehicle with two axles to wit a (specify the passengers vehicle) the maximum overall length of the vehicle or combination of vehicles [laden **or** unladen] including [tow ropes **or** drawing bars] which exceeded 36 feet.

TRAFFIC REGULATIONS

- (iii) did use on a road namely [specify the name of the road] a vehicle with three or more axles to wit a [specify the vehicle] the maximum overall length of the vehicle or combination of vehicles [laden **or** unladen] including [tow ropes **or** drawing bars] which exceeded 36 feet.
 - (iv) did use on a road namely [specify the name of the road] an articulated vehicle with two axles to wit a [specify the articulated vehicle] the maximum overall length of the vehicle or combination of vehicles [laden **or** unladen] including [tow ropes **or** drawing bars] which exceeded 46 feet.
 - (v) did use on a road namely [specify the name of the road] a combination of vehicle and one trailer to wit a [specify the vehicles] the maximum overall length of the vehicle or combination of vehicles [laden **or** unladen] including [tow ropes **or** drawing bars] which exceeded 59 feet.
 - (vi) did use on a road namely [specify the name of the road] combination of vehicle and two trailers to wit a [specify the vehicles] the maximum overall length of the vehicle or combination of vehicles [laden **or** unladen] including [tow ropes **or** drawing bars] which exceeded 72 feet.
 - (g) did use on a road namely [specify the name of the road] a vehicle to wit a [specify the vehicle] which had an overhang which exceeded 50 per cent of the wheelbase of the said vehicle.
 - (h)(i) did use on a road namely [specify the name of the road] a vehicle to wit a [specify the vehicle] which had the overhang of the load which it carried projected beyond the overall length of the said vehicle by more than 6 feet.
 - (ii) did use on a road namely [specify the name of the road] a vehicle to wit a [specify the vehicle] which had a load that projected beyond the overall length of the said vehicle by more than 2 feet the rear extremity of the load and which was not plainly indicated by a [conspicuous red marker during the day **or** red light at night].
 - (iii) did use on a road namely [specify the name of the road] a vehicle to wit a [specify the vehicle] with the whole load that was carried on the said vehicle not at all times clear of the road surface.
 - (i) did use on a road namely [specify the name of the road] a vehicle to wit a [specify the vehicle] the overall height of the said vehicle [laden **or** unladen] exceeded 12 feet 6 inches from the road surface.
 - (j) did use on a road namely [specify the name of the road] a [rope, bar **or** device] used for towing a [trailer **or** towed vehicle] which exceeded 15 feet in length.
- did use on a road namely [specify the name of the road] a [rope, bar **or** device] used for towing a [trailer **or** towed vehicle] and the presence of the said [rope, bar **or** device] was not made easily distinguishable to other users of the said road.

TRAFFIC REGULATIONS

- (k) did use on a road namely [specify the name of the road] a vehicle to wit a [specify the vehicle] which was towing more than two [trailers **or** towed vehicles] to wit [specify the number].

Penalty: Liable, in the case of a first conviction, to a fine of eighty dollars or imprisonment for two months or to both fine and such imprisonment, and, in the case of a second or subsequent conviction, to a fine of one hundred dollars or imprisonment for three months or to both such fine and such imprisonment, see regulation 49.

CARRIAGE OF PASSENGERS ON MOTOR TRACTORS, BULLDOZERS, GRADERS AND OTHER VEHICLES NOT CONSTRUCTED OR ADAPTED TO CARRY PASSENGERS	48
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did on a road namely [specify the name of the road] carry passengers on a [motor tractor, bulldozer, grader, crane, road roller **or** vehicle to wit a (specify the other type of vehicle)] not designed, constructed or adapted to carry passengers.

Penalty: Liable, in the case of a first conviction, to a fine of eighty dollars or imprisonment for two months or to both fine and such imprisonment, and, in the case of a second or subsequent conviction, to a fine of one hundred dollars or imprisonment for three months or to both such fine and such imprisonment, see regulation 49.

DRIVER'S SEAT IN GOODS VEHICLES	60
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- (1) did drive a goods vehicle [specify the goods vehicle] on a road namely [specify the name of the road] which did not provide for the exclusive use of the driver a single seat or a section of continuous seat the front edge of which was not less than 18 inches in length and placed and constructed so that the driver was able to control the said vehicle effectively and with safety.
- (2) did carry [a person namely (specify the name of this person) **or** goods] in such a [position **or** manner] [as to occupy part of the driver's seat **or** so as to obstruct (his/her) (movements **or** view)] when (he/she) was driving the said vehicle on a road namely [specify the name of the road].
- (3) did carry [a person namely (specify the name of the road) **or** goods] [on the right or offside of the driver of a right-hand drive vehicle **or** to the left or nearside of the driver of a left-hand drive vehicle] whilst driving a vehicle to wit a [specify the vehicle] on a road namely [specify the name of the road].

Penalty: Liable to a fine of eighty dollars or imprisonment for two months or to both such fine and such imprisonment, see regulation 62.

TRAFFIC REGULATIONS

CARRIAGE OF PASSENGERS ON GOODS VEHICLES

61(1)

did on a road namely [specify the name of the road] without the prior written authorisation of a licensing officer did [cause **or** permit] a greater number of passengers to be carried on a goods vehicle to wit a [specify the goods vehicle] than the number which the said vehicle was authorised to carry under the terms of its licence.

Penalty: Liable to a fine of eighty dollars or imprisonment for two months or to both such fine and such imprisonment, see regulation 62.

PASSENGER LIMIT - BICYCLE

64(2)

being the rider of a pedal cycle which had not been especially constructed or adapted for the carriage of more than one person did on a road namely [specify the name of the road] carry a person namely [specify the name of this person].

Penalty: Liable to a fine of ten dollars or to imprisonment for one month or to both such fine and such imprisonment, see regulation 73.

FRONT LIGHT - BICYCLE

65

did ride a pedal cycle on a road namely [specify the name of the road] at night whilst not having attached at the front thereof a lamp throwing in a forward direction a light substantially white in colour of sufficient brilliance to be visible under normal atmospheric conditions for a distance of at least 100 feet.

Penalty: Liable to a fine of ten dollars or to imprisonment for one month or to both such fine and such imprisonment, see regulation 73.

REAR LIGHT OR REFLECTOR - BICYCLE
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66

(a) did ride a pedal cycle on a road namely [specify the name of the road] at night not equipped with a lamp placed at the back of the pedal cycle so as to display to the rear a red light of sufficient brilliance to be visible under normal atmospheric conditions for a distance of 100 feet.

(b) did ride a pedal cycle on a road namely [specify the name of the road] at night not equipped with a red reflector at the back of the pedal cycle so as to reflect to the rear a light shining towards it from rearward of the pedal cycle.

Penalty: Liable to a fine of ten dollars or to imprisonment for one month or to both such fine and such imprisonment, see regulation 73.

TRAFFIC REGULATIONS

BRAKE - BICYCLE	67
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did ride a pedal cycle on a road namely [specify the name of the road] not equipped with at least one efficient brake attached thereto and operating on the rear wheel.

Penalty: Liable to a fine of ten dollars or to imprisonment for one month or to both such fine and such imprisonment, see regulation 73.

BELL - BICYCLE	68
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did ride a pedal cycle on a road namely [specify the name of the road] not equipped with a bell as a warning device attached thereto and capable of being readily operated and clearly audible under normal conditions at a distance of not less than 50 feet.

Penalty: Liable to a fine of ten dollars or to imprisonment for one month or to both such fine and such imprisonment, see regulation 73.

TOWING - BICYCLE	69
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did tow a pedal cycle by a vehicle to wit a [specify the vehicle] in motion on a road namely [specify the name of the road].

did ride a pedal cycle whilst being towed by another vehicle to wit a [specify the vehicle] in motion on a road namely [specify the name of the road].

Penalty: Liable to a fine of ten dollars or to imprisonment for one month or to both such fine and such imprisonment, see regulation 73.

OBSERVANCE OF TRAFFIC SIGNS - BICYCLE	70
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did ride a pedal cycle on a road namely [specify the name of the road] and did not conform to the indication given by a traffic sign in that (he/she) did not [specify how the defendant failed to comply with the traffic sign].

Penalty: Liable to a fine of ten dollars or to imprisonment for one month or to both such fine and such imprisonment, see regulation 73.

SINGLE FILE - BICYCLE	71
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(1) whilst riding a pedal cycle did not proceed along a road namely [specify the name of the road] in single file.

(2) whilst riding a pedal cycle on a road namely [specify the name of the road] abreast of and on the off-side of another person namely [specify the name of this person] riding a pedal cycle on the said road not for the purpose of overtaking the said person.

Penalty: Liable to a fine of ten dollars or to imprisonment for one month or to both such fine and such imprisonment, see regulation 73.

TRAFFIC REGULATIONS

MANNER OF RIDING - BICYCLE

72

- (a) did ride a pedal cycle on a road namely [specify the name of the road] in a manner other than astride the saddle.
- (b) did ride a pedal cycle on a road namely [specify the name of the road] with no hands holding the handlebar to steer and control the pedal cycle.
- (c) did ride a pedal cycle on a road namely [specify the name of the road] that was loaded in such a manner as to make it a danger to other persons using the said road.

Penalty: Liable to a fine of ten dollars or to imprisonment for one month or to both such fine and such imprisonment, see regulation 73.

DRIVING A PUBLIC SERVICE VEHICLE WITHOUT PASSENGER INSURANCE

80

did [drive **or** (cause **or** permit) another person namely (specify the name of this person) to drive] a public service vehicle to wit a [specify the vehicle] on a road namely [specify the name of the road] there not being in force in relation to the said public service vehicle a policy of insurance which indemnifies the owner of the said public service vehicle and any other person who at any time drives the said public service vehicle whether with or without the authority of the owner jointly and each of them severally against all liability incurred by the owner and that person jointly or by either of them severally in respect of the death of or bodily injury to a passenger while carried on or while entering or alighting from the said public service vehicle.

Penalty: Liable –

- (a) in the case of a first conviction, to a fine of eighty dollars or to imprisonment for two months, or to both such fine and such imprisonment;
- (b) in the case of a second or subsequent conviction, to a fine of one hundred dollars or to imprisonment for three months, or to both such fine and such imprisonment.

TRAFFIC (MOTOR CYCLISTS' HEADGEAR) REGULATIONS

WEARING OF PROTECTIVE HEADGEAR

3(1)

whilst not wearing protective headgear did [drive **or** ride] on a road namely [specify the name of the road] a motor cycle to wit [specify the motor cycle] otherwise than in a sidecar which was not at the time being propelled by a person on foot.

Penalty: Liable on first conviction to a fine of \$20 and on second or subsequent conviction to a fine of \$50.

FAIL TO COMPLY WITH DIRECTION

4(2)

did fail to comply with a direction of a police officer namely [specify the rank and name of the officer] given under paragraph (1) of Regulation 4 of the *Traffic (Motor Cyclists' Headgear) Regulations* (Ch. 131) to stop dismount and refrain from [driving **or** riding] upon a motor cycle to wit a [specify the motor cycle] until the breach detected was remedied.

Penalty: Liable to a fine of \$10.

MOTOR VEHICLES (THIRD-PARTY INSURANCE) ACT

MOTOR VEHICLES TO BE INSURED OR SECURED AGAINST THIRD-PARTY RISKS	8(1)
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did [use **or** (cause **or** permit) a person namely (specify the name of this person) to use] a motor vehicle to wit a [specify the motor vehicle] on a road namely [specify the name of the road] there not being in force in relation to the user of the said vehicle a policy of insurance or such a security as complies with the requirements of the *Motor Vehicles (Third-Party Insurance) Act* (Ch. 83).

Penalty: Liable –

- (a) on conviction by the High Court, to a fine of eight hundred dollars or to imprisonment for two years or to both such fine and such imprisonment;
- (b) on conviction by a Magistrate's Court, to a fine of one hundred and fifty dollars or to imprisonment for four months or to both such fine and such imprisonment.

LIQUOR ACT

RETAIL LICENCE -- HOURS OF SALE
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5(2)

did fail to comply with the provisions of sub-section (1) of section 5 of the *Liquor Act* (Ch. 144) in that [insert the name of the defendant/accused] being the holder of a retail licence did

- keep (his/her) premises open for the sale of liquor and did sell liquor at [specify the time] which was not between the hours of eight in the forenoon and six in the evening; **or**
- keep (his/her) premises open for the sale of liquor and did sell liquor on [Good Friday **and/or** Christmas Day].

Penalty: Liable to a fine of three hundred dollars. Every separate sale of liquor in violation of this section shall be deemed a separate offence.

PACKET LICENCE -- SUPPLY OF LIQUOR

7(4)

did commit a breach of subsection (3) of section 7 of the *Liquor Act* (Ch. 144) in that [insert the name of defendant/accused] on a vessel namely [specify the name of the vessel] in respect of which a packet licence had been granted did

- [sell, supply **or** give] liquor on board the said vessel to a passenger namely [specify the name of the passenger] who was already in a state of intoxication; **or**
- [sell, supply **or** give] liquor on board the said vessel to a member of the crew namely [specify the name of the crew member] without the written authority of the master namely [specify the name of the master].

Penalty: Liable to a fine of one hundred dollars and, if the offence is committed by any servant of the licensee, the licensee shall be guilty of the like offence and shall be liable to the like fine.

CARRIAGE OF LIQUOR ON VESSELS

8

- (1) being the [owner **or** shipper **or** master] of a vessel namely [specify the name of the vessel] did carry liquor contrary to the provisions of subsection (1) of section 8 of the *Liquor Act* (Ch. 144) in that the liquor had not been included on a list of the said ship's stores and it was not referred to in proper shipping notes and recorded on the manifest of the said vessel and contained in packages so marked as clearly to indicate the consignee and the fact that they contain liquor and it was not for personal consumption by the owner of the said liquor namely [specify the name of the owner of the liquor] and the said owner was not travelling on the said vessel.

Penalty: Liable to a fine of four hundred dollars or to imprisonment for one year or to both such fine and such imprisonment and the court recording such conviction may order the forfeiture of any such liquor.

LIQUOR ACT

- (2) being the [owner **or** master] of a vessel did fail to on demand made by a [Provincial Secretary namely (specify the name of the Provincial Secretary), police officer namely (specify the name and rank of the officer) **or** public officer namely (specify the name of the public officer) authorised thereto in writing by a Provincial Secretary namely (specify the name of the Provincial Secretary)] produce for inspection all manifests and other documents relating to liquor on board the said vessel.

did obstruct a [Provincial Secretary namely (specify the name of the Provincial Secretary), police officer namely (specify the name and rank of the officer) **or** public officer namely (specify the name of the public officer) authorised thereto in writing by a Provincial Secretary namely (specify the name of the Provincial Secretary)] in [boarding **or** searching] a vessel namely (specify the name of the vessel) upon reasonable grounds for believing that an offence against the *Liquor Act* (Ch. 144) had been committed thereon.

Penalty: Liable to a fine of two hundred dollars.

PUBLICAN'S LICENCE -- STORAGE OF LIQUOR	9(2)
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being the holder of a publican's licence did fail to keep the liquor in (his/her) bar and elsewhere on (his/her) licensed premises namely [specify the name of the licensed premises] in such manner as to prevent easy unauthorised access thereto.

Penalty: Liable, for a first offence, to a fine of one hundred dollars, and, for a second or subsequent offence, to a fine of two hundred dollars.

PUBLICAN'S LICENCE -- HOURS OF SALE	10
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- (1)(5) being the holder of a publican's licence did keep (his/her) premises namely [specify the name of the licensed premises] open for the sale of liquor and did sell liquor to be drunk or consumed in or upon the said licensed premises on

- a week-day other than Good Friday or Christmas Day at [specify the time] which is not between the hours of ten in the forenoon and half past ten in the evening and there not being a permit obtained from the licensing authority of the district in which the said licensed premises was situated; **or**
- a [Sunday, Good Friday and Christmas Day] at [specify the time] between the hours of twelve noon and half past two in the afternoon and between the hours of seven in the evening and ten in the evening and there not being a permit obtained from the licensing authority of the district in which the said licensed premises was situated.

Penalty: Liable for a first offence to a fine of one hundred and fifty dollars and for a second or subsequent offence to a fine of three hundred dollars or to imprisonment for nine months or to both such fine and such imprisonment.

Such liquor may be forfeited by order of the court recording the conviction.

LIQUOR ACT

- (2)(5) being the holder of a publican's licence in respect of licensed premises namely [specify the name of the licensed premises] who having obtained a permit from the licensing authority of the district in which the said licensed premises is situated did fail to comply with a condition/s as specified on the said permit in that the said [insert the name of the defendant] did [specify the condition/s not complied with].

Penalty: Liable for a first offence to a fine of one hundred and fifty dollars and for a second or subsequent offence to a fine of three hundred dollars or to imprisonment for nine months or to both such fine and such imprisonment.

Such liquor may be forfeited by order of the court recording the conviction.

- (3)(5) being the holder of a publican's licence did [sell **or** deliver] from (his/her) premises liquor [in unbroken containers **or** not intended to be consumed upon the said premises] after nine o'clock in the evening.

Penalty: Liable for a first offence to a fine of one hundred and fifty dollars and for a second or subsequent offence to a fine of three hundred dollars or to imprisonment for nine months or to both such fine and such imprisonment.

Such liquor may be forfeited by order of the court recording the conviction.

- (4)(5) being the holder of a publican's licence in respect of licensed premises namely [specify the name of the licensed premises] did

- [sell **or** supply] liquor to a bona fide lodger namely [specify the name of the lodger] for consumption at the bar of the said licensed premises; **or**
- supply liquor to the bona fide guest namely [specify the name of the guest] of a bona fide lodger namely [specify the name of the lodger] entertained by the said lodger at (his/her) own expense for consumption at the bar of the said licensed premises; **or**
- supply liquor to a person namely [specify the name of this person] employed at the said licensed premises for the purpose of the business carried on there by the said licensee which was supplied at the expense of the [said licensee **or** person (carrying on **or** in charge of) the business on the said premises namely (specify this person's name)] for consumption at the bar of the said licensed premises.

Penalty: Liable for a first offence to a fine of one hundred and fifty dollars and for a second or subsequent offence to a fine of three hundred dollars or to imprisonment for nine months or to both such fine and such imprisonment.

Such liquor may be forfeited by order of the court recording the conviction.

LIQUOR ACT

(6) not being a bona fide lodger, the bona fide guest of a bona fide lodger or a person employed at licensed premises namely [specify the name of the licensed premises] for the purposes of the business carried on there by the licensee of the said licensed premises [did drink liquor in the said licensed premises **or** was found in the act of leaving the said licensed premises with liquor in (his/her) possession] at [specify the time] which is not between the hours of

- ten in the forenoon and half past ten in the evening on a week-day other than Good Friday or Christmas Day; **or**
- twelve noon and half past two in the afternoon and between the hours of seven in the evening and ten in the evening on [a Sunday, Good Friday or Christmas Day].

Penalty: Liable to a fine of one hundred and fifty dollars.

Such liquor may be forfeited by order of the court recording the conviction.

RESIDENTIAL LICENCE -- CONSUME / IN POSSESSION OF LIQUOR	11(2)
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not being a bona fide lodger, the bona fide guest of a bona fide lodger, or a person employed at the licensed premises namely [specify the name of the licensed premises] to which a residential licence had been issued

- did drink liquor in the said licensed premises; **or**
- was found in the act of leaving the said licensed premises with liquor in (his/her) possession.

Penalty: Liable to a fine of one hundred and fifty dollars.

RESTAURANT LICENCE -- CONSUME / IN POSSESSION OF LIQUOR	12(3)
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not being a person taking a table meal in the licensed premises namely [specify the name of the licensed premises] to which a restaurant licence had been issued

- did drink liquor in the said licensed premises; **or**
- was found in the act of leaving the said licensed premises with liquor in (his/her) possession.

Penalty: Liable to a fine of one hundred and fifty dollars.

DETAILS OF LICENCE TO BE AFFIXED TO PREMISES	37(2)
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being the holder of a [publican's, residential **or** restaurant] licence did fail to [cause to be painted in **or** maintain] letters at least two inches high on the front of (his/her) premises, (his/her) name in full, followed in the case of the holder of a

LIQUOR ACT

- full publican's licence, by the words –
“licensed to retail fermented and spirituous liquor”.
- publican's beer licence, by the words –
“licensed to retail beer only”.
- residential licence, by the words –
“licensed to retail fermented and spirituous liquor for consumption on the premises by a lodger and his guests”.
- restaurant licence, by the words –
“licensed to retail fermented and spirituous liquor for consumption on the premises with meals”.
- residential and restaurant licence, by the words –
“licensed to retail fermented and spirituous liquor for consumption on the premises by a lodger and his guests or with meals”.

Penalty: Liable for a first offence to a fine of twenty dollars and for a subsequent offence to a fine of forty dollars.

REFUSAL TO RECEIVE TRAVELLERS	43
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being the holder of a [publican's licence who also provides board and lodging for gain or profit **or** residential licence] in respect of licensed premises namely [specify the name of the licensed premises] did refuse to

- receive a traveller namely [specify the name of the traveller] as a lodger who was able and willing to pay for (his/her) accommodation although the said traveller was not intoxicated or known as a disreputable person; **or**
- supply a traveller namely [specify the name of the traveller] with food and lodging although the said traveller was not intoxicated or known as a disreputable person.

Penalty: Liable to a fine of one hundred dollars.

DISCRIMINATORY PRACTICE	44(1)
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being the holder of a [publican's, residential **or** restaurant] licence did without reasonable excuse [carry out a discriminatory practice **or** (cause **or** permit) a discriminatory practice to be carried out] upon the premises to which the said licence relates namely [specify the name of the licensed premises].

Penalty: Liable to a fine of six hundred dollars or to imprisonment for eighteen months, or to both such fine and such imprisonment.

A prosecution for this offence shall not be commenced without the prior consent in writing of the Director of Public Prosecutions.

Where the holder of any licence is convicted of this offence, the court may –

LIQUOR ACT

- (a) suspend for such time as it thinks fit or cancel the licence held by such holder; and
- (b) disqualify the holder from holding any such licence during such period as it thinks fit.

LICENSING OF CLUBS

45(5)(c)

being the secretary of a club to which a club licence had been issued pursuant to the provisions of the *Liquor Act* (Ch. 144) namely [specify the name of the club] did fail to comply with the provisions of

- paragraph (a) of section 45(5) of the said Act in that (he/she) did not furnish the Commissioner of Police with a copy of the Rules of the club upon the application for the said club licence being granted by the licensing authority; **or**
- paragraph (b) of section 45(5) of the said Act in that (he/she) did not furnish the [Chairman of the licensing authority **and/or** the Commissioner of Police] with a copy of an amendment to the Rules of the said club.

Penalty: Liable to a fine of twenty-five dollars.

ILLEGAL SALES

47

- (1) did [(sell **or** supply) **or** authorise the (sale **or** supply) of] liquor on the premises of a licensed club namely [specify the name of the club] to a person namely [specify the name of this person] not being a member or the wife of a member of the said club.

did [(sell **or** supply) **or** authorise the (sale **or** supply) of liquor on the premises of an unlicensed club namely [specify the name of the club] to a person namely [specify the name of this person].

Penalty: Liable to a fine of three hundred dollars.

- (2) did [supply **or** obtain] liquor after nine o'clock in the evening in a licensed club namely [specify the name of the club] for consumption off the said premises.

Penalty: Liable to a fine of one hundred dollars.

LICENSED CLUB – FAILURE TO KEEP BOOKS & LISTS
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48(4)

being the club secretary of a licensed club namely [specify the name of the club] did fail to keep a list of [members **and/or** temporary members admitted to the said club **and/or** visitors introduced into the said club].

LIQUOR ACT

did obstruct a police officer namely [specify the rank and name of the officer] acting in the exercise of a power conferred by subsection (3) of section 48 of the *Liquor Act* (Ch. 144) to wit the inspection at the licensed club namely [specify the name of the club] of lists of members, temporary members admitted to the said club and visitors introduced into the said club.

Penalty: Liable to a fine of seventy five dollars.

RESTRICTION ON MAKING LIQUOR

50(2)

without the written approval of the responsible Minister did

- [import into **or** set up in] Solomon Islands [a still, machinery, an implement **or** a utensil] [used **or** intended to be used] for [brewing **or** distilling] liquor; **or**
- have [on (his/her) premises **or** in (his/her) (possession **or** custody)] [a still, a still-head, a worm, machinery, an implement **or** a utensil] [used **or** intended to be used] for [brewing **or** distilling] liquor; **or**
- [make **or** assist in making] liquor; **or**
- supply material for [making **or** working] a still.

Penalty: Liable to a fine of one thousand two hundred dollars or to imprisonment for three years or to both such fine and such imprisonment.

If any licensee shall be convicted under section 50 of the *Liquor Act* (Ch. 144) the court recording such conviction may order the forfeiture of his/her licence and he/she shall thereupon be disqualified for holding a licence for a period of twelve months, see section 80.

SEIZURE OF FORBIDDEN ARTICLES

51(3)

did [obstruct **or** resist] a police officer namely [specify the name and rank of the officer] in

- entering upon premises situated at [specify the location]; **or**
- seizing property which appeared to the said police officer as being for use in connection with the [brewing **or** distilling] of liquor; **or**
- seizing liquor which appeared to the said police officer to have been [brewed **or** distilled] on the said premises.

Penalty: Liable to a fine of four hundred dollars or to imprisonment for one year or to both such fine and such imprisonment.

LIQUOR ACT

Any still, still – head, worm or other machinery, implements or utensils, imported into or used in Solomon Islands, and all liquor brewed or distilled therein contrary to the provisions of this Part (*‘Part VII – Distillation Of Liquor’*) shall be forfeited by a court on the conviction for any offence under this Part of the owner or any person found in possession thereof, see section 52.

If any licensee shall be convicted under subsection (3) of section 51 of the *Liquor Act* (Ch. 144) the court recording such conviction may order the forfeiture of his/her licence and he/she shall thereupon be disqualified for holding a licence for a period of twelve months, see section 80.

RESISTING OR OBSTRUCTING HEALTH OFFICERS OR POLICE OFFICERS	55
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did [resist **or** obstruct] a [health officer namely (specify the name of the health officer) in the exercise of (his/her) duty under section 53 of the *Liquor Act* (Ch. 144) **or** police officer namely (specify the name and rank of the officer) in the exercise of (his/her) duty under section 54 of the *Liquor Act* (Ch. 144)].

Penalty: Liable for a first offence to a fine of one hundred dollars and for a second or any subsequent offence to a fine of two hundred dollars.

ILLEGAL SALE OF LIQUOR	57
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(1) did sell liquor without holding a licence authorising the sale thereof.

Penalty: Liable –

- (a) for a first offence to a fine of two hundred dollars, and
- (b) for a second or subsequent offence to a fine of four hundred dollars or to imprisonment for one year or to both such fine and such imprisonment,

and upon conviction under this subsection, the offender shall forfeit all liquor found in his possession, custody or control, together with the vessels containing such liquor, unless the court for special reasons thinks fit to order that only part or none of such liquor be forfeited. In the case of a second or subsequent offence the offender shall be declared after conviction to be, and shall thereupon be disqualified for holding a licence of any description for the sale of liquor for a period of twelve months from the date of such conviction:

Provided that nothing in this subsection shall apply to a registered pharmacist supplying liquor in quantities not exceeding six ounces on the prescription of a person registered as a medical practitioner under the Medical and Dental Practitioners Act.

(2) being a licensee did sell liquor otherwise than [as authorised by **or** in accordance with the terms and conditions of] (his/her) licence to wit [specify how].

LIQUOR ACT

Penalty: Liable –

- (a) for a first offence to a fine of one hundred and fifty dollars, and
- (b) for a second or subsequent offence to a fine of three hundred dollars or to imprisonment for nine months or to both such fine and such imprisonment,

and in addition to any penalty imposed under this subsection, it shall be lawful for the court to order forfeiture of all liquor found in the possession, custody or control of the person convicted together with the vessels containing such liquor, and where no other penalty is expressly provided in relation to such offence.

If any licensee shall be convicted under subsection (2) of section 57 of the *Liquor Act* (Ch. 144) the court recording such conviction may order the forfeiture of his/her licence and he/she shall thereupon be disqualified for holding a licence for a period of twelve months, see section 80 of that Act.

LIQUOR FOR SALE WITHOUT LICENSE
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59(2)

did [carry about, offer **or** expose] for sale liquor without a licence.

Penalty: Liable –

- (a) for a first offence to a fine of two hundred dollars, and
- (b) for a second or subsequent offence to a fine of four hundred dollars or to imprisonment for one year or to both such fine and such imprisonment,

and upon conviction under this subsection, all such liquor together with the vessels containing the same shall be forfeited unless the court for special reasons thinks fit to order that only part of none of such liquor shall be forfeited; and in addition, it shall be lawful for the court to order forfeiture of any cart, dray, or motor or other vehicle, and any horse or animal carrying or drawing the same and every vessel conveying the same. In the case of a second or subsequent offence the offender shall be declared after conviction to be, and shall thereupon be, disqualified for holding a licence of any description for the sale of liquor for a period of twelve months from the date of such conviction.

Whenever any liquor is alleged to have been carried from one place to another, the burden of proving that the same was not so carried for sale shall rest upon the person so carrying it, on the *balance of probabilities*, see section 59(3).

SIGN ON UNLICENSED PREMISES

60

not being the holder of a licence issued under the *Liquor Act* (Ch. 144) on whose premises was situated at [specify the location] [a sign, writing, a painting **or** a mark] did exhibit which may [imply **or** give reasonable cause for believing] that that said premises were licensed for the sale of liquor and/or that liquor was sold or supplied therein.

Penalty: Liable to a fine of one hundred dollars.

LIQUOR ACT

ALLOWING UNLICENSED SALE

62

being a licensee did [sell **or** employ a person namely (specify the name of the employee) to sell] liquor in [premises situated at (specify the location), a vehicle to wit a (specify the vehicle) **or** a vessel namely (specify the name of the vessel)] not being within the [premises, vessel **or** place] in which the said [insert the name of the defendant] was authorised to sell liquor by (his/her) licence.

being a licensee did permit a person namely [specify the name of this person] to sell liquor on the licensed premises of the said licensee namely [specify the name of the licensed premises] otherwise than as (his/her) servant or agent.

Penalty: Liable -

- (a) for a first offence to a fine of one hundred and fifty dollars, and
- (b) for a second or subsequent offence to a fine of three hundred dollars or to imprisonment for nine months or to both such fine and such imprisonment,

and in addition to any penalty imposed under this subsection, it shall be lawful for the court to order forfeiture of all liquor found in the possession, custody or control of the person convicted together with the vessels containing such liquor, and where no other penalty is expressly provided in relation to such offence.

If any licensee shall be convicted under section 62 of the *Liquor Act* (Ch. 144) the court recording such conviction may order the forfeiture of his/her licence and he/she shall thereupon be disqualified for holding a licence for a period of twelve months, see section 80.

LIQUOR IN SHOPS

63(2)

being the [owner **or** manager] of a shop namely [specify the name of the shop] which

- was not licensed under the *Liquor Act* (Ch. 144) to sell liquor did [store, keep **or** permit to be (stored **or** kept)] [liquor **or** liquor in excess of (his/her) own personal requirements]; **or**
- was only licensed to sell beer did [store, keep **or** permit to be (stored **or** kept)] [liquor other than beer **or** liquor other than beer in excess of (his/her) own personal requirements] in [the said shop **or** an adjoining building to which the public normally has access].

Penalty: Liable to a fine of one hundred dollars and forfeiture of such liquor.

LIQUOR ACT

CONSUMPTION IN VICINITY OF LICENSED PREMISES	64
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- (1) being the licensee of a [publican's, residential **or** residential and restaurant] licence in respect of licensed premises namely [specify the name of the licensed premises] did knowingly [suffer **or** permit] the consumption of liquor by a person namely [specify the name of this person] not being a bona fide lodger, the bona fide guest of a bona fide lodger or a person employed at the said licensed premises for the purposes of the business carried on at the said licensed premises in a place within the curtilage of the said licensed premises not being a place which was part of the said licensed premises as described and defined in the said licence.

Penalty: Liable to a fine of two hundred dollars.

- (2) being the licensee of licensed premises namely [specify the name of the licensed premises] whose licence did not authorise the sale of liquor for consumption on the said licensed premises did with (his/her) [privity **or** consent] allow a person namely [specify the name of this person] to purchase liquor at the said licensed premises and drink the said liquor

- in [an adjoining **or** a near] [place **or** premises] which [belonged to (name of defendant), (was **or** are) under the control of (insert the name of the defendant) **or** was used with the permission of (insert the name of the defendant)]; **or**
- on a [highway **or** public place] [adjoining **or** near] the said licensed premises.

Penalty: Liable to a fine of two hundred dollars.

- (3) was found consuming liquor in a place in which such consumption is contrary to the provisions of section 64 of the *Liquor Act* (Ch. 144) to wit
- within the curtilage of licensed premises namely [specify the name of the licensed premises] not being a place which was part of the said licensed premises as described and defined in the licence and upon being requested by [(the licensee namely (specify the name of licensee), a servant of the licensee) of the said licensed premises **or** a police officer namely (specify the name and rank of the officer)] to quit the said place did [refuse **or** fail] to do so; **or**
 - [an adjoining **or** a near] [place **or** premises] to licensed premises namely [specify the name of the licensed premises] which [belonged to (insert the name of the licensee), (was **or** are) under the control of (insert the name of the licensee) **or** was used with the permission of (insert the name of the licensee)] and upon being requested by [(the said licensee **or** a servant of the said licensee) of the said licensed premises **or** a police officer namely (specify the name and rank of the officer)] to quit the said place did [refuse **or** fail] to do so.

LIQUOR ACT

- on a [highway **or** public place] [adjoining **or** near] the said licensed premises and upon being requested by [(the said licensee **or** a servant of the said licensee) of the said licensed premises **or** a police officer namely (specify the name and rank of the officer)] to quit the said place did [refuse **or** fail] to do so.

Penalty: Liable to a fine of twenty-five dollars.

- (4) being the licensee of licensed premises namely [specify the name of the licensed premises] whose licence did not authorise the sale of liquor to be consumed on the said licensed premises did [(take **or** carry) **or** (employ **or** suffer) a person namely (specify the name of this person) to (take **or** carry)] liquor [out of **or** from] the said licensed premises for the purpose of being sold on (his/her) account for (his/her) [benefit **or** profit] to be drunk or consumed in a place other than the said licensed premises with intent to evade the conditions of the said licence.

Penalty: Liable to:

- (a) for a first offence to a fine of one hundred and fifty dollars, and
- (b) for a second or subsequent offence to a fine of three hundred dollars or to imprisonment for nine months or to both such fine and such imprisonment,

and in addition to any penalty imposed under this subsection, it shall be lawful for the court to order forfeiture of all liquor found in the possession, custody or control of the person convicted together with the vessels containing such liquor, and where no other penalty is expressly provided in relation to such offence.

and if the place is any house, tent, shed or other building of any kind whatever belonging to the licensee or hired, used or occupied by him/her, the licensee shall be deemed, unless the contrary is proved, to have intended to evade the conditions of the licence.

If any licensee shall be convicted under section 64 of the *Liquor Act* (Ch. 144) the court recording such conviction may order the forfeiture of his/her licence and he/she shall thereupon be disqualified for holding a licence for a period of twelve months, see section 80 of that Act.

CONSUMPTION OF LIQUOR IN CERTAIN PUBLIC PLACES

65

was found consuming liquor in a [street, thoroughfare **or** place] namely [specify the name of the (street, thoroughfare **or** place)] being part of any town area to which the public had access not being part of any licensed premises.

Penalty: Liable to a fine of two hundred dollars.

LIQUOR ACT

CONSUMPTION OF LIQUOR IN VEHICLES	66
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- (1)(a) did consume liquor in a motor vehicle to wit a [specify the motor vehicle] when it was being driven on a [road **or** public place] namely [specify the name of the (road **or** public place)].
- (b) did consume liquor in a motor vehicle to wit a [specify the motor vehicle] when it was [at rest **or** parked] on a [road **or** public place] namely [specify the name of the (road **or** public place)].
- (2)(a) being the [driver **or** person in charge] without a reasonable excuse did permit a person namely [specify the name of this person] to consume liquor in a motor vehicle to wit a [specify the motor vehicle] when it was being driven on a [road **or** public place] namely [specify the name of the (road **or** public place)].
- (b) being the [driver **or** person in charge] without a reasonable excuse did permit a person namely [specify the name of this person] to consume liquor in a motor vehicle to wit a [specify the motor vehicle] when it was [at rest **or** parked] on a [road **or** public place] namely [specify the name of the (road **or** public place)].

Penalty: Liable to a fine of one thousand dollars or to imprisonment for twelve months or to both such fine and such imprisonment.

DISORDERLY PERSONS	67(1)
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being the licensee of licensed premises namely [specify the name of the licensed premises] did knowingly [suffer **or** permit] a [common prostitute, thief, (drunken **or** disorderly) person **or** person of notoriously bad character] namely [specify the name of this person] to [assemble **or** continue] upon the [said licensed premises **or** the appurtenances thereto the said licensed premises].

Penalty: Liable to a fine of one hundred and fifty dollars.

SUPPLY INTOXICATED PERSONS	68
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being [the licensee of licensed premises **or** a servant of the licensee of licensed premises] namely (specify the name of the licensed premises) did supply liquor to a person namely [specify the name of this person] who was at the time in a state of intoxication in the said premises.

Penalty: Liable, for a first offence, to a fine of twenty-five dollars and, for a second or subsequent offence, to a fine of three hundred dollars.

If any licensee shall be convicted under section 68 of the *Liquor Act* (Ch. 144) the court recording such conviction may order the forfeiture of his/her licence and he/she shall thereupon be disqualified for holding a licence for a period of twelve months, see section 80 of that Act.

LIQUOR ACT

EXCLUSION OF DRUNKARDS AND OTHERS
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69

- (2) who was [drunk, violent, quarrelsome, disorderly **or** using (profane **or** foul language) **or** suffering from an infectious disease] in licensed premises namely (specify name of the licensed premises) who was requested by [the licensee of the said licensed premises namely (specify the name of the licensee), (the agent **or** a servant) of the licensee of said licensed premises namely (specify name of the [agent **or** servant]) **or** a police officer namely (specify name and rank of the officer)] to quit the said premises did [refuse **or** fail] to do so.

Penalty: Liable to a fine of two hundred dollars, or, in default of payment, to imprisonment for six months.

- (4) being a licensee of licensed premises namely [specify the name of the licensed premises] did permit [drunkenness **or** (violent, quarrelsome **or** riotous conduct)] to take place on the said premises.

Penalty: Liable to a fine of one hundred and fifty dollars.

RULES OF DRESS IN LICENSED PREMISES TO BE EXHIBITED
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70

being the licensee of licensed premises namely [specify the name of the licensed premises] did fail to cause at least one copy of the rules regulating dress in the said licensed premises to be exhibited in a conspicuous part of each room to which the said rules applied.

Penalty: Liable to a fine of two hundred dollars.

COURT MAY ISSUE PROHIBITION ORDER
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71(2)

to whom an order had been made under subsection (1) of section 71 of the *Liquor Act* (Ch. 144) was found [drinking liquor **or** in possession of liquor intended for (his/her) own consumption].

Penalty: Liable to a fine of one hundred dollars or to imprisonment for one month or to both such fine and such imprisonment.

A court may, upon the application of a police officer and upon proof that any person is of confirmed intemperate habits, by order to be filed as of record in the court, prohibit such person from having liquor in his possession or drinking any liquor for such period not exceeding twelve months, as shall be specified in the order, see section 71(1).

LIQUOR ACT

CHILDREN AND YOUNG PERSONS

72

- (1) did knowingly [sell **or** supply] to a person namely [specify the name of this person] under the age of twenty-one years liquor for consumption on licensed [premises **or** club premises] namely [specify the name of the premises].

being a licensee did knowingly allow to be [sold **or** supplied] to a person namely [specify the name of this person] under the age of twenty-one years liquor for consumption on (his/her) licensed [premises **or** club premises] namely [specify the name of the premises].

Penalty: Liable to a fine of three hundred dollars or to imprisonment for nine months or to both such fine and such imprisonment.

- (2) being a servant of [specify the name of the licensee] the licensee of licensed premises namely [specify the name of the licensed premises] did knowingly [sell **or** supply] liquor to a person namely [specify the name of this person] under the age of twenty-one years.

being the licensee of licensed premises namely [specify the name of the licensed premises] did knowingly [(sell **or** supply) **or** allowed to be (sold **or** supplied)] liquor to a person namely [specify the name of this person] under the age of twenty-one years.

Penalty: Liable to a fine of three hundred dollars or to imprisonment for nine months or to both such fine and such imprisonment.

- (3) being under the age of twenty-one years did consume liquor in a licensed [premises **or** club premises] namely [specify the name of the premises].

Penalty: Liable to a fine of two hundred dollars or imprisonment for one year.

- (4) did knowingly send a person under the age of twenty-one years namely [specify the name of this person] for the purpose of obtaining liquor to a licensed [club **or** premises] namely [specify the name of the premises].

Penalty: Liable to a fine of two hundred dollars.

LIQUOR ACT

EMPLOYMENT OF PERSONS UNDER 21 OR PERSONS CONVICTED OF AN OFFENCE IN RESPECT OF LIQUOR

73(2)

being the licensee of licensed premises namely [specify the name of the licensed premises] did

- employ a person under the age of twenty-one years namely [specify the name of this person]; **or**
- knowingly employ a person namely [specify the name of this person] who had been convicted of an offence under [the *Liquor Act* (Ch. 144) **or** an Act in force regulating the sale of liquor, to sell, control or supervise the sale of liquor or to have the custody or control of liquor on any licensed premises to wit (specify the name of this Act)].

Penalty: Liable to a fine of two hundred dollars.

GAMING PROHIBITED ON LICENSED PREMISES

74

being the licensee of licensed premises namely [specify the name of the licensed premises] did permit a game of chance namely [specify the name of the game] to be played on the said licensed premises.

being [the licensee, a servant **or** person in charge] of licensed premises namely [specify the name of the licensed premises] did connive at the playing of a game of chance namely [specify the name of the game] on the said licensed premises.

Penalty: Liable to a fine of one hundred and fifty dollars, and for a second or subsequent offence to a fine of six hundred dollars.

If any licensee shall be convicted under section 74 of the *Liquor Act* (Ch. 144) the court recording such conviction may order the forfeiture of his/her licence and he/she shall thereupon be disqualified for holding a licence for a period of twelve months, see section 80.

TAKING GOODS IN PLEDGE OR AS PAYMENT FOR LIQUOR
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75

being the licensee of licensed premises namely [specify the name of the licensed premises] did [take **or** receive] from a person namely [specify the name of this person] in [payment **or** pledge] for liquor supplied [in **or** from] the said licensed premises [an article **or** thing] to wit a [specify the (article **or** thing)] not being current coin, bank-notes or a cheque, promissory-note or order for money.

Penalty: Liable to a fine of one hundred dollars.

LIQUOR ACT

HARBOURING POLICE OFFICERS

76

being the licensee of licensed premises namely [specify the name of the licensed premises] did [knowingly harbour **or** permit to remain] on the said licensed premises a police officer namely [specify the name and rank of the officer] during a part of the time appointed for the said police officer to be on duty and the said police officer was not there for the purpose of keeping or restoring order, or in the execution of (his/her) duty [and the said officer was being supplied with (liquor **and/or** refreshments) without the authority of a superior officer of the said police officer].

Penalty: Liable for a first offence to a fine of three hundred dollars, and, for a second or any subsequent offence, to a fine of six hundred dollars.

If any licensee shall be convicted under section 76 of the *Liquor Act* (Ch. 144) the court recording such conviction may order the forfeiture of his/her licence and he/she shall thereupon be disqualified for holding a licence for a period of twelve months, see section 80.

BREACH OF CONDITIONS OF LICENCE
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77

being the licensee of licensed premises namely [specify the name of the licensed premises] did contravene a [term **or** condition] of (his/her) licence.

Penalty: Liable -
(a) for a first offence to a fine of one hundred and fifty dollars, and
(b) for a second or subsequent offence to a fine of three hundred dollars or to imprisonment for nine months or to both such fine and such imprisonment,

and in addition to any penalty imposed under this subsection, it shall be lawful for the court to order forfeiture of all liquor found in the possession, custody or control of the person convicted together with the vessels containing such liquor, and where no other penalty is expressly provided in relation to such offence.

If any licensee shall be convicted under section 77 of the *Liquor Act* (Ch. 144) the court recording such conviction may order the forfeiture of his/her licence and he/she shall thereupon be disqualified for holding a licence for a period of twelve months, see section 80.

LIQUOR ACT

Whilst the offence is the same as section 57(2), a defendant may only be convicted of either offence, see section 10(5) of the *Constitution* and section 121 of the *Criminal Procedure Code* (Ch. 7). It should also be noted that the penalties are the same.

NON-PRODUCTION OF LICENCE

79

being the licensee of licensed premises namely [specify the name of the licensed premises] at the [place **or** vessel] for which the licence had been granted namely [specify the (place **or** vessel)] did [refuse **or** neglect] to produce the said licence on demand to a [police officer namely (specify the name and rank of the officer) **or** licensing officer namely (specify the name of the officer)].

Penalty: Liable to a fine of fifty dollars.

MINISTER MAY ORDER CLOSURE OF LICENSED PREMISES
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82(2)

being the licensee of licensed premises namely [specify the name of the licensed premises] did contravene an order made by the responsible Minister under section 82 of the *Liquor Act* (Ch. 144).

Penalty: Liable to a fine of six hundred dollars.

The Minister may, whenever it may seem to him/her expedient to do so, by order, direct that all or any licensed premises, or that all or any of the bars therein shall be closed, or that no liquor shall be sold on any such premises, on such day or days and for such times as may be mentioned in such order, see section 81(1).

CLOSURE OF LICENSED PREMISES IN CASE OF RIOT

83(2)

did [resist **or** obstruct] the execution of an order made under subsection (1) of section 83 of the *Liquor Act* (Ch. 144) by [Magistrate namely (specify the name of the Magistrate) **or** police officer namely (specify the rank which must be at least at the rank of Inspector and name)] which required licensed premises namely [specify the name of the licensed premises] to be closed.

Penalty: Liable to a fine of six hundred dollars.

When any riot or tumult occurs or is expected to occur in any place, any Magistrate, or any police officer of or above the rank of Inspector may order any licensed premises in or near such place to be closed for such time as such Magistrate or police officer may order, and any person carrying out such order may use force as may be necessary for closing such licensed premises, see section 83(1).

LIQUOR ACT

RIGHT OF ENTRY

84

- (2) did [(himself/herself) **or** by a person namely (specify the name of this person) (in [his/her] employ **or** acting [by (his/her) direction **or** with (his/her) consent])] [refuse **or** fail] to admit a police officer namely [specify the name and rank of the officer] in the execution of (his/her) duty who had demanded to enter a [licensed premises **or** club licensed under Part VI of the *Liquor Act* (Ch. 144)] namely [specify the name of the licensed (premises **or** club)].

Penalty: Liable for a first offence to a fine of fifty dollars and for a second or subsequent offence to a fine of one hundred dollars.

- (4) when required by a police officer namely [specify the name and rank of the officer] acting in the execution of (his/her) duty under the provisions of the *Liquor Act* (Ch. 144) at licensed premises namely [specify the name of the licensed premises] to give (his/her) name and address did [fail to give (his/her) name and address, give a false name and address **or** make a false statement with respect to (his/her) name and address].

Penalty: Liable to a fine of seventy-five dollars.

DANGEROUS DRUGS ACT

IMPORTATION AND EXPORTATION OF CERTAIN SUBSTANCES PROHIBITED – PART I
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4(2)

did [import **or** export] a substance to which Part I of the *Dangerous Drugs Act* (Ch. 98) applied to wit [specify either (raw opium, coca leaf, Indian hemp **or** resins obtained from Indian hemp and preparations of which such resins form the base)].

Penalty: Liable --

- (a) on conviction by the court sitting with assessors, to a fine of two thousand dollars, or to imprisonment for ten years, or to both such fine and imprisonment; or
- (b) on summary conviction, to a fine of five hundred dollars, or to imprisonment for six months, or to both such fine and imprisonment;

and shall in every case, on conviction for the offence, forfeit to Her Majesty all articles in respect of which the offence was committed; and the court before which the offender was convicted may order the forfeited articles to be destroyed or otherwise disposed of, as the Court deems fit, see section 39(2) of the Act.

To institute proceedings consent of the Director of Public Prosecutions is required, see section 39(3) of the Act.

IMPORTATION AND EXPORTATION OF CERTAIN SEEDS PROHIBITED – PART I

5

did [import **or** export] a [seed **or** portion] of [the opium poppy, Indian hemp **or** the cocoa leaf].

Penalty: Liable --

- (a) on conviction by the court sitting with assessors, to a fine of two thousand dollars, or to imprisonment for ten years, or to both such fine and imprisonment; or
- (b) on summary conviction, to a fine of five hundred dollars, or to imprisonment for six months, or to both such fine and imprisonment;

and shall in every case, on conviction for the offence, forfeit to Her Majesty all articles in respect of which the offence was committed; and the court before which the offender was convicted may order the forfeited articles to be destroyed or otherwise disposed of, as the Court deems fit, see section 39(2) of the Act.

To institute proceedings consent of the Director of Public Prosecutions is required, see section 39(3) of the Act.

DANGEROUS DRUGS ACT

GROW OPIUM POPPY, INDIAN HEMP OR COCOA LEAF	8(a)
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did grow [opium poppy, Indian hemp **or** cocoa leaf].

Penalty: Liable --

- (a) on conviction by the court sitting with assessors, to a fine of two thousand dollars, or to imprisonment for ten years, or to both such fine and imprisonment; or
- (b) on summary conviction, to a fine of five hundred dollars, or to imprisonment for six months, or to both such fine and imprisonment;

and shall in every case, on conviction for the offence, forfeit to Her Majesty all articles in respect of which the offence was committed; and the court before which the offender was convicted may order the forfeited articles to be destroyed or otherwise disposed of, as the Court deems fit, see section 39(2) of the Act.

To institute proceedings consent of the Director of Public Prosecutions is required, see section 39(3) of the Act.

POSSESS, SELL OR GIVE CERTAIN SUBSTANCES PROHIBITED – PART I	8(b)
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[was found in possession of **or** (did sell, did give **or** had sold) to a person namely (specify the name of this person)] a substance to which Part I of the *Dangerous Drugs Act* (Ch. 98) applied to wit [specify either (raw opium, coca leaf, Indian hemp **or** resins obtained from Indian hemp and preparations of which such resins form the base)].

Penalty: Liable --

- (a) on conviction by the court sitting with assessors, to a fine of two thousand dollars, or to imprisonment for ten years, or to both such fine and imprisonment; or
- (b) on summary conviction, to a fine of five hundred dollars, or to imprisonment for six months, or to both such fine and imprisonment;

and shall in every case, on conviction for the offence, forfeit to Her Majesty all articles in respect of which the offence was committed; and the court before which the offender was convicted may order the forfeited articles to be destroyed or otherwise disposed of, as the Court deems fit, see section 39(2) of the Act.

To institute proceedings consent of the Director of Public Prosecutions is required, see section 39(3) of the Act.

DANGEROUS DRUGS ACT

IMPORTATION AND EXPORTATION OF PREPARED OPIUM	11
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did [import **or** export] [prepared opium, (pipes **or** utensils) for use in connection with the smoking of opium **or** utensils for use in connection with the preparation of opium for consumption].

Penalty: Liable --

- (a) on conviction by the court sitting with assessors, to a fine of two thousand dollars, or to imprisonment for ten years, or to both such fine and imprisonment; or
- (b) on summary conviction, to a fine of five hundred dollars, or to imprisonment for six months, or to both such fine and imprisonment;

and shall in every case, on conviction for the offence, forfeit to Her Majesty all articles in respect of which the offence was committed; and the court before which the offender was convicted may order the forfeited articles to be destroyed or otherwise disposed of, as the Court deems fit, see section 39(2) of the Act.

To institute proceedings consent of the Director of Public Prosecutions is required, see section 39(3) of the Act.

MANUFACTURING, SELLING OR USING PREPARED OPIUM	12(1)
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- (a) did [manufacture, sell **or** deal in] prepared opium.
- (b) did have in (his/her) possession prepared opium.
- (c) being the occupier of premises situated at [specify the location] did permit the said premises to be used for the preparation of opium for [consumption, sale **or** smoking] of prepared opium.
- (d) being concerned in the management of premises situated at [specify the location] did permit the said premises to be used for the preparation of opium for [consumption, sale **or** smoking] of prepared opium.
- (e) did have in (his/her) possession a [(pipe **or** utensil) for use in connection with the smoking of opium **or** utensil used in connection with the preparation of opium for smoking].
- (f) did [smoke **or** use] prepared opium.

did frequent a place to wit [specify the location] used for the purpose of opium smoking.

DANGEROUS DRUGS ACT

Penalty: Liable --

- (a) on conviction by the court sitting with assessors, to a fine of two thousand dollars, or to imprisonment for ten years, or to both such fine and imprisonment; or
- (b) on summary conviction, to a fine of five hundred dollars, or to imprisonment for six months, or to both such fine and imprisonment;

and shall in every case, on conviction for the offence, forfeit to Her Majesty all articles in respect of which the offence was committed; and the court before which the offender was convicted may order the forfeited articles to be destroyed or otherwise disposed of, as the Court deems fit, see section 39(2) of the Act.

To institute proceedings consent of the Director of Public Prosecutions is required, see section 39(3) of the Act.

IMPORTATION AND EXPORTATION OF CERTAIN SUBSTANCES PROHIBITED – PART III	14
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did [import **or** export] a substance to which Part III of the *Dangerous Drugs Act* (Ch. 98) applied to wit [specify the ‘dangerous drug’] not in accordance with sections 22 to 30 of the said Act.

Penalty: Liable --

- (a) on conviction by the court sitting with assessors, to a fine of two thousand dollars, or to imprisonment for ten years, or to both such fine and imprisonment; or
- (b) on summary conviction, to a fine of five hundred dollars, or to imprisonment for six months, or to both such fine and imprisonment;

and shall in every case, on conviction for the offence, forfeit to Her Majesty all articles in respect of which the offence was committed; and the court before which the offender was convicted may order the forfeited articles to be destroyed or otherwise disposed of, as the Court deems fit, see section 39(2) of the Act.

To institute proceedings consent of the Director of Public Prosecutions is required, see section 39(3) of the Act.

EXPORT OF DANGEROUS DRUGS GENERALLY WITHOUT AUTHORISATION PROHIBITED	23
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not being in possession of a valid and subsisting export authorization did export from Solomon Islands a dangerous drug to which Part III of the *Dangerous Drugs Act* (Ch. 98) applied to wit [specify the ‘dangerous drug’].

DANGEROUS DRUGS ACT

Penalty: Liable --

- (a) on conviction by the court sitting with assessors, to a fine of two thousand dollars, or to imprisonment for ten years, or to both such fine and imprisonment; or
- (b) on summary conviction, to a fine of five hundred dollars, or to imprisonment for six months, or to both such fine and imprisonment;

and shall in every case, on conviction for the offence, forfeit to Her Majesty all articles in respect of which the offence was committed; and the court before which the offender was convicted may order the forfeited articles to be destroyed or otherwise disposed of, as the Court deems fit, see section 39(2) of the Act.

To institute proceedings consent of the Director of Public Prosecutions is required, see section 39(3) of the Act.

IMPORTATION OF DANGEROUS DRUGS NOT IN ACCORDANCE WITH THE ACT – PART III	30
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did [import, cause to be imported **or** take steps preparatory to importing] a dangerous drug to which Part III of the *Dangerous Drugs Act* (Ch. 98) applied to wit [specify the ‘dangerous drug’] into Solomon Islands not in accordance with the provisions of the said Act.

Penalty: Liable --

- (a) on conviction by the court sitting with assessors, to a fine of two thousand dollars, or to imprisonment for ten years, or to both such fine and imprisonment; or
- (b) on summary conviction, to a fine of five hundred dollars, or to imprisonment for six months, or to both such fine and imprisonment;

and shall in every case, on conviction for the offence, forfeit to Her Majesty all articles in respect of which the offence was committed; and the court before which the offender was convicted may order the forfeited articles to be destroyed or otherwise disposed of, as the Court deems fit, see section 39(2) of the Act.

To institute proceedings consent of the Director of Public Prosecutions is required, see section 39(3) of the Act.

DANGEROUS DRUGS ACT

FAILURE TO KEEP STOCK BOOK	16(2)
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did have in (his/her) possession a dangerous drug to which Part III of the *Dangerous Drugs Act* (Ch. 98) applied to wit [specify the ‘dangerous drug’] did fail to keep a stock book in the form as prescribed in the rule.

[There is however no such rules prescribed under the Act.]

Penalty: Liable --

- (a) on conviction by the court sitting with assessors, to a fine of two thousand dollars, or to imprisonment for ten years, or to both such fine and imprisonment; or
- (b) on summary conviction, to a fine of five hundred dollars, or to imprisonment for six months, or to both such fine and imprisonment;

and shall in every case, on conviction for the offence, forfeit to Her Majesty all articles in respect of which the offence was committed; and the court before which the offender was convicted may order the forfeited articles to be destroyed or otherwise disposed of, as the Court deems fit, see section 39(2) of the Act.

[No person, on conviction for any offence of contravening or failing to comply with *any rules made under this Act* relating to the keeping of books or the issuing or dispensing of prescriptions containing drugs to which this Act applies, shall be sentenced to imprisonment without the option of a fine, or to pay a fine exceeding one hundred dollars, if the court dealing with the case is satisfied that the offence was committed through inadvertence and was not preparatory to, or committed in the course of, or in connection with, the commission of, or intended commission of, any other offence against this Act, see section 39(3) of the Act. (There is however no such rules prescribed under the Act.)]

To institute proceedings consent of the Director of Public Prosecutions is required, see section 39(3) of the Act.

DELIVERY OR WITHDRAWN WITH THE WRITTEN AUTHORITY OF THE PERMANENT SECRETARY, MINISTRY OF HEALTH AND MEDICAL SERVICES	17
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did [deliver **or** withdraw] from an appointed store a dangerous drug to which Part III of the *Dangerous Drugs Act* (Ch. 98) applied to wit [specify the ‘dangerous drug’] without the written authority of [the Permanent Secretary, Ministry of Health & Medical Services **or** an officer authorized by the Permanent Secretary, Ministry of Health & Medical Services] namely [specify the name of this person].

DANGEROUS DRUGS ACT

Penalty: Liable --

- (a) on conviction by the court sitting with assessors, to a fine of two thousand dollars, or to imprisonment for ten years, or to both such fine and imprisonment; or
- (b) on summary conviction, to a fine of five hundred dollars, or to imprisonment for six months, or to both such fine and imprisonment;

and shall in every case, on conviction for the offence, forfeit to Her Majesty all articles in respect of which the offence was committed; and the court before which the offender was convicted may order the forfeited articles to be destroyed or otherwise disposed of, as the Court deems fit, see section 39(2) of the Act.

To institute proceedings consent of the Director of Public Prosecutions is required, see section 39(3) of the Act.

WITHDRAWAL OF DANGEROUS DRUGS

19

being an officer authorized to withdraw dangerous drugs to which Part III of the *Dangerous Drugs Act* (Ch. 98) applied did authorize the withdrawal of a dangerous drug to wit [specify the 'dangerous drug'] to a person namely [specify the name of this person] not being a registered medical practitioner, licensed pharmacist, registered dentist, qualified veterinary surgeon, hospital attendant approved by the Permanent Secretary, Ministry of Health and Medical Services at a plantation hospital, or a person approved by the Permanent Secretary, Ministry of Health and Medical Services engaged in medical work under the control of a recognized Mission.

Penalty: Liable --

- (a) on conviction by the court sitting with assessors, to a fine of two thousand dollars, or to imprisonment for ten years, or to both such fine and imprisonment; or
- (b) on summary conviction, to a fine of five hundred dollars, or to imprisonment for six months, or to both such fine and imprisonment;

and shall in every case, on conviction for the offence, forfeit to Her Majesty all articles in respect of which the offence was committed; and the court before which the offender was convicted may order the forfeited articles to be destroyed or otherwise disposed of, as the Court deems fit, see section 39(2) of the Act.

To institute proceedings consent of the Director of Public Prosecutions is required, see section 39(3) of the Act.

DANGEROUS DRUGS ACT

STORAGE / POSSESSION	20
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was found in (his/her) possession a dangerous drug to which Part III of the *Dangerous Drugs Act* (Ch. 98) applied to wit [specify the ‘dangerous drug’] not having been obtained under the authority of the said Act in accordance with the prescription of a registered medical practitioner or from a person having authority to sell it.

being the occupier of a place other than an approved store did keep in the said place a dangerous drug to which Part III of the *Dangerous Drugs Act* (Ch. 98) applied to wit [specify the ‘dangerous drug’] not having been obtained under the authority of the said Act in accordance with the prescription of a registered medical practitioner or from a person having authority to sell it and the said dangerous drug was not deposited there without (his/her) knowledge or consent.

being the owner of a place other than an approved store in which a dangerous drug to which Part III of the *Dangerous Drugs Act* (Ch. 98) applied to wit [specify the ‘dangerous drug’] not having been obtained under the authority of the said Act in accordance with the prescription of a registered medical practitioner or from a person having authority to sell it was kept and the said dangerous drug was not deposited there without (his/her) knowledge or consent.

Penalty: Liable --

- (a) on conviction by the court sitting with assessors, to a fine of two thousand dollars, or to imprisonment for ten years, or to both such fine and imprisonment; or
- (b) on summary conviction, to a fine of five hundred dollars, or to imprisonment for six months, or to both such fine and imprisonment;

and shall in every case, on conviction for the offence, forfeit to Her Majesty all articles in respect of which the offence was committed; and the court before which the offender was convicted may order the forfeited articles to be destroyed or otherwise disposed of, as the Court deems fit, see section 39(2) of the Act.

To institute proceedings consent of the Director of Public Prosecutions is required, see section 39(3) of the Act.

PROHIBITION OF TRADE IN AND MANUFACTURE OF NEW DANGEROUS DRUGS	21(1)
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did [trade in **or** manufacture for the purpose of trade] a product obtained from the [phenanthrene alkaloids of opium **or** ecgonine alkaloids of the cocoa leaf] not being a product which was on the 13th July 1931 used for medical or scientific purposes.

DANGEROUS DRUGS ACT

Penalty: Liable --

- (a) on conviction by the court sitting with assessors, to a fine of two thousand dollars, or to imprisonment for ten years, or to both such fine and imprisonment; or
- (b) on summary conviction, to a fine of five hundred dollars, or to imprisonment for six months, or to both such fine and imprisonment;

and shall in every case, on conviction for the offence, forfeit to Her Majesty all articles in respect of which the offence was committed; and the court before which the offender was convicted may order the forfeited articles to be destroyed or otherwise disposed of, as the Court deems fit, see section 39(2) of the Act.

To institute proceedings consent of the Director of Public Prosecutions is required, see section 39(3) of the Act.

DANGEROUS DRUGS IN TRANSIT

31(1)

- (a) did bring a dangerous drug to wit [specify the 'dangerous drug'] to Solomon Islands in transit from a country to wit [specify the country] from which the said dangerous drug [may **or** may not] lawfully be exported to another country to wit [specify the country] into which the said dangerous drug [may **or** may not] lawfully be imported.
- (b) did bring a dangerous drug to wit [specify the 'dangerous drug'] to Solomon Islands in transit not accompanied by a valid and subsisting [export authorization **or** diversion] certificate from a country not a party to the Convention to wit [specify the country] to be exported to another country to wit [specify the country] into which the said dangerous drug [may **or** may not] lawfully be imported.

Penalty: Liable --

- (a) on conviction by the court sitting with assessors, to a fine of two thousand dollars, or to imprisonment for ten years, or to both such fine and imprisonment; or
- (b) on summary conviction, to a fine of five hundred dollars, or to imprisonment for six months, or to both such fine and imprisonment;

and shall in every case, on conviction for the offence, forfeit to Her Majesty all articles in respect of which the offence was committed; and the court before which the offender was convicted may order the forfeited articles to be destroyed or otherwise disposed of, as the Court deems fit, see section 39(2) of the Act.

To institute proceedings consent of the Director of Public Prosecutions is required, see section 39(3) of the Act.

DANGEROUS DRUGS ACT

REMOVAL LICENSES -- DANGEROUS DRUGS IN TRANSIT	32(1)
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- (a) not under or in accordance with a removal licence did remove a dangerous drug to wit [specify the ‘dangerous drug’] from a conveyance in which it was brought into Solomon Islands in transit.
- (b) did move a dangerous drug to wit [specify the ‘dangerous drug’] after its removal from a conveyance in which the said dangerous drug was brought into Solomon Islands.

Penalty: Liable --

- (a) on conviction by the court sitting with assessors, to a fine of two thousand dollars, or to imprisonment for ten years, or to both such fine and imprisonment; or
- (b) on summary conviction, to a fine of five hundred dollars, or to imprisonment for six months, or to both such fine and imprisonment;

and shall in every case, on conviction for the offence, forfeit to Her Majesty all articles in respect of which the offence was committed; and the court before which the offender was convicted may order the forfeited articles to be destroyed or otherwise disposed of, as the Court deems fit, see section 39(2) of the Act.

To institute proceedings consent of the Director of Public Prosecutions is required, see section 39(3) of the Act.

TAMPERING WITH DANGEROUS DRUGS IN TRANSIT	33
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not upon the instructions of the Permanent Secretary, Ministry of Health and Medical Services namely [specify the name of this person] did cause a dangerous drug to wit [specify the ‘dangerous drug’] in transit to be subjected to a process which did alter its nature.

not upon the instructions of the Permanent Secretary, Ministry of Health and Medical Services namely [specify the name of this person] did wilfully [open **or** break] a package containing a dangerous drug to wit [specify the ‘dangerous drug’] in transit.

Penalty: Liable --

- (a) on conviction by the court sitting with assessors, to a fine of two thousand dollars, or to imprisonment for ten years, or to both such fine and imprisonment; or
- (b) on summary conviction, to a fine of five hundred dollars, or to imprisonment for six months, or to both such fine and imprisonment;

DANGEROUS DRUGS ACT

and shall in every case, on conviction for the offence, forfeit to Her Majesty all articles in respect of which the offence was committed; and the court before which the offender was convicted may order the forfeited articles to be destroyed or otherwise disposed of, as the Court deems fit, see section 39(2) of the Act.

To institute proceedings consent of the Director of Public Prosecutions is required, see section 39(3) of the Act.

DIVERSION OF DANGEROUS DRUGS	34
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not under the authority of a diversion certificate issued under the *Dangerous Drugs Act* (Ch. 98) did [cause **or** procure] a dangerous drug to wit [specify the ‘dangerous drug’] to be brought into Solomon Islands in transit.

Penalty: Liable --

- (a) on conviction by the court sitting with assessors, to a fine of two thousand dollars, or to imprisonment for ten years, or to both such fine and imprisonment; or
- (b) on summary conviction, to a fine of five hundred dollars, or to imprisonment for six months, or to both such fine and imprisonment;

and shall in every case, on conviction for the offence, forfeit to Her Majesty all articles in respect of which the offence was committed; and the court before which the offender was convicted may order the forfeited articles to be destroyed or otherwise disposed of, as the Court deems fit, see section 39(2) of the Act.

To institute proceedings consent of the Director of Public Prosecutions is required, see section 39(3) of the Act.

APPROVED PORTS	3
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did [import, export, tranship **or** divert] a dangerous drug to wit [specify the ‘dangerous drug’] other than through a port other than the Honiara port or Henderson aerodrome as approved for the purposes of the *Dangerous Drugs Act* (Ch. 98) by the Minister by notice.

Penalty: Liable --

- (a) on conviction by the court sitting with assessors, to a fine of two thousand dollars, or to imprisonment for ten years, or to both such fine and imprisonment; or
- (b) on summary conviction, to a fine of five hundred dollars, or to imprisonment for six months, or to both such fine and imprisonment;

DANGEROUS DRUGS ACT

and shall in every case, on conviction for the offence, forfeit to Her Majesty all articles in respect of which the offence was committed; and the court before which the offender was convicted may order the forfeited articles to be destroyed or otherwise disposed of, as the Court deems fit, see section 39(2) of the Act.

To institute proceedings consent of the Director of Public Prosecutions is required, see section 39(3) of the Act.

EXPORTATION OF DANGEROUS DRUGS GENERALLY	25
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did [export, cause to be exported **or** take steps preparatory to exporting] a dangerous drug to wit [specify the ‘dangerous drug’] other than in accordance with and in pursuance of the provisions of the *Dangerous Drugs Act* (Ch. 98).

Penalty: Liable --

- (a) on conviction by the court sitting with assessors, to a fine of two thousand dollars, or to imprisonment for ten years, or to both such fine and imprisonment; or
- (b) on summary conviction, to a fine of five hundred dollars, or to imprisonment for six months, or to both such fine and imprisonment;

and shall in every case, on conviction for the offence, forfeit to Her Majesty all articles in respect of which the offence was committed; and the court before which the offender was convicted may order the forfeited articles to be destroyed or otherwise disposed of, as the Court deems fit, see section 39(2) of the Act.

To institute proceedings consent of the Director of Public Prosecutions is required, see section 39(3) of the Act.

IMPORTATION OF DANGEROUS DRUGS GENERALLY	28
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did import into Solomon Islands a dangerous drug to wit [specify the ‘dangerous drug’] to a person namely [specify the name of this person] to whom the said drug was consigned who was not in possession of a valid and subsisting import authorization granted in pursuant of the *Dangerous Drugs Act* (Ch. 98).

Penalty: Liable --

- (a) on conviction by the court sitting with assessors, to a fine of two thousand dollars, or to imprisonment for ten years, or to both such fine and imprisonment; or
- (b) on summary conviction, to a fine of five hundred dollars, or to imprisonment for six months, or to both such fine and imprisonment;

DANGEROUS DRUGS ACT

and shall in every case, on conviction for the offence, forfeit to Her Majesty all articles in respect of which the offence was committed; and the court before which the offender was convicted may order the forfeited articles to be destroyed or otherwise disposed of, as the Court deems fit, see section 39(2) of the Act.

To institute proceedings consent of the Director of Public Prosecutions is required, see section 39(3) of the Act.

WILFULLY DELAY OR OBSTRUCT	38(3)
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did wilfully [delay **or** obstruct] a police officer namely [specify rank and full name of the officer] in the exercise of (his/her) powers under section 38 of the *Dangerous Drugs Act* (Ch. 98).

Penalty: Liable --

- (a) on conviction by the court sitting with assessors, to a fine of two thousand dollars, or to imprisonment for ten years, or to both such fine and imprisonment; or
- (b) on summary conviction, to a fine of five hundred dollars, or to imprisonment for six months, or to both such fine and imprisonment;

and shall in every case, on conviction for the offence, forfeit to Her Majesty all articles in respect of which the offence was committed; and the court before which the offender was convicted may order the forfeited articles to be destroyed or otherwise disposed of, as the Court deems fit, see section 39(2) of the Act.

To institute proceedings consent of the Director of Public Prosecutions is required, see section 39(3) of the Act.

FAIL TO PRODUCE, CONCEAL OR ATTEMPT TO CONCEAL	38(3)
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did [fail to produce, conceal **or** attempt to conceal] [a dangerous drug, (a book, a document **or** stocks) relating to the business of a producer, manufacturer, seller or distributor of dangerous drugs].

Penalty: Liable --

- (a) on conviction by the court sitting with assessors, to a fine of two thousand dollars, or to imprisonment for ten years, or to both such fine and imprisonment; or
- (b) on summary conviction, to a fine of five hundred dollars, or to imprisonment for six months, or to both such fine and imprisonment;

DANGEROUS DRUGS ACT

and shall in every case, on conviction for the offence, forfeit to Her Majesty all articles in respect of which the offence was committed; and the court before which the offender was convicted may order the forfeited articles to be destroyed or otherwise disposed of, as the Court deems fit, see section 39(2) of the Act.

To institute proceedings consent of the Director of Public Prosecutions is required, see section 39(3) of the Act.

CONTRAVENTE OR FAIL TO COMPLY WITH RULES	39(1)(a)
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did [act in contravention of **or** fail to comply with] a rule made under the *Dangerous Drugs Act* (Ch. 98) to wit [specify the rule].

[There is however no such rules prescribed under the Act.]

Penalty: Liable --

- (a) on conviction by the court sitting with assessors, to a fine of two thousand dollars, or to imprisonment for ten years, or to both such fine and imprisonment; or
- (b) on summary conviction, to a fine of five hundred dollars, or to imprisonment for six months, or to both such fine and imprisonment;

and shall in every case, on conviction for the offence, forfeit to Her Majesty all articles in respect of which the offence was committed; and the court before which the offender was convicted may order the forfeited articles to be destroyed or otherwise disposed of, as the Court deems fit, see section 39(2) of the Act.

To institute proceedings consent of the Director of Public Prosecutions is required, see section 39(3) of the Act.

CONTRAVENTE OR FAIL TO COMPLY WITH LICENSE CONDITIONS	39(1)(b)
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did [act in contravention of **or** fail to comply with] the condition of [a license **or** an authority] granted [under **or** in pursuance of] the *Dangerous Drugs Act* (Ch. 98).

Penalty: Liable --

- (a) on conviction by the court sitting with assessors, to a fine of two thousand dollars, or to imprisonment for ten years, or to both such fine and imprisonment; or
- (b) on summary conviction, to a fine of five hundred dollars, or to imprisonment for six months, or to both such fine and imprisonment;

DANGEROUS DRUGS ACT

and shall in every case, on conviction for the offence, forfeit to Her Majesty all articles in respect of which the offence was committed; and the court before which the offender was convicted may order the forfeited articles to be destroyed or otherwise disposed of, as the Court deems fit, see section 39(2) of the Act.

FALSE DECLARATION OR STATEMENT

39(1)(c)

for the purpose of obtaining for [(himself/herself) **or** a person namely (specify the name of this person)] the [issue, grant **or** renewal] of a [license issued **or** authority granted] [under **or** in pursuance of] the *Dangerous Drugs Act* (Ch. 98) did make a [declaration **or** statement] which was false in a particular.

for the purpose of obtaining for [(himself/herself) **or** a person namely (specify the name of this person)] the [issue, grant **or** renewal] of a [license issued **or** authority granted] [under **or** in pursuance of] the *Dangerous Drugs Act* (Ch. 98) did knowingly [utter, produce **or** make use of] a [declaration, statement **or** document] which was false in a particular.

Penalty: Liable --

- (a) on conviction by the court sitting with assessors, to a fine of two thousand dollars, or to imprisonment for ten years, or to both such fine and imprisonment; or
- (b) on summary conviction, to a fine of five hundred dollars, or to imprisonment for six months, or to both such fine and imprisonment;

and shall in every case, on conviction for the offence, forfeit to Her Majesty all articles in respect of which the offence was committed; and the court before which the offender was convicted may order the forfeited articles to be destroyed or otherwise disposed of, as the Court deems fit, see section 39(2) of the Act.

PROCESSIONS AND PUBLIC ASSEMBLIES ACT

PROCESSIONS AND PUBLIC ASSEMBLIES CONTRAVENE RULE

2(4)

did contravene a rule made under the *Processions and Public Assemblies Act* (Ch. 29).

Penalty: Liable to a fine of forty dollars or to imprisonment for six months.

PROCESSIONS AND PUBLIC ASSEMBLIES RULES

TAKE PART IN A PROCESSION OR PUBLIC ASSEMBLY
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6

did take part in a [procession **or** public assembly] [which was forbidden by the Rules of the *Processions and Public Assemblies Act* (Ch. 29) **or** after the said (procession **or** public assembly) had been lawfully ordered to disperse].

Penalty: Liable to a fine of forty dollars or to imprisonment for three months or to both such fine and imprisonment.

SEDITION ACT

SEDITION	4
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- (1) did [(do **or** attempt to do) **or** (make preparation **or** conspire with a person namely [specify the name of this person]) to do) an act with a seditious intention to wit [specify the act].

did utter seditious words to wit [specify the seditious words] to a person namely [specify the name of this person].

did [print, publish, sell to (specify the name of this person), offer for sale, distribute **or** reproduce] a seditious publication to wit [specify the seditious publication].

did import a seditious publication to wit [specify the seditious publication] from a country namely [specify the name of the country].

Penalty: Liable for a first offence to imprisonment for two years or to a fine of two hundred dollars or to both such imprisonment and fine; and for a subsequent offence to imprisonment for three years; and any seditious publication shall be forfeited to Her Majesty.

- (2) without lawful excuse did have in (his/her) possession a seditious publication to wit [specify the seditious publication].

Penalty: Liable for a first offence to imprisonment for one year or to a fine of one hundred dollars or to both such imprisonment and fine; and for a subsequent offence to imprisonment for two years; and any seditious publication shall be forfeited to Her Majesty.

SUSPENSION OF NEWSPAPER CONTAINING SEDITION MATTER	6(2)
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did contravene an order made under section 6 of the *Sedition Act* (Ch. 32) by [specify who made the order and when] by [specify how the order was contravened].

Penalty: Liable on summary conviction to imprisonment for six months or to a fine of fifty dollars or to both such imprisonment and fine.

PROHIBITED IMPORT	9
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- (1) did [import, publish, sell to (specify the name of this person), offer for sale, distribute **or** reproduce] [a publication **or** an extract therefrom a publication] the importation of which had been prohibited under section 8 of the *Sedition Act* (Ch. 32).

Penalty: Liable for a first offence to imprisonment for two years or to a fine of two hundred dollars or to both such imprisonment and fine; and for a subsequent offence to imprisonment for three years; and such publication or extract therefrom shall be forfeited to Her Majesty.

SEDITION ACT

- (2) did without lawful excuse have in (his/her) possession [a publication **or** an extract therefrom a publication] prohibited under section 8 of the *Sedition Act* (Ch. 32).

Penalty: Liable for a first offence to imprisonment for one year or to a fine of one hundred dollars or to both such imprisonment and fine; and for a subsequent offence to imprisonment for two years; and such publication or extract therefrom shall be forfeited to Her Majesty.

DELIVERY OF PROHIBITED PUBLICATION TO POLICE STATION

10(1)

did fail to forthwith upon coming to (his/her) knowledge that (he/she) was in possession of [a publication **or** an extract therefrom a publication] the importation of which was prohibited under section 8 of the *Sedition Act* (Ch. 32) deliver the said publication to the officer – in – charge of (his/her) nearest police station.

Penalty: Liable to imprisonment for one year or to a fine of one hundred dollars or to both such imprisonment and fine; and such publication or extract therefrom shall be forfeited to Her Majesty.

A person who complies with the provisions of subsection (1) of this section or is convicted of an offence under that subsection shall not be liable to be convicted for having imported or having in his/her possession the same publication or extract therefrom.

PRISONS ACT

MUTINY, SEDITION AND STRIKING SUPERIOR OFFICER, etc	23
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(a) being a prison officer

- did [begin, excite, cause **or** join in] a [mutiny **or** sedition] [amongst the Prison Service **or** in a prison namely the (specify the name of the prison)]; **or**
- did not use (his/her) utmost endeavours to suppress a [mutiny **or** sedition] [amongst the Prison Service **or** in a prison namely the (specify the name of the prison)]; **or**
- did conspire with a person namely [specify the name of this person] to cause a [mutiny **or** sedition] [amongst the Prison Service **or** in a prison namely the (specify the name of the prison)]; **or**
- cognisant of [a (mutiny **or** sedition) **or** an (intended mutiny **or** sedition)] [amongst the Prison Service **or** in a prison namely the (specify the name of the prison)] did not without delay give information thereof to (his/her) superior officer namely [specify the name of the superior officer].

(b) being a prison officer did [strike **or** offer violence to] (his/her) superior officer namely [specify the name of the superior officer] when the said superior officer was acting in the execution of (his/her) duty.

Penalty: Liable to imprisonment for three years.

DESERTION	24(1)
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(a) being a prison officer did desert the Prison Service.

(b) being a prison officer

- did [persuade, procure **or** assist] a prison officer namely [specify the name of the prison officer] to desert the Prison Service; **or**
- cognisant of [the desertion **or** intended desertion] of a prison officer namely [specify the name of the prison officer] to desert the Prison Service did not without delay give information thereof to (his/her) superior officer namely [specify the name of the superior officer].

(c) being a prison officer knowing that a prison officer namely [specify the name of this prison officer] [had deserted **or** intended to desert] did not without delay give information thereof to (his/her) superior officer namely [specify the name of the superior officer].

Penalty: Liable to a fine of two hundred dollars and to imprisonment for six months.

PRISONS ACT

INCITING PRISON OFFICERS OR PRISONERS TO MUTINY	25
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did [instigate, command, counsel **or** solicit]

- a [mutiny **or** sedition] amongst [prison officers **or** prisoners] namely (specify the names of the (prison officers **or** prisoners), if possible); **or**
- disobedience to a lawful command given by a prison officer namely [specify the name of the prison officer].

did wilfully attempt to seduce a prison officer namely [specify the name of the prison officer] from (his/her) [allegiance **or** duty].

Penalty: Liable to imprisonment for three years.

PROCURING DESERTION AND HARBOURING DESERTERS	26
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did [(procure **or** persuade) **or** attempt to (procure **or** persuade)] a prison officer namely [specify the name of the prison officer] to desert from the Prison Service.

[did (aid **or** abet) **or** was accessory to] the desertion of a prison officer from the Prison Service namely [specify the name of the prison officer].

did knowingly harbour a deserter from the Prison Service namely [specify the name of the prison officer].

did aid a deserter from the Prison Service namely [specify the name of the prison officer] in concealing (himself/herself).

did assist in the rescue of a deserter from the Prison Service namely [specify the name of the prison officer].

Penalty: Liable to a fine to a fine of two hundred dollars and to imprisonment for six months.

UNLAWFULLY SUPPLYING PRISONERS WITH PROHIBITED ARTICLES	27
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- (a) being a prison officer without lawful authority did knowingly suffer [an intoxicating liquor, tobacco, a drug, an opiate, money, clothing, provisions, letters, papers, books **or** (specify other article)] to be [(delivered to **or** received from) **or** used (by **or** on behalf of)] a prisoner namely [specify the name of the prisoner].
- (b) being a prison officer without lawful authority did deliver to a prisoner namely [specify the name of the prisoner] [an intoxicating liquor, tobacco, a drug, an opiate, money, clothing, provisions, letters, papers, books **or** (specify other article)].

PRISONS ACT

- (c) being a prison officer without lawful authority did knowingly suffer an article to wit [specify the article] to be [brought out of a prison namely (specify the name of the prison) **or** conveyed from a prisoner namely (specify the name of the prisoner)].

Penalty: Liable to a fine of two hundred dollars and to imprisonment for six months.

DEALINGS WITH PRISONERS AND PRISON CONTRACTS	28
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- (a) being [a prison officer **or** charged with a duty relating to prisoners which gave rise to personal contact with prisoners] did [(sell **or** supply) **or** (have an interest in **or** derive [a pecuniary benefit **or** an advantage] from) the (sale **or** supply) of] an article to wit [specify the article] [to **or** for the use of] a [prisoner **or** prison] namely [specify the name of the (prisoner **or** prison)].
- (b) being [a prison officer **or** charged with a duty relating to prisoners which gave rise to personal contact with prisoners] did
- have a pecuniary interest in the purchase; **or**
 - receive a [discount, gift **or** (specify other consideration)] from a person namely [specify the name of the (contractor **or** seller)] a [contractor for **or** seller of] of supplies for the use of a prison namely [specify the name of the prison].
- (c) being [a prison officer **or** charged with a duty relating to prisoners which gave rise to personal contact with prisoners] did have pecuniary dealings
- with a prisoner namely [specify the name of the prisoner] and; **or**
 - with a friend of a prisoner namely [specify the name of friend of the prisoner] with regard to the said prisoner namely [specify the name of the prisoner] and; **or**
 - on behalf of a prisoner namely [specify the name of the prisoner]
- did hold unauthorised communication with a person namely [specify the name of this person].

Penalty: Liable to a fine of two hundred dollars and to imprisonment for six months.

POLICE ACT

UNLAWFUL POSSESSION OF ARTICLES SUPPLIED TO POLICE OFFICERS
--

48

not being a police officer or special constable was found in possession of

- an article to wit [specify the article] which had been supplied to a [police officer namely (specify the name and rank of the officer, if possible) **or** special constable namely (specify the name of the special constable, if possible)] for the execution of (his/her) duty; **or**
- a (medal **or** decoration) granted to a [police officer namely (specify the name and rank of the officer, if possible) **or** special constable namely (specify the name of the special constable, if possible)] for (service **or** good conduct)]

and did fail to account satisfactorily for the possession thereof.

not being a police officer or special constable and without due authority did [purchase **or** receive]

- an article to wit [specify the article] which had been supplied to a [police officer namely (specify the name and rank of the officer, if possible) **or** special constable namely (specify the name of the special constable, if possible)] for the execution of (his/her) duty; **or**
- a (medal **or** decoration) granted to a [police officer namely (specify the name and rank of the officer, if possible) **or** special constable namely (specify the name of the special constable, if possible)] for (service **or** good conduct)].

not being a police officer or special constable and without due authority did [aid **or** abet] a [police officer namely (specify the name and rank of the officer) **or** special constable namely (specify the name of the special constable)] to [sell **or** dispose] of

- an article to wit [specify the article] which had been supplied to a [police officer namely (specify the name and rank of the officer, if possible) **or** special constable namely (specify the name of the special constable, if possible)] for the execution of (his/her) duty; **or**
- a (medal **or** decoration) granted to a [police officer namely (specify the name and rank of the officer, if possible) **or** special constable namely (specify the name of the special constable, if possible)] for (service **or** good conduct)].

Penalty: Liable to a fine of eighty dollars or to imprisonment for two months, or to both such fine and such imprisonment.

ASSAULTING, etc POLICE OFFICER IN EXECUTION OF DUTY
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49

did [assault **or** resist] a police officer namely [specify the name and rank of the officer] acting in the execution of (his/her) duty.

did [aid **or** incite] a person namely [specify the name of this person] to [assault **or** resist] a police officer namely [specify the name and rank of the officer] acting in the execution of (his/her) duty.

POLICE ACT

did refuse to assist a police officer namely [specify the name and rank of the officer] acting in the execution of (his/her) duty when called upon to do so.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months, or to both such fine and such imprisonment.

MISLEADING OFFICER BY FALSE INFORMATION	49
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by the giving of false information to wit [specify the false information] with intent to [defeat **or** delay] the ends of justice did [wilfully mislead **or** attempt to mislead] a police officer namely [specify the name and rank of the officer] acting in the execution of (his/her) duty.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months, or to both such fine and such imprisonment.

MAKING FALSE REPORT OF COMMISSION OF OFFENCE, etc	50
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(a) did knowingly [make **or** cause to be made] to a police officer namely [specify the name and rank of the officer] a false report of the commission of an offence to wit [specify the offence]; **or**

(b) did knowingly mislead a police officer namely [specify the name and rank of the officer] by [giving false information **or** making false (statements **or** accusations)].

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months, or to both such fine and such imprisonment.

PERSONS CAUSING DISAFFECTION, etc	51(1)
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did [cause, attempt to cause **or** do an act to wit (specify the act) calculated to cause] disaffection amongst police officers or special constables;

did [induce, attempt to induce **or** do an act to wit (specify the act) calculated to induce] a [police officer namely (specify the name and rank of the officer) **or** special constable namely [specify the name of the special constable]] to [withhold (his/her) services **or** commit a breach of discipline].

Penalty: Liable to a fine of four hundred dollars or to imprisonment for two years, or to both such fine or such imprisonment.

DISORDERLY CONDUCT IN POLICE STATION, etc	52
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did behave in [a riotous, an indecent, a disorderly **or** an insulting] manner to wit by [specify the (riotous, indecent, disorderly **or** insulting) manner] in

- a [police station, police post **or** cell] to wit [specify the ([police station **or** police post] **or** location of the cell)]; **or**

POLICE ACT

- a part of a police compound to wit [specify the police compound] to which the public had access.

Penalty: Liable to a fine of eighty dollars or to imprisonment for two months, or to both such fine and such imprisonment.

PROTECTION OF WRECKS AND WAR RELICS ACT
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PROTECTION OF WRECKS	4(1)
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(a) in a restricted area [did **or** did (cause **or** permit) a person namely (specify the name of this person) to] [tamper with, damage **or** remove] [a part of (a vessel **or** an aircraft) lying wrecked, an object formerly contained in (a vessel **or** an aircraft) lying wrecked **or** war relics] otherwise than under the authority of a license granted by the relevant Minister namely [specify the name of the Minister].

(b) in a restricted area [did **or** did (cause **or** permit) a person namely (specify the name of this person) to] carry out [excavation **or** (diving **or** salvage) operations] directed to [the exploration of a site; **or** removing objects from (a site, the ground **or** the sea bed)] otherwise than under the authority of a license granted by the relevant Minister namely [specify the name of the Minister].

in a restricted area [did **or** did (cause **or** permit) a person namely (specify the name of this person) to] use equipment [constructed **or** adapted] for a purpose of [excavation **or** (diving **or** salvage) operations] otherwise than under the authority of a license granted by the relevant Minister namely [specify the name of the Minister].

(c) in a restricted area [did **or** did (cause **or** permit) a person namely (specify the name of this person) to] in Solomon Islands waters did deposit so as to fall and lie abandoned on the sea bed a thing to wit [specify the thing] which if the said thing were to fall on the site of a wreck would [(wholly **or** partly) obliterate the said site, obstruct access to the said site **or** damage a part of the wreck at the said site] otherwise than under the authority of a license granted by the relevant Minister namely [specify the name of the Minister].

Penalty: Liable to a fine not exceeding two thousand dollars or six months imprisonment or both such fine and imprisonment.

PROHIBITION ON APPROACHING DANGEROUS WRECKS	5(3)
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did enter a prohibited area as ordered under section 5(1) of the *Protection of Wrecks and War Relics Act* (Ch. 150) by [specify the name of the relevant Minister] without authority in writing granted by the said Minister.

Penalty: Liable to a fine not exceeding two thousand dollars or six months imprisonment or both such fine and imprisonment.

EXPORT OF WAR RELICS	6(1)
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did [export **or** (attempt **or** cause to be exported)] from Solomon Islands [a wrecked (vessel **or** aircraft), a war relic **or** (a part thereof of **or** an article formerly lying therein) a wrecked (vessel **or** aircraft) **or** a war relic] without having first obtained the consent of the Minister namely [specify the name of the Minister] to the export thereof.

Penalty: Liable to a fine not exceeding two thousand dollars or six months imprisonment or both such fine and imprisonment.

PASSPORTS ACT

FAILURE TO DELIVER PASSPORT

6

being the holder of a passport that had been [withdrawn **or** cancelled] under the provisions of section 4 of the *Passports Act* (Ch. 61) and being required by a Passport Officer namely [specify the name of the Passport Officer] by notice in writing served upon (him/her) personally did without reasonable cause fail to deliver the said passport within such reasonable time as specified in the said notice.

Penalty: Liable to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding one year or to both such fine and imprisonment, see section 16(1).

OBTAINING PASSPORT BY FALSE STATEMENT

7

for the purpose of obtaining a [passport **or** (renewal **or** endorsement) in respect thereto a passport] did make a [representation **or** statement] which (he/she) knew to be [false **or** calculated to mislead] in a material particular;

for the purpose of obtaining a [passport **or** (renewal **or** endorsement) in respect thereto a passport] did recklessly make a statement which was [false **or** calculated to mislead] in a material particular.

Penalty: Liable to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding one year or to both such fine and imprisonment, see section 16(1).

POWER TO TAKE POSSESSION OF PASSPORT

8(3)

without reasonable excuse did fail to deliver a passport upon demand to [a Passport Officer namely (specify the name of this person), an immigration officer namely (specify the name of this person) **or** a police officer namely (specify the name and rank of the officer)].

Penalty: Liable to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding one year or to both such fine and imprisonment, see section 16(1).

LEAVING OR ENTERING SOLOMON ISLANDS WITHOUT A PASSPORT

12

- (1) did [leave **or** enter] Solomon Islands not in possession of (his/her) valid [passport, certificate of identity **or** travel documents] issued by or on behalf of the Government of a country of which (he/she) is a national or citizen to the satisfaction of [a Passport Officer **or** an immigration officer] namely [specify the name of this officer].
- (2) upon leaving or entering Solomon Islands did fail to on demand by [a Passport Officer **or** an immigration officer] namely [specify the name of this officer] produce (his/her) valid [passport, certificate of identity **or** travel documents] issued by or on behalf of the Government of a country of which (he/she) is a national or citizen.

Penalty: Liable to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding one year or to both such fine and imprisonment, see section 16(1).

PASSPORTS ACT

POWER TO ORDER PASSPORTS TO BE DELIVERED	13(3)
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without reasonable cause did fail to deliver (his/her) passport as and when required in accordance with the provisions of section 13 of the *Passports Act* (Ch. 61).

Penalty: Liable to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding one year or to both such fine and imprisonment, see section 16(1).

ALTERATION, etc OF PASSPORT	15(1)
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not being a Passport Officer or person acting under the authority of the Minister did knowingly make [an alteration, addition, deletion **or** erasure] [to **or** in] [a passport **or** an emergency certificate] issued under the provisions of the *Passports Act* (Ch. 61).

Penalty: Liable to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

INCITES OR AIDS AND ABETS A PASSPORT OFFENDER	16(2)
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did [incite **or** aid and abet] a person namely [specify the name of this person] to commit an offence against the *Passports Act* (Ch. 61).

Penalty: Liable, on conviction, to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

HARBOURS A PASSPORT OFFENDER	16(2)
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did harbour a person namely [specify the name of this person] whom (he/she) [knows **or** had reasonable grounds for believing] to have committed an offence against the *Passports Act* (Ch. 61).

Penalty: Liable, on conviction, to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

LEAVING OR ENTERING SOLOMON ISLANDS WITHOUT A PASSPORT – MASTER, OWNER OR AGENT	16(2A)
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being the [master, owner **or** agent] of a [vessel **or** canoe] did knowingly [carry **or** transport] a person namely [specify the name of this person] to Solomon Islands in contravention of section 12(2) of the *Passports Act* (Ch. 61).

Penalty: Liable on conviction to a fine not exceeding two thousand dollars and in addition shall be ordered to -

PASSPORTS ACT

- (i) receive such person on board his vessel or aircraft and to afford him/her free of charge passage to the port of embarkation;
- (ii) pay for such person's repatriation or deportation expenses.

SELLING OF PASSPORT	16A
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- (1)(a) not being a passport officer or a person authorised by a passport officer did [sell **or** cause to be sold] to a person namely [specify the name of this person] a passport.
- (b) not being a passport officer or a person authorised by a passport officer did [aid, abet, counsel **or** procure] a person to [sell **or** cause to be sold] to a person namely [specify the name of this person] a passport.
- (2)(a) being a [passport officer **or** person authorised by a passport officer namely (specify the name of this officer)] for a [reward **or** promise of a reward] did [sell **or** cause to be sold] to a person namely [specify the name of this person] a passport.
- (b) being a [passport officer **or** person authorised by a passport officer namely (specify the name of this officer)] for no reward did [give **or** cause to be given] to a person namely [specify the name of this person] a passport in contravention of the *Passports Act* (Ch. 61).

Penalty: Liable to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding five years or to both such fine and imprisonment.

- (4) did have in (his/her) possession a passport that was obtained in contravention of subsection [(1) **or** (2)] of section 16A of the *Passports Act* (Ch. 61) to wit [specify how the passport was obtained].

Penalty: Liable to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding five years or to both such fine and imprisonment.

DEPORTATION ORDERS	19(2)
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being a master of a vessel to wit [specify the vessel] did fail to comply with the provisions of section 19 of the *Passports Act* (Ch. 61) in that (he/she) did fail to receive a person namely [specify the name of this person] the subject of a deportation order made under the provisions of section 16 of the said Act by the relevant Minister namely [specify the name of the Minister] on board (his/her) vessel and afford the said person free of charge a passage to the port at which the said person embarked.

Penalty: Liable to a fine of one thousand dollars.

IMMIGRATION ACT

FAILURE TO COMPLY WITH IMMIGRATION OFFICERS	4(3)
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- (a) did [refuse **or** fail] to answer fully and truthfully [a question **or** an inquiry] lawfully put to (him/her) in the course of interrogation under subsection (1)(b) of section 4 of the *Immigration Act* (Ch. 60).

- (b) did give an answer which (he/she) [knew **or** had reasonable cause to believe] to be [false **or** misleading] lawfully put to (him/her) in the course of interrogation under subsection (1)(b) of section 4 of the *Immigration Act* (Ch. 60).

- (c) being required to produce a document to wit [specify the document] under subsection (1)(b) of section 4 of the *Immigration Act* (Ch. 60) did
 - [refuse **or** fail] to produce within a reasonable time the said document which it was in (his/her) power to produce; **or**

 - produce a document to wit [specify the document] which (he/she) [knew **or** had reasonable cause to believe] to be [false **or** misleading].

Penalty: Liable to a fine not exceeding one thousand dollars or to imprisonment for three years or to both such fine and such imprisonment.

DUTIES OF MASTERS OF SHIPS, AIRCRAFT AND PASSENGERS	5(3)
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being a master of [a ship **or** an aircraft] to wit [specify the (ship **or** aircraft)] arriving in Solomon Islands did

- [contravene **or** fail to comply with] a provision of paragraphs [(a), (b), (c) **or** (d)] of subsection (1) of section 5 of the *Immigration Act* (Ch. 60); **or**

- furnish a list of passengers and seamen which (he/she) [knew **or** had reasonable cause to believe] to be [false **or** misleading].

Penalty: Liable to a fine not exceeding one thousand dollars or to imprisonment for three years or to both such fine and such imprisonment, and if the offence is failure to comply with the provisions of paragraph (b) or paragraph (d) the owner of the ship and any agent of such owner in Solomon Islands shall also be guilty of a similar offence.

Liable to be removed from Solomon Islands by order of the Minister, see section 13G of the Act.

ENTRY INTO SOLOMON ISLANDS WITHOUT PERMIT	6
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- (1) whilst not being exempted under section 7 of the *Immigration Act* (Ch. 60) did enter Solomon Islands from a place outside of Solomon Islands namely [specify the name of this place] whilst not in possession of a valid permit lawfully issued to (him/her) under the provisions of the said Act.

IMMIGRATION ACT

(2) did remain in Solomon Islands after the [expiry **or** cancellation] of a permit issued under the provisions of the *Immigration Act* (Ch. 60).

Penalty: Liable to a fine not exceeding one thousand dollars or to imprisonment for three years or to both such fine and such imprisonment, see section 18(3) of the Act.

Liable to be removed from Solomon Islands by order of the Minister, see section 13G of the Act.

PERMIT TO ENTER AND RESIDE	8
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being the holder of a permit issued by the Director of Immigration namely [specify the name of this person] to enter and reside in Solomon Islands did fail to comply with a condition of the said permit in that the said [insert the name of the defendant] did engage in research.

Penalty: Liable to a fine not exceeding one thousand dollars or to imprisonment for three years or to both such fine and such imprisonment, see section 18(3) of the Act.

Liable to be removed from Solomon Islands by order of the Minister, see section 13G of the Act.

VISITOR'S PERMIT	9(2)
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being the holder of a visitor's permit issued by the Director of Immigration namely [specify the name of this person] did fail to comply with a condition of the said permit in that the said [insert the name of the defendant] did

- behave in a manner prejudicial to peace or good order; **or**
- engage in a business, profession or employment to wit [specify the (business, profession **or** employment)] not with the approval of the Commission of Labour; **or**
- engage in a religious vocation not with the approval of the Minister; **or**
- engage in research not in accordance with the conditions of a research permit issued under the *Research Act* (Ch. 152); **or**
- [specify any other condition/s].

Penalty: Liable to a fine not exceeding one thousand dollars or to imprisonment for three years or to both such fine and such imprisonment, see section 18(3) of the Act.

Liable to be removed from Solomon Islands by order of the Minister, see section 13G of the Act.

STUDENT'S PERMIT	10(2)
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being the holder of a student's permit issued by the Director of Immigration namely [specify the name of this person] did fail to comply with a condition of the said permit in that the said [insert the name of the defendant] did

IMMIGRATION ACT

- take up employment not as part of (his/her) [education, apprenticeship **or** technical instruction] to wit [specify the employment] not with the approval of the said Director of Immigration; **or**
- behave in a manner prejudicial to peace or good order; **or**
- engage in research not in accordance with the conditions of a research permit issued under the *Research Act* (Ch. 152); **or**
- [specify any other condition/s].

Penalty: Liable to a fine not exceeding one thousand dollars or to imprisonment for three years or to both such fine and such imprisonment, see section 18(3) of the Act.

Liable to be removed from Solomon Islands by order of the Minister, see section 13G of the Act.

DETAIN SHIPS	13B(2)
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being the master of a ship namely [specify the name of the ship] which [had arrived in **or** was about to leave] Solomon Islands did without reasonable cause [contravene **or** fail to comply with] an order made under subsection (1) of section 13B of the *Immigration Act* (Ch. 60) made by an immigration officer namely [insert the name of this officer] to [anchor, berth **or** tie up] the said ship at the place as ordered and remain there until an immigration officer give (him/her) permission for the said ship to [enter **or** leave] Solomon Islands.

Penalty: Liable to a fine not exceeding one thousand dollars or to imprisonment for three years or to both such fine and such imprisonment, see section 18(3) of the Act.

Liable to be removed from Solomon Islands by order of the Minister, see section 13G of the Act.

BOARDING AND LEAVING AN AIRCRAFT OR SHIP	13C(2)
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did contravene subsection (1) of section 13C of the *Immigration Act* (Ch. 60) in that the said [insert the name of the defendant] not in accordance with an authority granted under the said Act did [leave **or** board] [a ship **or** an aircraft] namely [insert the name of the (ship **or** aircraft)] which [had arrived in **or** was departing from] Solomon Islands in that the said [ship **or** aircraft] and which had not been examined and cleared by an immigration officer.

Penalty: Liable to a fine not exceeding one thousand dollars or to imprisonment for three years or to both such fine and such imprisonment, see section 18(3) of the Act.

Liable to be removed from Solomon Islands by order of the Minister, see section 13G of the Act.

PERSONS ENTERING SOLOMON ISLANDS AT PLACES OTHER THAN AUTHORISED PORTS OF ENTRY	13D(2)
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did [contravene **or** fail to comply with] subsection (1) of section 13D of the *Immigration Act* (Ch. 60) in that the said [insert the name of the defendant] did enter Solomon Islands by [sea **or** air] at a place other than an authorised [port of entry **or** aerodrome] and did fail to forthwith proceed to and appear before the nearest immigration officer.

IMMIGRATION ACT

Penalty: Liable to a fine not exceeding four thousand dollars or to imprisonment for one year or to both such fine and such imprisonment.

Liable to be removed from Solomon Islands by order of the Minister, see section 13G of the Act.

POWER TO SEND PERSONS TO IMMIGRATION DEPOT	13E(3)
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did [refuse **or** fail] to comply with an order given by an immigration officer under subsection (1) of section 13E of the *Immigration Act* (Ch. 60) namely [insert the name of this officer] to proceed forthwith to an immigration depot and remain there until permitted to leave by the said immigration officer.

did [refuse **or** fail] to comply with an order given by an immigration officer under subsection (1) of section 13E of the *Immigration Act* (Ch. 60) namely [insert the name of this officer] to proceed forthwith to an immigration depot and remain at the said immigration depot until permitted to leave by the said immigration officer.

Penalty: Liable to a fine not exceeding one thousand dollar or to imprisonment for one year or to both such fine and such imprisonment.

Liable to be removed from Solomon Islands by order of the Minister, see section 13G of the Act.

DEPORTEE – RE-ENTERS OR RESIDES	13H
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having been lawfully [removed **or** deported] from Solomon Islands did [re-enter **or** reside] in Solomon Islands without the written permission of the Minister namely [specify the name of the Minister].

Penalty: Liable to imprisonment for a term not exceeding two years or to a fine not exceeding two thousand dollars or to both such fine and imprisonment and in addition, be liable to be removed from Solomon Islands.

Liable to be removed from Solomon Islands by order of the Minister.

MISCELLANEOUS IMMIGRATION OFFENCES	18(1)
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(a) for the purpose of [obtaining for ([himself/herself], obtaining for a person namely [specify the name of this person]) **or** assisting a person namely (specify the name of this person) to obtain] a [permit, exemption **or** (specify other advantage)] under the *Immigration Act* (Ch. 60) did make an oral declaration which (he/she) [knew **or** had reasonable cause to believe] to be [false **or** misleading].

with intent to deceive a immigration officer namely [specify the name of the officer] did [(make **or** cause) **or** omit to (make **or** cause to be made)] [a statutory declaration, a return, a statement, an application **or** (specify other writing)].

IMMIGRATION ACT

- (b) otherwise than with the authority of the Principal Immigration Officer did [alter **or** wilfully deface]
- a permit made [under **or** in pursuance of] the provisions of the *Immigration Act* (Ch. 60); **or**
 - [an official **or** a certified] copy of a permit made [under **or** in pursuance of] the provisions of the *Immigration Act* (Ch. 60).
- (c) did [resist, hinder **or** obstruct] [an immigration officer **or** (an officer **or** a person)] namely [specify the name of this person] in the lawful [execution of (his/her) duty **or** exercise of (his/her) powers] under the *Immigration Act* (Ch. 60).
- (d) did knowingly [mislead **or** attempt to mislead] an immigration officer namely [specify the name of this person] in relation to a matter material to the [performance **or** exercise] by an immigration officer of a [duty, function, power **or** discretion] under the *Immigration Act* (Ch. 60).
- (e) did [unlawfully use **or** without lawful authority have in (his/her) possession] [a forged **or** unlawfully altered]
- [permit **or** document] [issued **or** purported to have been issued] under the *Immigration Act* (Ch. 60); **or**
 - [birth certificate, marriage certificate **or** document] purporting to establish [age, status **or** identity].
- (f) did [knowingly use **or** have in (his/her) possession] an [unlawfully issued **or** irregular] [permit **or** document] [issued **or** purported to have been issued] under the *Immigration Act* (Ch. 60).
- (g) did [refuse **or** fail] to [submit to a medical examination **or** (undergo **or** assist in carrying out) (a test **or** an investigation) in connection with a medical examination] when so required under section 4(1)(d) of the *Immigration Act* (Ch. 60).
- (h) [having arrived in Solomon Islands from a place outside Solomon Islands namely (specify the name of the country) **or** was about to depart from Solomon Islands] as a passenger by [sea **or** air] did fail to appear before an immigration officer namely [specify the name of the officer] as directed by (him/her).
- (i) [did unlawfully enter **or** was unlawfully present within] Solomon Islands in contravention of the provisions of the *Immigration Act* (Ch. 60).

IMMIGRATION ACT

- (j) did [refuse **or** fail] to comply with a notice issued to (him/her) under the provisions of the [*Immigration Act* (Ch. 60) **or** regulations made under the *Immigration Act* (Ch. 60)] with which (he/she) was required by the said [Act **or** regulations] to comply.
- (k) did [refuse **or** fail] to comply with a lawful [term **or** condition] subject to which a permit [was **or** had been] issued to (him/her) under the *Immigration Act* (Ch. 60) and with which (he/she) was required by the said Act to comply.
- (l) not being exempt under the provisions of section 7 of the *Immigration Act* (Ch. 60) nor the holder of a permit to do so under the said Act did engage in [(a business, a profession **or** employment) **or** a religious vocation] without the approval of the Principal Immigration Officer or under the proviso to section 9(2) of the *Immigration Act* (Ch. 60).
- (m) did [employ **or** continue to employ] a person namely [specify the name of this person] who was neither exempt under the provisions of section 7 of the *Immigration Act* (Ch. 60) nor the holder of a permit to work under the said Act.
- (n) did [harbour **or** assist] a person namely [specify the name of this person] whom (he/she) [knew **or** had reasonable cause to believe] to be a person whose presence in Solomon Islands was unlawful.
- (o) did use [a certificate, a permit **or** an exemption] issued [to **or** in respect of] a person namely [specify the name of this person] as if the said [certificate, permit **or** exemption] had been issued to or in respect of (himself/herself).
- (p) did [give, sell, lend **or** part with possession of] [a certificate, a permit **or** an exemption] [in order, intending, knowing **or** having reasonable cause to believe] that the said [certificate, permit **or** exemption] may be used in contravention of the provisions of paragraph (o) of this section 18(1) of the *Immigration Act* (Ch. 60).
- (q) did re-enter Solomon Islands after having been [declared **or** made] a prohibited immigrant under section 11(2) of the *Immigration Act* (Ch. 60).
- (r) did unlawfully [refuse **or** fail] to comply with a lawful order of an immigration officer namely [specify the name of this officer] acting under a provision of the *Immigration Act* (Ch. 60) to have a person declared to be a prohibited immigrant namely [insert the name of this person] carried to the place to which (he/she) was embarked.
- (s) being the [owner, charterer, master **or** agent] of [a ship **or** an aircraft] namely [specify the name of the (ship **or** aircraft)] did knowingly [cause, convey **or** transport] a person namely [insert the name of this person] who had been declared to be a prohibited immigrant to enter Solomon Islands.

IMMIGRATION ACT

did knowingly [cause, convey **or** transport] a person namely [insert the name of this person] who had been declared to be a prohibited immigrant to enter Solomon Islands.

Penalty: Liable to a fine not exceeding one thousand dollars or to imprisonment for three years or to both such fine and such imprisonment.

Liable to be removed from Solomon Islands by order of the Minister, see section 13G of the Act.

FISHERIES ACT

CUSTOMARY FISHING RIGHTS	12(4)
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did fail to comply with an order made under subsection (3) of section 12 of the *Fisheries Act* 1998 in that the said [insert the name of the defendant/accused] did fail to pay compensation to the customary fishing rights holders namely [specify the name of the customary fishing rights holders] as ordered by the [insert the name of the court] on [insert date].

Penalty: Liable to pay in addition to compensation ordered under subsection (3) a further fine not exceeding five hundred dollars or imprisonment of six months.

As regards forfeiture, see sections 38, 46 & 52(1).

LOCAL FISHING VESSELS	14
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- (8) being the [master, operator, owner **or** charterer] of a local fishing vessel namely [specify the name of the vessel] did use the said vessel for [commercial fishing **or** activities related to commercial fishing] in Solomon Islands waters without a valid license issued under section 14 of the *Fisheries Act* 1998 in respect of the said vessel.

Penalty: Liable to a fine not exceeding two thousand dollars.

As regards forfeiture, see sections 38, 46 & 52(1).

- (9) being the [master, operator, owner **or** charterer] of a local fishing vessel namely [specify the name of the vessel] did use the said vessel for in respect of which a license had been issued under section 14 of the *Fisheries Act* 1998 in contravention of a condition of the said license to wit [specify the condition contravened].

being the [master, operator, owner **or** charterer] of a local fishing vessel namely [specify the name of the vessel] in respect of which a license had been issued under section 14 of the *Fisheries Act* 1998 did use the said vessel for fishing in the provincial waters of the [specify the name of the province] province without the endorsement of the relevant provincial government under subsection (7) of the said Act.

being the [master, operator, owner **or** charterer] of a local fishing vessel namely [specify the name of the vessel] in respect of which a license had been issued under section 14 of the *Fisheries Act* 1998 did use the said vessel for fishing in the provincial waters of the [specify the name of the province] province contrary to the terms of an endorsement of the relevant provincial government under subsection (7) of the said Act to wit [specify the term not complied with].

Penalty: Liable to a fine not exceeding one hundred thousand dollars.

As regards forfeiture, see sections 38, 46 & 52(1).

FISHERIES ACT

FOREIGN FISHING VESSEL LICENCES	16
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- (11) being the [master, owner **or** charterer] of a foreign fishing vessel namely [specify the name of the vessel] did use the said vessel for [commercial fishing **or** activities related to commercial fishing] in Solomon Islands waters other than for fisheries research or survey operations without a valid foreign vessel license issued under section 16 of the *Fisheries Act* 1998 or a regional fishing license issued in accordance with an arrangement or agreement entered into under section 15 of the said Act.

Penalty: Liable to a fine not exceeding one million dollars.

As regards forfeiture, see sections 38, 46 & 52(1).

- (12) being the operator of a foreign fishing vessel namely [specify the name of the vessel] did use the said vessel for [commercial fishing **or** activities related to commercial fishing] in Solomon Islands waters in [breach of a condition of its license **or** contravention of the provisions of subsection (9) of section 16 of the *Fisheries Act* 1998] to wit [specify how (the condition was breached **or** subsection (9) was contravened)].

Penalty: Liable to a fine not exceeding one million dollars.

As regards forfeiture, see sections 38, 46 & 52(1).

FISHERIES RESEARCH AND SURVEY OPERATIONS	19(4)
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did [undertake **or** assist in] [fisheries research **or** survey fishing operations] in Solomon Islands waters without authorisation under subsection (1) of section 19 of the *Fisheries Act* 1998.

did [undertake **or** assist in] [fisheries research **or** survey fishing operations] in Solomon Islands waters in contravention of a condition attached to an authorisation issued under subsection (1) of section 19 of the *Fisheries Act* 1998 to wit [specify how the condition was contravened].

Penalty: Liable to a fine not exceeding two thousand dollars or sentenced to imprisonment for a period not exceeding six months.

As regards forfeiture, see sections 38, 46 & 52(1).

STOWAGE OF FISHING GEAR BY FOREIGN FISHING VESSELS	20(3)
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being the [master, owner **or** charterer] of a foreign fishing vessel namely [specify the name of the vessel] in Solomon Islands waters did fail to ensure that all fishing gear on board the said vessel was stowed in such a manner that it was not readily available for use for fishing.

Penalty: Liable to a fine not exceeding five hundred thousand dollars or sentenced to imprisonment for a period not exceeding six months.

As regards forfeiture, see sections 38, 46 & 52(1).

FISHERIES ACT

REGIONAL AGREEMENTS	21(2)(c)
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being the [master, owner **or** charterer] of a foreign fishing vessel namely [specify the name of the vessel] in Solomon Islands waters did use the said vessel in contravention of a condition prescribed under paragraph (b) of subsection (2) of section 21 of the *Fisheries Act* 1998 to wit [specify how the condition was contravened].

Penalty: Liable to a fine not exceeding one million thousand dollars for each offence.

The court may also order the forfeiture to the Government of the fishing vessel an any fish, fishing gear, cargo and stores found therein or thereon.

As regards forfeiture, see also sections 38, 46 & 52(1).

SPORT FISHING BY FOREIGN VESSELS	22(2)
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did use a foreign fishing vessel namely [specify the name of the vessel] in Solomon Islands waters which were subject to customary fishing rights without the agreement of the customary fishing rights holder namely [specify the name of the customary fishing rights holder].

Penalty: Liable to a fine not exceeding one hundred thousand dollars.

As regards forfeiture, see sections 38, 46 & 52(1).

COMMERCIAL SPORT FISHING BY FOREIGN VESSELS	23(4)
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did [undertake **or** assist in] a commercial sport fishing operation in Solomon Islands waters without the authorisation of the Minister namely [specify the name of the Minister].

did [undertake **or** assist in] a commercial sport fishing operation in Solomon Islands waters in contravention of a condition attached to the authorisation of the Minister namely [specify the name of the Minister] to wit [specify the condition contravened].

Penalty: Liable to a fine not exceeding one hundred thousand dollars.

As regards forfeiture, see sections 38, 46 & 52(1).

FISHING WITH EXPLOSIVES, etc	30
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(1)(a) did [permit to be used, use **or** attempt to use] [an explosive, poison **or** noxious substance] for the purpose of [(killing, stunning, disabling, catching) fish **or** rendering fish more easily caught].

FISHERIES ACT

- (b) did [carry **or** have in (his/her) (possession **or** control)] [an explosive, poison **or** noxious substance] in circumstances which raised a reasonable presumption that the said [explosive, poison **or** noxious substance] was intended to be used for the purpose of [(killing, stunning, disabling, catching) fish **or** rendering fish more easily caught].

Penalty: Liable to a fine not exceeding one hundred thousand dollars.

As regards forfeiture, see sections 38, 46 & 52(1).

- (3) [knowing **or** having reasonable cause to believe] that fish had been taken with the use of [an explosive, poison **or** noxious substance] in contravention of the provisions of section 30 of the *Fisheries Act* 1998 without lawful excuse [did receive **or** was found in possession of] the said fish.

Penalty: Liable to a fine not exceeding one thousand dollars or twelve months imprisonment.

As regards forfeiture, see sections 38, 46 & 52(1).

- (4) [knowing **or** having reasonable cause to believe] that fish had been taken with the use of [an explosive, poison **or** noxious substance] in contravention of the provisions of section 30 of the *Fisheries Act* 1998 without lawful excuse [did receive **or** was found in possession of] the said fish in circumstances which raised a reasonable presumption that the said fish was intended for the purpose of [sale, trade **or** profit].

Penalty: Liable to a fine not exceeding one thousand dollars or twelve months imprisonment.

As regards forfeiture, see sections 38, 46 & 52(1).

AQUACULTURE OPERATIONS

31(3)

did [set up **or** operate] a aquaculture operation without the written permission of the Director of Fisheries namely [specify the name of this person].

did [set up **or** operate] a aquaculture operation not in accordance with the conditions specified by the Director of Fisheries namely [specify the name of this person] to wit [specify the condition/s not complied with].

Penalty: Liable to a fine not exceeding one hundred thousand dollars.

As regards forfeiture, see sections 38, 46 & 52(1).

FISHERIES ACT

IMPORTATION AND EXPORTATION OF LIVE FISH, etc
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32(3)

did [import **or** export] live fish [into **or** from] Solomon Islands without the written permission of the Director of Fisheries namely [specify the name of this person].

Penalty: Liable to a fine not exceeding five hundred thousand dollars.

As regards forfeiture, see sections 38, 46 & 52(1).

DRIFTNET FISHING

33

(1) within Solomon Islands waters did [engage **or** attempt to engage] in a driftnet fishing activity.

Penalty: Liable to a fine not exceeding two million dollars

As regards forfeiture, see sections 38, 46 & 52(1).

(2) being the [master, owner **or** charterer] of a [foreign **or** local] fishing vessel namely [specify the name of the vessel] in Solomon Islands waters did [engage **or** attempt to engage] in a driftnet fishing activity.

Penalty: Liable to a fine not exceeding two million dollars

As regards forfeiture, see sections 38, 46 & 52(1).

(4) being in charge of a fishing vessel namely [specify the name of the vessel] did possess driftnets in the said vessel.

Penalty: Liable to a fine not exceeding five hundred thousand dollars

FISH PROCESSING ESTABLISHMENTS

34(3)

did [operate **or** (cause **or** allow) to be operated] a fish processing establishment without a valid license granted under section 34 of the *Fisheries Act* 1998.

Penalty: Liable to a fine not exceeding two hundred and fifty thousand dollars or to imprisonment for twelve months, or to both such fine and imprisonment.

As regards forfeiture, see sections 38, 46 & 52(1).

FISHERIES ACT

FISHING RELATED RECORDS	35(2)
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without lawful cause did refuse to [keep records **or** supply information] as required under subsection (1) of section 35 of the *Fisheries Act* 1998 by the Director of Fisheries.

did knowingly supply false information as required under subsection (1) of section 35 of the *Fisheries Act* 1998 by the Director of Fisheries

Penalty: Liable to a fine not exceeding one hundred thousand dollars.

WILFUL OBSTRUCTION, etc	39
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did [wilfully obstruct, assault **or** threaten with violence] an authorised officer namely [specify the name of this person] in the exercise of (his/her) powers under the *Fisheries Act* 1998.

Penalty: Liable to a fine not exceeding two hundred thousand dollars or to imprisonment for twelve months, or to both such fine and imprisonment.

FAILURE TO COMPLY WITH LAWFUL REQUIREMENTS	40
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did fail to comply with a lawful enquiry made by an authorised officer namely [specify the name of this person] under the *Fisheries Act* 1998.

Penalty: Liable to a fine not exceeding fifty thousand dollars.

FAILURE TO STOP OR FACILITATE BOARDING OF FOREIGN FISHING VESSEL	41
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being the master of

- a foreign fishing vessel namely [specify the name of the vessel] within Solomon Islands waters; **or**
- a local fishing vessel namely [specify the name of the vessel] [inside **or** outside] Solomon Islands waters

did fail to [stop as ordered **or** facilitate boarding of] the said vessel in accordance with the *Fisheries Act* 1998.

Penalty: Liable to a fine not exceeding two hundred thousand dollars.

As regards forfeiture, see sections 38, 46 & 52(1).

FISHERIES ACT

DESTROYING OF EVIDENCE	45
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being on board a fishing vessel namely [specify the name of the vessel] within Solomon Islands waters being [pursued **or** about to be boarded] by an authorised officer namely [specify the name of this person] did [throw overboard **or** destroy] [fish, fishing gear, an explosive, poison, a noxious substance **or** a thing to wit (specify the thing)] with intent to avoid the [seizure of the said (fish, fishing gear, explosive, poison, noxious substance **or** thing) **or** detection of any offence under the *Fisheries Act* 1998].

Penalty: Liable to a fine not exceeding one hundred thousand dollars.

As regards forfeiture, see sections 38, 46 & 52(1).

ILLEGAL IMPORTATION, EXPORTATION, etc OF FISH	56(1)
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(a) did [on (his/her) own account **or** as (a partner, an agent **or** an employee) of a person namely (specify the name of this person)] did [land, import, export, tranship, sell, receive, acquire **or** purchase] fish [taken, possessed, transported **or** sold] contrary to the law of another State to wit [specify the name of this country].

(b) did [cause **or** permit a person acting on (his/her) behalf namely (specify the name of this person) to use] a fishing vessel to [land, import, export, tranship, sell, receive, acquire **or** purchase] fish [taken, possessed, transported **or** sold] contrary to the law of another State to wit [specify the name of this country].

Penalty: Liable to a fine not exceeding one million dollars.

As regards forfeiture, see sections 38, 46 & 52(1).

VESSEL MONITORING SYSTEM	57
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(4) did [intentionally, recklessly **or** negligently] [destroy, damage, render inoperative **or** interfere with] a part of an automatic location communicator.

Penalty: Liable to a fine not exceeding two hundred thousand dollars.

(5) did [intentionally, recklessly **or** negligently] divulge information from a vessel monitoring system to a person namely [specify the name of this person] not authorised to receive the said information.

Penalty: Liable to a fine not exceeding fifty thousand dollars.

AGRICULTURAL QUARANTINE ACT

MISCELLANEOUS OFFENCES -- AGRICULTURAL QUARANTINE ACT	6(1)
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- (a) did contravene an order made under section 2 of the *Agricultural Quarantine Act* (Ch. 34) in that the said [insert the name of the defendant/accused] did [specify how the defendant/accused contravened the order].

did contravene a condition of a licence issued in accordance with an order made under section 2 of the *Agricultural Quarantine Act* (Ch. 34) to wit [specify the condition].

- (b) did obstruct the exercise of a function under section [4 **or** 5] of the *Agricultural Quarantine Act* (Ch. 34) by an inspector namely [specify the name of the inspector].

did fail to comply with a requirement under section 5(1) of the *Agricultural Quarantine Act* (Ch. 34) to wit [specify the requirement].

- (c) being in charge of [a vessel **or** an aircraft] [on **or** in] which an inspector namely [specify the name of the inspector under the *Agricultural Quarantine Act* (Ch. 34)] had reasonable grounds for supposing that [there was being **or** had been] kept [an animal, an animal product, a plant, earth **or** a thing to wit (specify the thing)] [by **or** by means of] which it appears to the Minister that a [disease **or** pest] might have been introduced which had been brought into Solomon Islands and the bringing into of the said [animal, animal product, plant, earth **or** thing] was at that time [prohibited **or** regulated] by an order under section 2 of the *Agricultural Quarantine Act* (Ch. 34) did fail to comply with an instruction given under section 4(3) of the said Act.

Penalty: Liable to imprisonment for a term of three months, a fine of \$3,000, or to both.

REPORT OF ARRIVAL	7(3)
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was required to make a report in accordance with an order under section 7 of the *Agricultural Quarantine Act* (Ch. 34) did fail to do so.

Penalty: Liable to a fine of \$1,000.

AGRICULTURAL QUARANTINE ORDER

INCOMING VESSELS – REPORT OF ARRIVAL AND CARGO

19(4)

being the [agent **or** master] of a vessel namely [specify the name of the vessel] did without valid reason fail to produce the [report **or** documents] referred to in section 20 of the *Agricultural Quarantine Order* (Ch. 34).

Penalty: Liable to a fine of \$1,000.

INCOMING AIRCRAFT – REPORT OF ARRIVAL AND CARGO
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20(4)

being the [agent **or** pilot in command] of an aircraft did without valid reason fail to produce the [report **or** documents] referred to in section 20 of the *Agricultural Quarantine Order* (Ch. 34).

Penalty: Liable to a fine of \$1,000.

INCOMING VESSELS AND AIRCRAFT – FURTHER OFFENCES

21(7)

being the [(agent **or** master) of a vessel namely (specify the name of the vessel) **or** (agent **or** pilot in command) of an aircraft] did contravene section 21 of the *Agricultural Quarantine Order* (Ch. 34) by [specify how that section was contravened].

Penalty: Liable to a fine of \$1,000.

EXPLOSIVES ACT

MISCELLANEOUS OFFENCES RELATING TO EXPLOSIVES
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8(1)

- (a) did make an explosive.
- (b) being a dealer did (sell, supply **or** dispose of] explosives in contravention of section 6 of the *Explosives Act* (Ch. 79).
- (c) did [contravene **or** fail to comply with] a [term **or** condition] of a licence issued to (him/her) under the *Explosives Act* (Ch. 79).
- (d) did knowingly [have (in [his/her] possession **or** under [his/her] control), import, use, keep for sale, sell, supply **or** deal in] explosives in contravention of a provision of the *Explosives Act* (Ch. 79) to wit [specify how that Act was contravened].

did knowingly [have (in [his/her] possession **or** under [his/her] control), import, use, keep for sale, sell, supply **or** deal in] explosives in circumstances which gave rise to a reasonable suspicion that the said explosives were not intended for a lawful object.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment.

Any explosives in respect of which an offence is committed under the provisions of this section shall be liable to be forfeited to the Crown by order of the court which records a conviction in respect of any such offence.

EXPLOSIVES REGULATIONS

USERS' LICENCES	3(4)
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being the holder of a dealer's licence did fail to endorse upon a user's licence to wit the licence of [specify the name of this person] in the appropriate space for that purpose on the said licence at the time when explosives were [sold, supplied **or** disposed of] the quantity and variety of the said explosives.

Penalty: Liable to a fine of eighty dollars or to imprisonment for two months or to both such fine and such imprisonment, see regulation 9.

LICENCES TO BE PRODUCED ON DEMAND	5
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to whom a [user's **or** dealer's] licence had been issued did fail to produce the said licence upon demand made by

- a Provincial Secretary namely [specify the name of this person]; **or**
- a police officer namely [specify the rank and name of the officer]; **or**
- the Commissioner of Labour namely [specify the name of this person]; **or**
- a public officer authorised in writing in that behalf by the Prime Minister namely [specify the name of this person].

Penalty: Liable to a fine of eighty dollars or to imprisonment for two months or to both such fine and such imprisonment, see regulation 9.

EXPLOSIVES NOT TO BE USED OUTSIDE AREA LICENSED	6
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being the holder of a user's licence did use explosives in an area not within the area defined in (his/her) licence.

Penalty: Liable to a fine of eighty dollars or to imprisonment for two months or to both such fine and such imprisonment, see regulation 9.

DEALER TO KEEP RECORDS	7
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being the holder of a dealer's licence did fail to cause to be kept in (his/her) licensed magazine books as specified in Forms C and D in the Schedule to the *Explosives Act* (Ch. 79) recording the name, address, licence number and particulars of persons to whom (he/she) disposed of explosives and the quantity and variety of explosives disposed of to such persons.

being the holder of a dealer's licence did fail to have open during reasonable hours to the inspection of

- a Provincial Secretary namely [specify the name of this person]; **or**
- a police officer namely [specify the rank and name of the officer]; **or**
- the Commissioner of Labour namely [specify the name of this person]; **or**
- a public officer authorised in writing in that behalf by the Prime Minister namely [specify the name of this person]

EXPLOSIVES REGULATIONS

(his/her) licensed magazine books as specified in Forms C and D in the Schedule to the *Explosives Act* (Ch. 79) recording the name, address, licence number and particulars of persons to whom (he/she) disposed of explosives and the quantity and variety of explosives disposed of to such persons.

Penalty: Liable to a fine of eighty dollars or to imprisonment for two months or to both such fine and such imprisonment, see regulation 9.

VESSELS UNLOADING EXPLOSIVES	10
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- (1) being the master of a vessel namely [specify the name of the vessel] which was carrying explosives and which arrived from outside Solomon Islands did fail to give at least one day's clear notice of (his/her) time of arrival to the [officer of customs namely (specify the name of this person) **and/or** harbour master namely (specify the name of this person) **and/or** person responsible for discharging the cargo from the said vessel namely (specify the name of this person)].

being the master of a vessel namely [specify the name of the vessel] did fail to comply with the directions of the harbour master namely [specify the name of this person].

- (2) being the master of a vessel namely [specify the name of the vessel] which was carrying explosives and which arrived from outside Solomon Islands did fail to give at least one day's clear notice of the time or times at which (he/she) intended to [discharge **or** load] explosives to the [officer of customs namely (specify the name of this person) **and/or** harbour master namely (specify the name of this person) **and/or** person responsible for discharging the cargo from the said vessel namely (specify the name of this person)].

- (3) being the master of a vessel namely [specify the name of the vessel] which was carrying explosives did [discharge **or** load] explosives prior to the said explosives having been duly entered for customs purposes or conveyed directly and without delay into a magazine in a "customs area" as defined in the *Customs and Excise Act* (Ch. 121).

- (4) being the master of a vessel namely [specify the name of the vessel] which was carrying explosives within the waters of Solomon Islands whilst [loading **or** unloading] explosives did fail to keep flying flag B of the International Code of Signals.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 17.

VESSEL TO BE KEPT IN STATE OF READINESS	12
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being the master of a vessel namely [specify the name of the vessel] which was carrying explosives and which was berthed alongside a wharf did fail to keep (his/her) vessel in a state of constant readiness to sail in the event of fire.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 17.

EXPLOSIVES REGULATIONS

PRECAUTIONS AGAINST ACCIDENTS

14

being the master of a vessel namely [specify the name of the vessel] which was [shipping **or** unshipping] explosives did fail to see that notices with the words “DANGER EXPLOSIVES” in at least two inch white lettering on a red background were posted on (his/her) vessel.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 17.

being engaged in the [shipping **or** unshipping] of explosives did fail

- to take all due precautions for the prevention of accidents by fire, explosion or concussion; **or**
- to take all due precautions for keeping detonators and explosives other than detonators so separated that any detonation of the said detonators would not affect the said explosives, **or**
- to take all due precautions for preventing unauthorised persons from having access to the explosives, **or**
- to abstain from all acts which tends to cause [a fire, an explosion **or** concussion], **or**
- to use every reasonable endeavour to prevent a person namely [specify the name of this person] from committing an act which tends to cause [a fire, an explosion **or** concussion] to wit (specify the act).

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 17.

after being warned did commit an act which tends to cause [a fire, an explosion **or** concussion] to wit [specify the act].

Penalty: Liable to a fine of one hundred dollars or to imprisonment for three months or to both such fine and such imprisonment.

HOURS FOR UNSHIPPING AND SHIPPING
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15

(1) being the master of a vessel namely [specify the name of the vessel] did [ship **or** unship] explosives not between the hours of 6.00 a.m. and 6.00 p.m.

(2) being the master of a vessel namely [specify the name of the vessel] carrying explosives did fail to remain alongside a wharf between the hours of 6.00 a.m. and 6.00 p.m.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 17.

BOAT TO HOIST FLAG AND TO CARRY NO PASSENGERS
--

18

being in charge of a [boat **or** vessel] namely [specify the name of the (boat **or** vessel)] conveying explosives between [ship and shore **or** shore and ship] did fail to keep hoisted in the bows a red flag to denote that explosives were on board.

EXPLOSIVES REGULATIONS

being in charge of a [boat **or** vessel] namely [specify the name of the (boat **or** vessel)] conveying explosives between [ship and shore **or** shore and ship] did take on board the said [boat **or** vessel]

- [cargo **or** goods] other than the said explosives; **or**
- a [passenger **or** person other than the crew] namely [specify the name of this person].

Penalty: Liable to a fine of one hundred dollars or to imprisonment for three months or to both such fine and such imprisonment, see regulation 24.

COVERING OF EXPLOSIVES ON A BOAT OR VESSEL

19

being in charge of a [boat **or** vessel] namely [specify the name of the (boat **or** vessel)] conveying explosives did fail to keep the said explosives completely covered with tarpaulin or other suitable material so as to protect the said explosives as effectively as possible against accident, weather or water.

Penalty: Liable to a fine of one hundred dollars or to imprisonment for three months or to both such fine and such imprisonment, see regulation 24.

SMOKING PROHIBITED

20

did smoke in a [boat **or** vessel] namely [specify the name of the (boat **or** vessel)] in which explosives were being conveyed from [shore to ship **or** ship to shore].

Penalty: Liable to a fine of one hundred dollars or to imprisonment for three months or to both such fine and such imprisonment, see regulation 24.

CARRYING MATCHES PROHIBITED

21

did carry [matches **or** an appliance for producing fire] on board a [boat **or** vessel] namely [specify the name of the (boat **or** vessel)] conveying explosives from [shore to ship **or** ship to shore].

Penalty: Liable to a fine of one hundred dollars or to imprisonment for three months or to both such fine and such imprisonment, see regulation 24.

CARE IN NAVIGATION OF VESSEL CARRYING EXPLOSIVES

22

being in charge of a [boat **or** vessel] namely [specify the name of the (boat **or** vessel)] engaged in conveying explosives from [shore to ship **or** ship to shore] did fail to navigate the said [boat **or** vessel] with due diligence and without unnecessary delay to the place of [loading **or** unloading].

Penalty: Liable to a fine of one hundred dollars or to imprisonment for three months or to both such fine and such imprisonment, see regulation 24.

EXPLOSIVES REGULATIONS

PRECAUTIONS AGAINST ACCIDENTS

23

being engaged in the conveyance of explosives from [shore to a (boat **or** vessel) namely (specify the name of the [boat **or** vessel]) **or** a (boat **or** vessel) namely (specify the name of the [boat **or** vessel]) to shore] did fail to

- observe all due precautions for the prevention of accidents by fire, explosion or concussion; **or**
- observe all due precautions for keeping detonators and explosives other than detonators so separated that any detonation of the said detonators would not affect the said explosives; **or**
- observe all due precautions for preventing unauthorised persons from having access to the explosives; **or**
- abstain from all acts which tends to cause [a fire, an explosion **or** concussion] and not reasonably necessary for the purpose of conveying the said explosives **or**
- to use every reasonable endeavour to prevent a person namely [specify the name of this person] from committing an act which tends to cause [a fire, an explosion **or** concussion] to wit (specify the act).

Penalty: Liable to a fine of one hundred dollars or imprisonment for three months or to both such fine and such imprisonment, see regulation 24.

after being warned did commit an act which tends to cause [a fire, an explosion **or** concussion] to wit [specify the act].

Penalty: Liable to a fine of one hundred dollars or imprisonment for six months or to both such fine and such imprisonment.

LANDING OF EXPLOSIVES

25

- (1) not being engaged in the [loading **or** unloading] of explosives did enter the [wharf **or** (specify other place)] used for the said [loading **or** unloading] without the authority of a police officer of or above the rank of sergeant.

did fail to keep clear the [wharf **or** (specify other place)] used for the [loading **or** unloading] of explosives clear of other cargo and obstruction whilst the said explosives were being [unloaded **or** loaded].

did allow a [truck, lorry **or** (specify other means of conveyance)] on a [wharf **or** (specify other place)] used for the [loading **or** unloading] of explosives not being actually engaged in the removal of the said explosives from the said [wharf **or** area].

- (2) being responsible for [discharging **or** loading] of explosives did fail to cause notices with the words “DANGER EXPLOSIVES” in at least two inch white lettering on a red background to be posted around the area from which the said explosives were being [loaded or unloaded].

Penalty: Liable to a fine of one hundred dollars or to imprisonment for three months or to both such fine and such imprisonment, see regulation 29.

EXPLOSIVES REGULATIONS

PORT TO BE APPOINTED FOR LANDING EXPLOSIVES
--

26

did unload explosives which had arrived in Solomon Islands from a port outside Solomon Islands to wit [specify this other port] not at a port or sufferance wharf within the meaning of section 2 of the *Customs and Excise Act* (Ch. 121).

Penalty: Liable to a fine of one hundred dollars or to imprisonment for three months or to both such fine and such imprisonment, see regulation 29.

SMOKING AND CARRYING OF MATCHES PROHIBITED

27

(1) did allow smoking within 100 feet of the place where explosives were being [loaded **or** landed].

being engaged in the [loading **or** landing] of explosives did carry [matches **or** an appliance for producing ignition].

(2) being the master of a vessel namely [specify the name of the vessel] [loading **or** discharging] explosives did permit smoking on board the said vessel within one hundred feet of a [hatch **or** hold] from which the said explosives were being [loaded **or** discharged].

being employed aboard a vessel namely [specify the name of the vessel] and engaged in the [loading **or** unloading] of explosives from the said vessel did carry [matches **or** an appliance for producing ignition].

Penalty: Liable to a fine of one hundred dollars or to imprisonment for three months or to both such fine and such imprisonment, see regulation 29.

SHORE TACKLE, etc TO BE TESTED

28

being in charge of the [loading **or** landing] of explosives by a [shore-based crane, sling, **or** (specify other tackle)] did fail to test the said apparatus prior to the said [loading **or** landing] to ensure that the said apparatus proved to be in order.

being the owner of [shore-based crane, sling, **or** (specify other tackle)] used in the [loading **or** landing] of explosives did fail to test the said apparatus prior to the said [loading **or** landing] to ensure that the said apparatus proved to be in order.

Penalty: Liable to a fine of one hundred dollars or to imprisonment for three months or to both such fine and such imprisonment, see regulation 29.

EXPLOSIVES REGULATIONS

EXPLOSIVES TO BE CONVEYED TO MAGAZINES

30

- (1) being the importer of explosives did fail to ensure that [(he/she) **or** (his/her) agent] was present at the place where the said explosives were being unloaded to wit [specify the place].

being the importer of explosives and without the direction of the warehouseman namely [specify the name of this person] or authority administering the port to wit [specify the authority] or harbour master namely [specify the name of the harbour master] did fail to ensure that immediately after being put on shore the said explosives were conveyed to a magazine licensed for that purpose under the *Explosives Regulations* (Ch. 79).

- (2) being the owner of explosives which were conveyed by sea from a place within Solomon Islands namely [specify the name of this place] did fail to ensure that [(he/she) **or** (his/her) agent] was present at the place where the said explosives were being unloaded to wit [specify the place].

being the owner of explosives which were conveyed by sea from a place within Solomon Islands namely [specify the name of this place] and without the direction of the warehouseman namely [specify the name of this person] or authority administering the port to wit [specify the authority] or harbour master namely [specify the name of the harbour master] did fail to ensure that immediately after being put on shore the said explosives were conveyed to a magazine licensed for that purpose under the *Explosives Regulations* (Ch. 79).

Penalty: Liable to a fine of one hundred dollars or to imprisonment for three months or to both such fine and such imprisonment, see regulation 43.

COVERING OF EXPLOSIVES ON SHORE
--

31

did fail to completely cover explosives with a [tarpaulin **or** (specify other suitable material)] so as effectively to protect the said explosives against fire and moisture and the said explosives were not being conveyed in the interior of a carriage which was enclosed on all sides with wood or metal.

Penalty: Liable to a fine of one hundred dollars or to imprisonment for three months or to both such fine and such imprisonment, see regulation 43.

REGULATION OF HOURS FOR CONVEYING EXPLOSIVES BY MOTOR VEHICLE
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32

being conversant in the proper handling of explosives and therefore responsible for the loading and unloading of a vehicle to wit [specify the vehicle] for safety in transit and for the due observance of the *Explosives Regulations* (Ch. 79) did convey explosives in the said vehicle not between the hours of 6.00 am and 6.00 pm:

EXPLOSIVES REGULATIONS

did convey explosives in the case of emergency in contravention of the provisions of regulation 32 of the *Explosives Regulations* (Ch. 79) and did fail report the circumstances to the Commissioner of Police at the first opportunity.

Penalty: Liable to a fine of one hundred dollars or to imprisonment for three months or to both such fine and such imprisonment, see regulation 43.

RED FLAG TO BE CARRIED BY VEHICLES CONVEYING EXPLOSIVES	33
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being conversant in the proper handling of explosives and therefore responsible for the loading and unloading of a vehicle to wit [specify the vehicle] for safety in transit and for the due observance of the *Explosives Regulations* (Ch. 79) did convey explosives in the said vehicle without carrying a red flag at the front and rear so affixed as to be clearly visible.

Penalty: Liable to a fine of one hundred dollars or to imprisonment for three months or to both such fine and such imprisonment, see regulation 43.

SPEED LIMIT FOR VEHICLES CONVEYING EXPLOSIVES	34
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being conversant in the proper handling of explosives and therefore responsible for the loading and unloading of a vehicle to wit [specify the vehicle] for safety in transit and for the due observance of the *Explosives Regulations* (Ch. 79) did convey the said explosives in the said vehicle at a speed exceeding twenty miles per hour.

Penalty: Liable to a fine of one hundred dollars or to imprisonment for three months or to both such fine and such imprisonment, see regulation 43.

EXPOSED IRON AND STEEL TO BE COVERED	35
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being conversant in the proper handling of explosives and therefore responsible for the loading and unloading of a vehicle to wit [specify the vehicle] for safety in transit and for the due observance of the *Explosives Regulations* (Ch. 79) did fail to ensure that all iron and steel portions of the said vehicle which were liable to come in contact with the containers in which explosives were carried in the said vehicle be covered with wood, leather, cloth or other suitable material.

Penalty: Liable to a fine of one hundred dollars or to imprisonment for three months or to both such fine and such imprisonment, see regulation 43.

SMOKING PROHIBITED	37
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did [carry (matches **or** an appliance for producing fire) **or** smoke] whilst [conveying explosives, (on, in **or** attending to) a carriage containing explosives **or** acting as a watchman over explosives].

Penalty: Liable to a fine of one hundred dollars or to imprisonment for three months or to both such fine and such imprisonment, see regulation 43.

EXPLOSIVES REGULATIONS

PRECAUTIONS AGAINST ACCIDENTS

38

being involved in the conveyance of explosives all persons did fail to

- observe all due precautions for the prevention of accidents by fire, explosion, or concussion; **or**
- observe all due precautions for preventing unauthorised persons from having access to the said explosives being conveyed; **or**
- abstain from an act which tends to cause fire, explosion, or concussion and was not reasonably necessary for the purpose of the conveyance of the said explosives or an article carried therewith to wit [specify the act]; **or**
- prevent a person namely [specify the name of this person] from committing an act which tends to cause fire, explosion, or concussion and was not reasonably necessary for the purpose of the conveyance of the said explosives or an article carried therewith to wit [specify the act].

Penalty: Liable to a fine of one hundred dollars or to imprisonment for three months or to both such fine and such imprisonment, see regulation 43.

after being warned did commit an act which tends to cause [a fire, an explosion **or** concussion] to wit [specify the act].

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment.

CARRIAGE OF DETONATORS

39

did convey detonators in the same carriage with explosives to wit a [specify the carriage/vehicle].

Penalty: Liable to a fine of one hundred dollars or to imprisonment for three months or to both such fine and such imprisonment, see regulation 43.

CASES OF EXPLOSIVES TO BE SECURED AGAINST FRICTION

40

did convey cases of explosives by carriage to wit a [specify the carriage/vehicle] which were not being kept flat and secured against friction.

Penalty: Liable to a fine of one hundred dollars or to imprisonment for three months or to both such fine and such imprisonment, see regulation 43.

PROGRESS AND HALTS IN TRANSIT

41

- (1) did fail to ensure that the conveyance of explosives was with due diligence and without unnecessary delay from the place from which the said explosives were being moved to their destination.
- (2) did fail to avoid [a village **or** (specify other inhabited place)] as far as possible were conveying explosives in a vehicle to wit [specify the vehicle].

EXPLOSIVES REGULATIONS

- (3) did fail to halt a vehicle conveying explosives to wit [specify the vehicle] at a distance of at least 250 yards from the nearest inhabited building as required.

did fail to ensure that a watch was kept over a vehicle conveying explosives to wit [specify the vehicle] whilst halted.

- (4) did fail to halt a vehicle conveying explosives to wit [specify the vehicle] during a thunderstorm at least 250 yards from the nearest inhabited building.

Penalty: Liable to a fine of one hundred dollars or to imprisonment for three months or to both such fine and such imprisonment, see regulation 43.

INHABITED AREAS	42
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- (1) without the approval of the senior police officer in the province namely [specify the rank and name of the officer] did convey explosives exceeding 50lbs through an inhabited area of land outside the area of a port established under the *Ports Act* (Ch. 161) to wit [specify the port].

did fail to comply with a condition as specified in the approval granted by the senior police officer in the province namely [specify the rank and name of the officer] for the conveyance of explosives exceeding 50lbs through an inhabited area of land outside the area of a port established under the *Ports Act* (Ch. 161) to wit [specify the port].

- (2) did fail to convey explosives exceeding 50lbs through an inhabited area of land outside the area of a port established under the *Ports Act* (Ch. 161) to wit [specify the port] in a vehicle with [pneumatic rubber tyres **and/or** (the axle **or** axles) secured to the said vehicle by springs or other shock absorbing device].

Penalty: Liable to a fine of one hundred dollars or to imprisonment for three months or to both such fine and such imprisonment, see regulation 43.

MAGAZINES TO BE LICENSED	44(1)
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did [keep for sale **or** store] explosives not in a magazine licensed for that purpose under the provisions of the *Explosives Regulations* (Ch. 79).

did [keep for sale **or** store] explosives with [specify what was with the explosives].

did fail to store detonators in an explosives magazine licensed under regulation 47 of the *Explosives Regulations* (Ch. 79).

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 75.

EXPLOSIVES REGULATIONS

LIMITATION ON QUANTITY OF EXPLOSIVES TO BE STORED
--

45

did without the written authority of the licensing officer

- store more than [112 lbs. of explosives other than detonators **or** 200 detonators] in a user's magazine; **or**
- [store **or** keep for sale] more than [2,240 lbs. of explosives other than detonators **or** 5,000 detonators].

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 75.

CONDITIONS OF ISSUE OF LICENCE

46

being the holder of a magazine license issued under the *Explosives Regulations* (Ch. 79) did fail to comply with a special condition imposed thereto to wit [specify the condition].

being the holder of a magazine license issued under the *Explosives Regulations* (Ch. 79) did store explosives [to a greater amount **or** in a manner] other than that [specified, permitted **or** required] by the said license.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 75.

STORAGE OF EXPLOSIVES AND DETONATORS IN USER'S MAGAZINE
--

48

in an explosives magazine licensed under regulation 47 of the *Explosives Regulations* (Ch. 79) did keep explosives other than detonators and detonators in the said magazine not separated by a substantial partition constructed [of 9" x 18" x 6" concrete hollow block and bonded into the outside walls of the said magazine **or** in such manner as a licensing officer namely [specify the name of this officer] authorised in writing].

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 75.

SEPARATION OF DETONATORS AND EXPLOSIVES IN DEALER'S MAGAZINES
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50

in a dealer's magazine licensed under regulation 49 of the *Explosives Regulations* (Ch. 79) did store explosives other than detonators and detonators in separate buildings [not less than 10 yards apart **or** at a distance as a licensing officer namely [specify the name of this officer] authorised in writing].

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 75.

EXPLOSIVES REGULATIONS

DISTANCE OF MAGAZINE FROM MEANS OF IGNITION
--

53

being a licensing officer under the *Explosives Regulations* (Ch. 79) did authorise an explosives magazine to be built within

- 100 yards of a [building, furnace, steam boiler, copra drier forge **or** thing liable to cause ignition to wit (specify the thing)]; **or**
- 50 yards of a road to which the public had access; **or**
- 10 yards of an overhead [power **or** transmission] cable.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 75.

STORAGE OF EXPLOSIVES INSIDE MAGAZINES

55

(1) did store explosives in an explosives magazine within twelve inches of a wall of the said magazine.

(2) did store explosives in an explosives magazine in such a manner that

- the bottom row of [cases **or** containers] of the said explosives were less than six inches above the floor of the said magazine; **and/or**
- the top row of [cases **or** containers] of the said explosives were not more than five feet above the floor of the said magazine.

(3) did store explosives in an explosives magazine in such a manner that the horizontal distance between two rows of [cases **or** containers] of explosives was less than two feet six inches.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 75.

FIRES AND SMOKING PROHIBITED

57

did allow [smoking **or** the ignition of a fire] within 100 feet of an explosives magazine.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 75.

MAGAZINE TO BE KEPT FREE FROM CHARCOAL, RAGS AND WASTE

58

did admit into (his/her) explosives magazine material to wit [specify material such as (charcoal, cotton rags, **or** waste)] and the said material was not for immediate use and removed immediately thereafter.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 75.

EXPLOSIVES REGULATIONS

FOOTGEAR AND LIGHTS	59
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did enter an explosives magazine

- with [boots **or** shoes] having [iron **or** steel] nails; **or**
- [carrying **or** having about (him/her)] [a fire, matches, (a substance **or** an article) likely to cause explosion or fire, steel, iron, grit, **or** a naked (light **or** lantern)].

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 75.

NO ELECTRIC POWER TO BE CONNECTED TO A MAGAZINE	60
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did [connect a electric power cable to **or** arrange for an electric power cable to be conducted into] an explosives magazine.

did allow a power cable to pass above ground within ten yards of an explosives magazine.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 75.

GROUND TO BE KEPT CLEAR OF SHRUBS AND WOODS	61
--	-----------

did permit [cultivation, shrubs, grass **or** woods] to be permitted within a distance of 100 feet from an explosives magazine.

did fail to mark an explosives magazine by a red notice board not less than one foot square on which the words "DANGER EXPLOSIVES" in two inch high white letters are displayed.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 75.

OPENING OF PACKAGES	63
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(1) did fail to remove a package of explosives which were needed to be opened to a distance not less than 100 feet from the explosives magazine in which the said package was before opening the said package.

(2) did [take into **or** use in] an explosives magazine containing an explosive tools made of [iron **or** steel].

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 75.

EXPLOSIVES REGULATIONS

AVOIDANCE OF CONCUSSION

64

did fail to take care in the storage of explosives in an explosives magazine to prevent concussion.

did have materials other than explosives in an explosives magazine.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 75.

REPAIRS TO MAGAZINES

65

in repairing an explosives magazine did fail to remove the explosives to a distance not less than 100 feet from the said magazine until the repairs were completed.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 75.

INSPECTION OF MAGAZINES

67

being the owner of an explosives magazine did

- fail to let in [a Provincial Secretary namely (specify the name of this person), a police officer namely (specify the name and rank of the officer), a licensing officer namely (specify the name of this person) **or** an officer authorised in writing by the Prime Minister to inspect explosives magazines namely (specify the name of this person)]; **or**
- did hinder the inspection by [a Provincial Secretary namely (specify the name of this person), a police officer namely (specify the name and rank of the officer), a licensing officer namely (specify the name of this person) **or** an officer authorised in writing by the Prime Minister to inspect explosives magazines namely (specify the name of this person)].

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment.

SECURITY OF KEYS OF MAGAZINES

70

- (1) not being the license holder to a user's magazine did have custody of the keys to a user's magazine.

being the licence holder of a user's magazine did fail to supervise the storage and issue of explosives from the explosives magazine to which the said license related.

EXPLOSIVES REGULATIONS

- (2) being [the holder of a dealer's licence **or** nominated as a key holder by the holder of a dealer's license namely (specify the name of this person)] was not present when explosives were [taken into **or** issued from] the explosives magazine to which [the said license relates **or** (he/she) had been nominated as a key holder].

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 75.

LOSS OF KEYS	71
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- (1) being the holder of a magazine licence issued under regulation [47 **or** 49] of the *Explosives Regulations* (Ch. 79) did fail to report forthwith the loss of the keys of (his/her) explosives magazine to the nearest Police Station and to the licensing officer. and, until the keys are found or a new lock fitted, a watchman shall be provided by day and by night.

being the holder of a magazine licence issued under regulation [47 **or** 49] of the *Explosives Regulations* (Ch. 79) did fail to ensure that a watchman was provided to (his/her) explosives magazine until [the keys were found **or** a new lock was fitted] to the said magazine.

- (2) being the holder of a magazine licence issued under regulation [47 **or** 49] of the *Explosives Regulations* (Ch. 79) did fail to report forthwith the loss of [explosives **or** detonators] as soon as such loss was discovered to the nearest Police Station and to the licensing officer.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 75.

LOSS OR BREAKING INTO TO BE REPORTED	72
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being the holder of a magazine licence issued under regulation [47 **or** 49] of the *Explosives Regulations* (Ch. 79) did fail to report forthwith [a (loss **or** deficiency) of explosives in **or** the breaking into] (his/her) explosives magazine to the licensing officer and to the police.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 75.

POSTING OF REGULATIONS IN MAGAZINE	73
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being the holder of a magazine licence issued under regulation [47 **or** 49] of the *Explosives Regulations* (Ch. 79) did fail to have [posted **or** hang] [in **or** at] (his/her) explosives magazine where it could most conveniently be read a copy of the said Regulations and the original of the valid magazine licence.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 75.

EXPLOSIVES REGULATIONS

TEMPORARY STORAGE OF EXPLOSIVES
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74(5)

being [authorised under paragraph (1) of regulation 74 of the *Explosives Regulations* (Ch. 79) or responsible for the explosives to which regulation 74 of the *Explosives Regulations* (Ch. 79) relates] did fail to comply with the terms and conditions of the said Regulation relating to the temporary storage of explosives for [a construction, mining, blasting, a project or a purpose] to wit [specify how the said terms and conditions were not complied with].

being [authorised under paragraph (1) of regulation 74 of the *Explosives Regulations* (Ch. 79) or responsible for the explosives to which regulation 74 of the *Explosives Regulations* (Ch. 79) relates] did fail to comply with the terms and conditions granted by a licensed officer as specified in writing for the temporary storage of explosives for [a construction, mining, blasting, a project or a purpose] to wit [specify how the said terms and conditions were not complied with].

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment.

NOTICE OF BLASTING

76

- (1) did carry out a blasting operation without reasonable precautions first taken to advise all persons resident in the neighbourhood.
- (2) did carry out a blasting operation in an inhabited area without first giving twenty-four hours' notice to the senior police officer in the area and to the Provincial Secretary or other senior administrative officer in the area.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 97.

RED FLAGS TO BE EXHIBITED

77/79

did fail to place red flags not less than 3' x 2' in size on all roads, tracks and footpaths leading to the blasting area at a safe distance from the site of blasting having regard to the amount and nature of explosives being used for so long as may be reasonably necessary to prevent injury to any person during the blasting operation.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 97.

EXPLOSIVES REGULATIONS

NOTICE TO BE EXHIBITED

78/79

did fail to place notice boards by the red flags required by regulation 77 of the *Explosives Regulations* (Ch. 79) with the wording in block capitals, “DANGER BLASTING” and the said boards not being less than 3’ x 2’ in size painted white with red lettering and the said lettering being not less than 4” in height and of appropriate width for so long as may be reasonably necessary to prevent injury to any person during the blasting operation.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 97.

REMOVAL OF FLAGS AND NOTICES

79

did fail to remove the flags and notice boards required by regulations 77 and 78 of the *Explosives Regulations* (Ch. 79) at all times when their presence was not necessary to prevent injury to any person during a blasting operation and did prevent the safe passage of a person namely [specify the name of this person] who wished to proceed along a [road namely (specify the name of the road), track or footpath].

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 97.

PASSING BEYOND FLAGS AND NOTICES

80

without the express permission of the person in charge of blasting operations namely [specify the name of this person] did pass the flags and notice boards as required by regulations 77 and 78 of the *Explosives Regulations* (Ch. 79) when their presence was necessary to prevent injury to any person during the blasting operation.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 97.

QUALIFIED PERSON TO BE IN CHARGE

81

being the person in charge of or carrying out a blasting operation did fail to ensure that a competent person superintended the said blasting operation when explosives were used namely [specify the name of this person] and that the said person had satisfied the licensing officer that (he/she) was adequately qualified to use explosives under regulation 3 of the *Explosives Regulations* (Ch. 79).

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 97.

EXPLOSIVES REGULATIONS

STORAGE OF BLASTING CARTRIDGES AND DETONATORS
--

83

did fail to keep [blasting cartridges and detonators in separate locked receptacles not less than six feet apart **and/or** charges not prepared until required for use] at the location of a blasting operation.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 97.

NO SMOKING, etc. -- BLASTING

84

[did smoke **or** have (a fire **or** an uncovered light) in the vicinity of a blasting operation] during the process of [blasting **or** preparing the charges for blasting].

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 97.

TAMPING - BLASTING

85

did fail to only use [sand, water or soft clay for the purposes of tamping **or** wooden tamping rods] at a blasting operation.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 97.

ADDITIONAL PRECAUTIONS BEFORE FIRING CHARGES

86

did fail to before firing or igniting a charge take every precaution to prevent any person from approaching or remaining within dangerous distance and to prevent possible injury to person or property from projecting debris.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 97.

SHOTS TO BE COUNTED - BLASTING

87

did fail to ensure that where two or more charges are fired at the same time using a safety fuse that at least two persons did count the shots.

did leave the place of operation under such circumstances until the said place had been examined and found to be safe.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 97.

EXPLOSIVES REGULATIONS

ELECTRICAL FIRING - BLASTING

88

- (1) at a blasting operation did fail to ensure that where charges were fired electrically that
- the place of operation was entered until the circuit was broken; **or**
 - the handle or key of the exploder was not kept in the possession of the shot-firer; **or**
 - the electric wiring circuit was not connected until all the requirements of Part VIII of the *Explosives Regulations* (Ch. 79) relating to firing of a charge had been complied with.

- (2) at a blasting operation did [place **or** fire electrically] charges in the vicinity of overhead electric wires.

at a blasting operation did place electric wires in the vicinity of charges.

- (3) did fail to ensure that all electric wiring circuits were disconnected in the event of an electric storm within the radius of five miles of the blasting area.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 97.

REMOVAL OF CHARGES AND TAMPING - BLASTING
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89

from a hole which had been charged but not fired did [extract explosive charges **or** remove tamping].

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 97.

MISFIRES - BLASTING

90

- (1) in the event of a misfire did fail to flood with water the tamping and charge and mark the hole in a distinguishing manner.

in the event of a misfire did fail to drill another hole at a distance of not less than twelve inches and not greater than eighteen inches from the original hole.

- (2) not under the directions of the person in charge of a blasting operation namely [specify the name of this person] did undertake work in the vicinity of an unexploded hole.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 97.

EXPLOSIVES REGULATIONS

DEBRIS TO BE CLEARED - BLASTING	92
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did commence to bore a new hole without clearing the surface to be operated of loose stones and debris.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 97.

BLASTING NEAR THOROUGHFARES RESTRICTED	93
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without the permission of the Provincial Secretary in charge of the province or a police officer of or above the rank of sergeant did use explosives [on **or** in] the immediate vicinity of a public thoroughfare to wit [specify the public thoroughfare].

did use explosives [on **or** in] the immediate vicinity of a public thoroughfare to wit [specify the public thoroughfare] with all due precautions for the public safety.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 97.

LOSE, ABANDON OR THROW AWAY EXPLOSIVES	94
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did [lose, abandon **or** throw away] explosives.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 97.

BLASTING AT SEA	95
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being the user in respect to a blasting operation using explosives which took place at sea did fail to have a ship under (his/her) control in the immediate area flying a red flag of no less than 6' x 3' from the top of the foremast and carrying a loud hailer capable of giving an audible warning to a distance of 100 yards.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 97.

CHIEF MARINE OFFICER OR PROVINCIAL SECRETARY TO BE NOTIFIED	96
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being the user in respect of a blasting operation using explosives at sea did fail to notify the Chief Marine Officer or the Provincial Secretary in charge of the province of the proposed latitude and longitude giving a least 48 hours' notice of such blasting.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and such imprisonment, see regulation 97.

GAMING AND LOTTERIES ACT

GAMING – MISCELLANEOUS OFFENCES	3
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- (4) being concerned in the [organisation **or** management] of gaming which took place on premises and the said gaming
- was unlawful by virtue of subsection (1) of section 3 of the *Gaming and Lotteries Act* (Ch. 139); **or**
 - was unlawful in that it was held in pursuance of subsection (2) of the *Gaming and Lotteries Act* (Ch. 139); **or**
 - contravened subsection (3) of section 3 of the *Gaming and Lotteries Act* (Ch. 139)

in that the said gaming [specify why the gaming was (unlawful **or** in contravention of subsection (3))].

did [know **or** have reasonable cause to suspect] that [unlawful gaming **or** gaming in contravention of subsection (3) of the *Gaming and Lotteries Act* (Ch. 139)] would take place on premises did

- allow the said premises to be used for the purposes of gaming; **or**
- (let the said premises **or** make the said premises available] to a person namely [specify the name of this person] by whom an offence in connection with the gaming had been committed.

Penalty: Liable:

- (a) on summary conviction, to a fine of two hundred dollars or, in the case of a second or any subsequent conviction for an offence under the same provision, to imprisonment for three months or to a fine of four hundred dollars or to both; or
- (b) on conviction upon trial before a Judge, to a fine of one thousand dollars or, in the case of a second or any subsequent conviction for an offence under the same provision, to imprisonment for one year or to a fine of one thousand five hundred dollars or to both, see section 24(2).

- (5) was present at gaming which
- was unlawful by virtue of subsection (1) of section 3 of the *Gaming and Lotteries Act* (Ch. 139); **or**
 - was unlawful in that it was held in pursuance of subsection (2) of the *Gaming and Lotteries Act* (Ch. 139); **or**
 - contravened subsection (3) of section 3 of the *Gaming and Lotteries Act* (Ch. 139)

for the purpose of taking part therein.

Penalty: Liable on summary conviction to a fine of one hundred dollars:

GAMING AND LOTTERIES ACT

GAMING IN PUBLIC PLACES	4(1)
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did take part in gaming in a [street namely (specify the name of the street) **or** (specify other place) to which the public have access].

Penalty: Liable on summary conviction to a fine of one hundred dollars.

UNLAWFUL COMMERCIAL GAMING	9
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without a valid permit did [conduct, permit **or** cause] commercial gaming to take place in premises.

Penalty: Liable on summary conviction to a fine of two thousand dollars or to imprisonment for two years.

UNLAWFUL POSSESSION OF INSTRUMENTS OF GAMING	10
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without lawful excuse did have in (his/her) possession an instrument [designed **or** adapted] for gaming.

Penalty: Liable on summary conviction –

- (a) in the case of a first conviction, to a fine of one thousand dollars or to imprisonment for one year, or to both such fine and imprisonment; and
- (b) in the case of a second or subsequent conviction for the same offence, to a fine of three thousand dollars or to imprisonment for two years or to both such fine and imprisonment.

ILLEGALITY OF LOTTERIES	13(2)
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in relation to an unlawful lottery [promoted **or** proposed to be promoted] within [Solomon Islands **or** (specify elsewhere) [did **or** did [cause, procure **or** attempt to procure a person namely (specify the name of this person) to]

- (a) print tickets for use in the said lottery; **or**
- (b) [sell, distribute, (offer **or** advertise) for (sale **or** distribution) **or** have in (his/her) possession for the purpose of (sale **or** distribution)] [tickets **or** chances in the said lottery]; **or**
- (c) [print, publish, distribute **or** have in (his/her) possession for the purpose of (publication **or** distribution)]
 - an advertisement of the said lottery; **or**
 - a list of the [prize winners **or** winning tickets] in the said lottery; **or**
 - a matter descriptive of the [(drawing **or** intended drawing) of the said lottery **or** relating to the said lottery] as was calculated to act as an inducement to persons to participate in [the said lottery **or** other lotteries]; **or**

GAMING AND LOTTERIES ACT

- (d) [bring **or** invite a person to send namely (specify the name of this person)] into Solomon Islands for the purpose of [sale **or** distribution] [a ticket in **or** an advertisement of] the said lottery; **or**
- (e) [send **or** attempt to send] out of Solomon Islands
- a [sum of money to wit (specify the sum of money) **or** valuable thing to wit (specify the thing)] received in respect of the [sale **or** distribution]; **or**
 - a document recording the [sale, distribution **or** the identity of the holder] of a [ticket **or** chance] in the said lottery; **or**
- (f) [use premises **or** (cause **or** knowingly permit premises to be used] for the purposes connected with the [promotion **or** conduct] of the said lottery.

Penalty: Liable –

- (a) on summary conviction, to a fine of one hundred dollars or, in the case of a second or subsequent conviction for an offence under the same provision, to imprisonment for two months or to a fine of two hundred dollars or to both; or
- (b) on conviction upon trial before a Judge, to a fine of six hundred dollars or, in the case of a second or any subsequent conviction for an offence under the same provision, to imprisonment for six months or to a fine of one thousand dollars or to both, see section 24(3).

EXEMPTION OF SMALL LOTTERIES ORGANISED BY CERTAIN SOCIETIES	15(3)
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being the promoter of an unlawful lottery in that the following condition was not observed in connection with the promotion and conduct of the said lottery to wit

- the promoter of the lottery shall be a member of the society and shall be authorised in writing by the governing body of the society to act as such promoter; **or**
- no remuneration shall be paid in respect of the lottery to the promoter or any person employed by him in connection therewith who carries on or is in any way engaged in any betting business; **or**
- no prize shall exceed five thousand dollars in amount or value and no ticket or chance shall be sold at a price exceeding two dollars; **or**
- the whole proceeds, after deducting sums lawfully appropriated on account of expenses or for the provision of prizes, shall be applied to the said purposes of the society; **or**
- the amount of the proceeds appropriated on account of expenses shall not exceed the expenses actually incurred, or ten per centum of the whole proceeds, whichever is the less, and the amount of the proceeds appropriated for the provision of prizes shall not exceed one-half of the whole proceeds; **or**
- the price of every ticket or chance shall be the same, and the price of any ticket shall be stated on the ticket; **or**

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- the total value of the tickets or chances sold shall not exceed ten thousand dollars, and if, on any day on which tickets or chances in the lottery are on sale, tickets or chances are on sale in another lottery to which this section applies promoted on behalf of the same society, the total value of the tickets or chances sold in those lotteries taken together shall not exceed ten thousand dollars; **or**
- no written notice or advertisement of the lottery shall be exhibited, published or distributed except as follows - (i) a notice or advertisement exhibited on the premises of the society, or published or distributed exclusively to members of the society and (ii) such notice or advertisement as may be contained in the tickets, if any; **or**
- every ticket and every notice or advertisement of the lottery lawfully exhibited, distributed or published, shall specify the name of the society, the name and address of the promoter and the date on which the draw, determination or event, by or by reference to which the prize winners are ascertained, will take place; **or**
- no ticket shall be sent through the post to a person not being a member of the society; **or**
- no person shall be permitted to participate in the lottery in respect of a ticket or chance except after the payment to the promoter of the whole price of the ticket or chance, and no money received by the promoter for or on account of a ticket or chance shall in any circumstances be returned; **or**
- no payment on account of expenses or prizes shall be made out of moneys of the society not being proceeds of the lottery; **or**
- no ticket or chance shall be sold by or to a person under sixteen years of age.

Penalty: Liable --

- (a) on summary conviction, to a fine of one hundred dollars or, in the case of a second or subsequent conviction for an offence under the same provision, to imprisonment for two months or to a fine of two hundred dollars or to both; or
- (b) on conviction upon trial before a Judge, to a fine of six hundred dollars or, in the case of a second or any subsequent conviction for an offence under the same provision, to imprisonment for six months or to a fine of one thousand dollars or to both, see section 24(3).

POWERS OF INSPECTORS	23(5)
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[being the permit holder, being in (control **or** management) of premises **or** acting (on behalf **or** with the authority) of the permit holder namely (specify the name of this person)]

- (a) did fail without reasonable excuse to admit an inspector namely [specify the name of the inspector] who demanded admission to premises in pursuance of section 23 of the *Gaming and Lotteries Act* (Ch. 139); **or**
- (b) on being required by an inspector namely [specify the name of this person] to do so did fail without reasonable excuse to permit (him/her) to inspect [premises **or** (a machine **or** equipment) on the premises]; **or**

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- (c) on being required by an inspector namely [specify the name of this person] to produce documentation as is mentioned in subsection (2) of section 23 of the *Gaming and Lotteries Act* (Ch. 139) which was [in (his/her) possession **or** under (his/her) control] did fail without reasonable excuse to produce the said documentation as required; **or**
- (d) on being required by an inspector namely [specify the name of this person] to provide information relating to the [premises **or** conduct of gaming in the premises] which was reasonably required by the Minister for the purposes of the *Gaming and Lotteries Act* (Ch. 139) did fail without reasonable excuse to furnish the said information to the said inspector; **or**
- (e) did wilfully obstruct [an inspector namely (specify the name of this person) in the exercise of powers conferred by the *Gaming and Lotteries Act* (Ch. 139), the permit holder namely (specify the name of this person) **or** a person namely (specify the name of this person)].

Penalty: Liable to a fine of one thousand dollars or imprisonment for one year.

GAMING REGULATIONS

POSSESSION OF GAMING INSTRUMENT	4(3)
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did have in (his/her) possession an instrument [designed **or** adapted] for gaming without a valid Establishment licence issued in accordance with the *Gaming and Lotteries Act* (Ch. 139).

Penalty: Liable, in the case of a body corporate, to a penalty of one thousand dollars and, in the case of a natural person, to a penalty of five hundred dollars, see regulation 10.

OFFENCES RELATING TO INSPECTORS	5
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- (a) did [assault, obstruct, hinder, threaten, abuse, insult **or** intimidate [an inspector **or** a person acting in aid of an inspector] namely [specify the name of this person] who was
 - [exercising (his/her) powers **or** performing (his/her) (functions **or** duties)] under the *Gaming Regulations* (Ch. 139); **or**
 - attempting to [exercise (his/her) powers **or** perform (his/her) (functions **or** duties)] under the *Gaming Regulations* (Ch. 139).

- (b) when required under the *Gaming Regulations* (Ch. 139) to produce for inspection [gaming equipment, chips **or** records referred to in the said Regulations] did fail without lawful excuse to produce the said [gaming equipment, chips **or** records] in accordance with the said requirement.

- (c) did [refuse **or** fail] to destroy [gaming equipment **or** chips] considered by an inspector namely [specify the name of the inspector] to be unsatisfactory for use when ordered to do so by the said inspector.

Penalty: Liable to a fine not exceeding one thousand dollars or imprisonment for a period not exceeding twelve months or to both such fine and imprisonment.

BRIBERY OF INSPECTORS	7
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- (1) being an inspector did corruptly [ask for, receive, obtain **or** agree to (receive **or** obtain)] [a sum of money to wit (specify the sum of money), property to wit (specify the property) **or** a benefit to wit (specify the benefit)] for [himself/herself **or** a person namely (specify the name of this person)].

- (2) did corruptly [give, agree to give **or** offer to give] a [gift **or** (specify other consideration)] to an inspector namely [specify the name of the inspector] as [an inducement **or** a reward] with a view to influencing the said inspector to [do **or** neglect] the performance of an act in the course of (his/her) duty.

Penalty: Liable to a fine not exceeding one thousand dollars or imprisonment for a period not exceeding twelve months or to both such fine and imprisonment.

GAMING REGULATIONS

INSPECTORS NOT TO GAMBLE	8
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- (1)(a) being an inspector did gamble on premises approved for commercial gambling where it was not necessary for (him/her) to do so in the course of (his/her) duties as an inspector.
- (b) being an inspector did knowingly have
- a [business **or** financial] association with; **or**
 - a [business **or** financial] interest in a matter in conjunction with a permit holder under the *Gaming Regulations* (Ch. 139) namely [specify the name of this person].
- (c) being an inspector was employed as an employee of a permit holder namely [specify the name of this person].
- (2) being a permit holder did [employ **or** have as an employee] a person who was an inspector namely [specify the name of this person].

Penalty: Liable, in the case of a body corporate, to a penalty of one thousand dollars and, in the case of a natural person, to a penalty of five hundred dollars, see regulation 10.

HOURS OF OPERATION	13
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- (1) being a permit holder did operate gaming on approved premises namely [specify the name of the premises] and the said date was not approved by the Minister namely [specify the name of the Minister].
- (2) being a permit holder did operate commercial gaming on approved premises namely [specify the name of the premises] and the said day being [Christmas Day **or** Good Friday between the hours 3 am and 12 midnight].

Penalty: Liable, in the case of a body corporate, to a penalty of one thousand dollars and, in the case of a natural person, to a penalty of five hundred dollars, see regulation 10.

APPROVED PREMISES	14
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being a permit holder in respect of premises namely [specify the name of the premises] approved for gaming did fail to

- ensure that visibility throughout the gaming area was clear and unobstructed; **and/or**
- submit for the approval of the Board a floor plan of the said approved premises indicating in detail the placement of gaming tables, count rooms, cages and all other associated facilities.

Penalty: Liable, in the case of a body corporate, to a penalty of one thousand dollars and, in the case of a natural person, to a penalty of five hundred dollars, see regulation 10.

GAMING REGULATIONS

GAMING EQUIPMENT AND CHIPS	16
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- (1) being a permit holder in respect of premises namely [specify the name of the premises] approved for gaming did fail to ensure that all gaming equipment was of a high standard of manufacture and was maintained in good order and condition.
- (2) did [(possess, maintain **or** exhibit) **or** (bring into **or** remove from) an approved premises namely (specify the name of the premises)] gaming equipment and the said equipment had been approved by the Board, was necessary for the conduct of gaming and was under the exclusive control of [the permit holder namely (specify the name of this person) **or** an (agent **or** employee) of the permit holder namely (specify the name of this person)].
- (3) being a permit holder in respect of premises namely [specify the name of the premises] approved for gaming did fail to ensure that all drop boxes and other receptacles for the depositing of moneys, tokens, vouchers, slips or other papers were equipped with two locks.
- (4) being a permit holder in respect of premises namely [specify the name of the premises] approved for gaming did fail to ensure that all gaming tables to which a drop box for the depositing of moneys, tokens, vouchers, slips or other papers was affixed or attached were equipped with a lock securing the drop box.
- (5) being a permit holder in respect of premises namely [specify the name of the premises] approved for gaming did fail to ensure that all count rooms and storage areas where there are drop boxes and other receptacles for the depositing of moneys, tokens, vouchers, slips or other papers were equipped with two locks.
- (6) being a permit holder in respect of premises namely [specify the name of the premises] approved for gaming did fail to ensure that the key or keys of the locks for drop boxes, count rooms and storage areas were under (his/her) exclusive control.
- (7) being a permit holder in respect of premises namely [specify the name of the premises] approved for gaming did fail to ensure each of the locks to drop boxes, count rooms and storage areas were such that the said drop boxes, count rooms and storage areas could not be unlocked by the key or any key of the other said locks.
- (8) being a permit holder in respect of premises namely [specify the name of the premises] approved for gaming did have a [drop box **or** (specify other receptacle)] for the depositing of moneys, tokens, vouchers, slips or other papers
 - (a) [brought into **or** removed from] the area used for the conduct and playing of games; **or**
 - (b) [locked **or** unlocked] except at such times and according to such procedures approved by the Board.

GAMING REGULATIONS

- (9) being a permit holder in respect of premises namely [specify the name of the premises] approved for gaming did have chips [used **or** for use] in commercial gaming not clearly and permanently impressed, engraved or imprinted thereon
- (a) a name or symbol identifying the permit holder or approved premises;
 - (b) denomination, to be known as “value chips”, the specific value of the chips, with each denomination being a separate distinguishing colour; and
 - (c) for chips not of a specified denomination, to be used for the sole purpose of gaming at roulette and to be known as “non-value chips”, the word “roulette” impressed in the rim of the chips and a design, inset or symbol.
- (10) being a permit holder in respect of premises namely [specify the name of the premises] approved for gaming did fail to keep and at all times accurately maintain a written inventory of gaming equipment and chips used or for use in gaming.
- (11) being a permit holder in respect of premises namely [specify the name of the premises] approved for gaming did destroy [gaming equipment **or** chips] not under the supervision of an inspector.

Penalty: Liable, in the case of a body corporate, to a penalty of one thousand dollars and, in the case of a natural person, to a penalty of five hundred dollars, see regulation 10.

PERMIT HOLDER SHALL NOT ACCEPT CREDIT WAGERS	17(1)
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being [a permit holder in respect of premises namely (specify the name of the premises) approved for gaming **or** an (agent **or** employee) of a permit holder namely (specify the name of this person) in respect of premises namely (specify the name of the premises) approved for gaming] in connection with commercial gaming did

- accept a credit wager from a person; **or**
- advance anything of value to person; **or**
- extend credit in any form to a person

namely [specify the name of this person].

Penalty: Liable on summary conviction to a fine of five hundred dollars and in default of payment thereof to imprisonment for six months, see section 12 of the Act.

MAINTENANCE OF FACILITIES, etc.	24
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being [a permit holder in respect of premises namely [specify the name of the premises] approved for gaming did fail to

- maintain all facilities and amenities of the said approved premises in a condition that did ensure the maximum comfort for players; **or**
- ensure that the operation of said commercial gaming was conducted in a proper and competent manner; **or**
- ensure that all commercial gaming installations, equipment and procedures for security and safety were used, operated and applied at all relevant times.

GAMING REGULATIONS

Penalty: Liable, in the case of a body corporate, to a penalty of one thousand dollars and, in the case of a natural person, to a penalty of five hundred dollars., see regulation 10.

EXCLUDED PERSON NOT TO ENTER OR REMAIN IN APPROVED PREMISES	41
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who was the subject of a direction in writing under regulation [33 **or** 35] of the *Gaming Regulations* (Ch. 139) did [enter **or** remain] on an approved premises namely [specify the name of the premises] to which the said direction related.

Penalty: Liable, in the case of a body corporate, to a penalty of one thousand dollars and, in the case of a natural person, to a penalty of five hundred dollars, see regulation 10.

MINORS IN RESPECT OF APPROVED PREMISES	42(2)
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being under the age of eighteen was found on an approved premises namely [specify the name of the premises] during the hours of operation.

Penalty: Liable, in the case of a body corporate, to a penalty of one thousand dollars and, in the case of a natural person, to a penalty of five hundred dollars, see regulation 10.

CHEATING	43
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(a) whilst in an approved premises namely [specify the name of the approved premises] by a [trick, device, sleight of hand **or** representation] did

- [obtain for (himself/herself) **or** a person namely (specify the name of this person)]; **or**
- induce a person namely [specify the name of this person] to [deliver, give **or** credit] to [(him/her) **or** a person namely (specify the name of this person)]

[a sum of money, chips, a benefit, an advantage, a valuable consideration **or** a security] to the value of [specify the value].

(b) whilst in an approved premises namely [specify the name of the approved premises] by a [scheme **or** practice] did

- [obtain for (himself/herself) **or** a person namely (specify the name of this person)]; **or**
- induce a person namely [specify the name of this person] to [deliver, give **or** credit] to [(him/her) **or** a person namely (specify the name of this person)]

[a sum of money, chips, a benefit, an advantage, a valuable consideration **or** a security] to the value of [specify the value].

(c) whilst in an approved premises namely [specify the name of the approved premises] by the use of [a machine, equipment **or** (specify other thing)] did

- [obtain for (himself/herself) **or** a person namely (specify the name of this person)]; **or**

GAMING REGULATIONS

- induce a person namely [specify the name of this person] to [deliver, give **or** credit] to [(him/her) **or** a person namely (specify the name of this person)] [a sum of money, chips, a benefit, an advantage, a valuable consideration **or** a security] to the value of [specify the value].

- (d) whilst in an approved premises namely [specify the name of the approved premises] by the use of an [instrument **or** article] [of a type **or** appearing to be of a type] normally used in connection with gaming did
- [obtain for (himself/herself) **or** a person namely (specify the name of this person)]; **or**
 - induce a person namely [specify the name of this person] to [deliver, give **or** credit] to [(him/her) **or** a person namely (specify the name of this person)] [a sum of money, chips, a benefit, an advantage, a valuable consideration **or** a security] to the value of [specify the value].

Penalty: Liable to a fine not exceeding one thousand dollars or imprisonment for a period not exceeding two years or to both such fine and imprisonment.

UNLAWFUL USE OF CERTAIN EQUIPMENT	44
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- (a) whilst in an approved premises namely [specify the name of the premises] did [use **or** have in (his/her) possession] chips that (he/she) knew were [bogus **or** counterfeit].
- (b) whilst in an approved premises namely [specify the name of the premises] did [use **or** have in (his/her) possession] [cards, dice **or** coins] that (he/she) knew to have been [marked, loaded **or** tampered with].
- (c) whilst in an approved premises namely [specify the name of the premises] did [use **or** have in (his/her) possession] for the purpose of [cheating **or** stealing] [equipment, device **or** (specify the thing)] that [permits **or** facilitates] [cheating **or** stealing].

Penalty: Liable to a fine not exceeding one thousand dollars or imprisonment for a period not exceeding two years or to both such fine and imprisonment.

CHEATING BY PERMIT HOLDER, etc.	47
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- (1) being [a permit holder in respect of premises namely (specify the name of the premises) approved for gaming **or** an (agent **or** employee) of a permit holder namely (specify the name of this person) in respect of premises namely (specify the name of the premises) approved for gaming] in the said approved premises did conduct a game in such a manner as to [win **or** attempt to win] from a person namely [specify name of this person] to [(himself/herself) **or** a person namely (specify the name of this person)] [money, chips **or** a valuable thing to wit (specify the valuable thing)] by [a fraud, an unlawful device **or** ill-practice].

GAMING REGULATIONS

Penalty: Liable, in the case of a body corporate, to a penalty of one thousand dollars and, in the case of a natural person, to a penalty of five hundred dollars.

- (2)(a) being [a permit holder in respect of premises namely (specify the name of the premises) approved for gaming **or** an (agent **or** employee) of a permit holder namely (specify the name of this person) in respect of premises namely (specify the name of the premises) approved for gaming] did corruptly [ask for, receive **or** obtain] a benefit to wit [specify the benefit] for [(himself/herself) **or** a person namely (specify the name of this person)] for the said [permit holder, employee **or** agent] to [(forego **or** neglect) (his/her) duty **or** influence (him/her) in the performance of (his/her) duty].
- (b) being [a permit holder in respect of premises namely (specify the name of the premises) approved for gaming **or** an (agent **or** employee) of a permit holder namely (specify the name of this person) in respect of premises namely (specify the name of the premises) approved for gaming] did corruptly [ask for, receive **or** obtain] a benefit to wit [specify the benefit] on account of a thing [already done **or** omitted to be done] by the said [permit holder, employee **or** agent] in the discharge of (his/her) duty.
- (c) being [a permit holder in respect of premises namely (specify the name of the premises) approved for gaming **or** an (agent **or** employee) of a permit holder namely (specify the name of this person) in respect of premises namely (specify the name of the premises) approved for gaming] did corruptly [ask for, receive **or** obtain] a benefit to wit [specify the benefit] for the said [permit holder, employee **or** agent] to [use **or** take advantage of] (his/her) office improperly to [gain (a benefit **or** an advantage) for **or** facilitate the commission of an offence to wit (specify the offence) by] a person namely [specify the name of this person].

Penalty: Liable to a fine not exceeding one thousand dollars or imprisonment for a period not exceeding two years or to both such fine and imprisonment.

FORGERY AND LIKE OFFENCES	48
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- (a) did [forge **or** counterfeit] a chip purchase voucher.
- (b) did knowingly utter a [forged **or** counterfeited] chip purchase voucher.
- (c) did falsely represent (himself/herself) to be an inspector namely [specify the name of this person].
- (d) did attempt to
- [forge **or** counterfeit] a chip purchase voucher; **or**
 - knowingly utter a [forged **or** counterfeited] chip purchase voucher; **or**
 - falsely represent (himself/herself) to be an inspector namely [specify the name of this person].

Penalty: Liable to a fine not exceeding one thousand dollars or imprisonment for a period not exceeding two years or to both such fine and imprisonment.

FIREARMS AND AMMUNITION ACT

MANUFACTURE OF FIREARMS AND AMMUNITION

4(1)

did manufacture [a firearm **or** ammunition] [not at an arsenal established with the written approval of the Minister namely (specify the name of the Minister) **and/or** in accordance with such conditions as the said Minister specified in writing.

Penalty: Liable to a fine of five thousand dollars or to imprisonment for ten years or to both such fine and such imprisonment.

As regards forfeiture, see section 37 of the Act.

PURCHASING, ACQUIRE OR POSSESS FIREARMS OR AMMUNITION WITHOUT FIREARM LICENCE
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5(2)

- (a) did [purchase, acquire **or** have in (his/her) possession]
- [a firearm **or** ammunition] [without being the holder of a current firearm licence **or** otherwise than as authorised by (his/her) firearm licence]; **and/or**
 - ammunition in quantities in excess of those so authorised by (his/her) firearm licence].
- (b) did fail to comply with a condition subject to which a firearm licence was held by (him/her).

Penalty:

- (i) if the offence was committed in a prohibited area to a fine of five thousand dollars or to imprisonment for ten years, or to both such fine and such imprisonment; or
- (ii) if the offence was committed elsewhere, to a fine of three thousand dollars or to imprisonment for five years or to both such fine and such imprisonment.

As regards forfeiture, see section 37 of the Act.

GRANT, etc., OF FIREARM LICENCES

6(8)

being the holder of a firearm license which was revoked by a licensing officer namely [specify the name of this person] did fail to surrender (his/her) license within fourteen days from the date of the notice in writing requiring (him/her) to surrender (his/her) license.

Penalty: Liable to a fine of four hundred dollars:

MARKING OF FIREARMS

9(2)

did wilfully [obliterate, deface, alter, counterfeit **or** forge] a [manufacturer's serial number **or** a prescribed (mark **or** number) marked in pursuance of the *Firearms and Ammunition Act* (Ch. 80)].

FIREARMS AND AMMUNITION ACT

did fraudulently mark a firearm with a [mark **or** number] [resembling **or** intended to resemble] a prescribed [mark **or** number] marked in pursuance of the *Firearms and Ammunition Act* (Ch. 80)].

Penalty: Liable to a fine of five hundred dollars or to imprisonment for two years or to both such fine and such imprisonment.

As regards forfeiture, see section 37 of the Act.

DEALERS' LICENCES	11
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- (1) not being a licensed firearms dealer or servant of a licensed firearms dealer did
- [assemble, clean, repair, test **or** prove] [a firearm **or** ammunition]; **or**
 - [manufacture a component part of [a firearm or ammunition]; **or**
 - [sell, transfer **or** expose for sale] [a firearm **or** ammunition]; **or**
 - [keep **or** have in (his/her) possession] [a firearm **or** ammunition] for [(assembling, cleaning, repairing, testing **or** proving), (manufacturing a component part thereof) **or** (selling, transferring **or** exposing for sale)].

Penalty: Liable to a fine of one thousand dollars or to imprisonment for two years or to both such fine and such imprisonment.

As regards forfeiture, see section 37 of the Act.

- (5) being the holder of a firearms dealer's license did fail to keep books containing an accurate record of all firearms and ammunition
- imported or received by (him/her) in the course of (his/her) business; **and/or**
 - sold by (him/her) and of the marks by which all firearms so sold may be identified with the date of sale and the name and address of the purchaser.

being the holder of a firearms dealer's license did fail to on demand produce books containing an accurate record of all firearms and ammunition imported or received by (him/her) in the course of (his/her) business and sold by (him/her) and of the marks by which all firearms so sold may be identified with the date of sale and the name and address of the purchaser for the inspection of a [licensing officer namely (specify the name of this person) **or** police officer namely (specify the name and rank of the officer)] at the place and time as the said officer did reasonably require.

- (6) being the holder of firearms dealer's license did fail to furnish to the Principal Licensing Officer particulars in the prescribed form of (his/her) stock and of all firearms and ammunition imported or received by (him/her) in the course of (his/her) business and of all firearms and ammunition sold by (him/her) during the last preceding calendar month.

FIREARMS AND AMMUNITION ACT

[The date of this offence should specify ‘On a date between [the date of the previous month] and the 8th day of the current month’ as such particulars are required to be furnished within the first seven days of each calendar month.]

Penalty: Liable to a fine of two hundred dollars.

As regards forfeiture, see section 37 of the Act.

OBSTRUCTING INSPECTION OF STOCK-IN-TRADE	12(2)
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being the holder of a firearms dealer’s license did intentionally conceal (his/her) stock-in-trade.

did intentionally conceal the stock-in-trade of the holder of a firearms dealer’s license namely [specify the name of this person] from a [licensing officer namely (specify the name of this person) **or** police officer namely (specify the name and rank of the officer)].

being the holder of a firearms dealer’s license did wilfully refuse to point out where (his/her) stock-in-trade was kept.

did wilfully refuse to point out where the stock-in-trade of the holder of a firearms dealer’s license namely [specify the name of this person] was kept.

Penalty: Liable to a fine of five hundred dollars or to imprisonment for six months or to both such fine and such imprisonment.

As regards forfeiture, see section 37 of the Act.

DEALER TO MAINTAIN APPROVED FIREARMS STORE	13
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being a licensed firearms dealer did fail to maintain at (his/her) place of business a store for the safe custody of firearms and ammunition approved in writing by a licensing officer.

Penalty: Liable to a fine of five hundred dollars or to imprisonment for six months or to both such fine and such imprisonment.

SHORTENING AND CONVERTING FIREARMS AND IMITATION FIREARMS	14
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- (1) without the written permission of the Principal Licensing Officer did [shorten the barrel of a firearm to a length less than twenty-four inches **or** convert a firearm that was not an automatic firearm as defined in section 6(2)(b) of the *Firearms and Ammunition Act* (Ch. 80) into an automatic firearm as so defined].

FIREARMS AND AMMUNITION ACT

- (2) did convert into a firearm a thing which though having the appearance of being a firearm was so constructed as to be incapable of discharging a missile through the barrel thereof.

Penalty: Liable to a fine of five hundred dollars or to imprisonment for one year or to both such fine and such imprisonment.

As regards forfeiture, see section 37 of the Act.

LICENCE TO IMPORT	15
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- (1) did import [(a firearm **or** ammunition) **or** parts of (a firearm **or** ammunition)] into Solomon Islands from a place without Solomon Islands to wit [specify the name of this country] not being the holder of a licence in that behalf issued under section 15 of the *Firearms and Ammunition Act* (Ch. 80).

Penalty: Liable to a fine of five hundred dollars or to imprisonment for one year or to both such fine and such imprisonment, see section 20.

As regards forfeiture, see section 37 of the Act.

- (3) being the holder of a license issued under section 15 of the *Firearms and Ammunition Act* (Ch. 80) to import firearms or ammunition or parts thereof did fail to
- endorse on the said licence descriptive particulars of all firearms and ammunition imported thereunder; **or**
 - return the said licence to the Principal Licensing Officer within fourteen days from [the expiration of the said licence **or** taking delivery of all the firearms, ammunition and parts authorised to be imported].

Penalty: Liable to a fine of three hundred dollars, see section 20.

FIREARMS AND AMMUNITION BY POST	16
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did deliver to a consignee namely [specify the name of this person] [a firearm **or** ammunition] sent through the post from outside Solomon Islands to wit [specify the name of this country] although an import license for the said [firearm **or** ammunition] was not produced at the post office of delivery.

Penalty: Liable to a fine of five hundred dollars, see section 46.

LICENCE TO EXPORT	17(1)
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did export [a firearm **or** ammunition] from Solomon Islands to a place outside of Solomon Islands to wit [specify the name of this country] not being the holder a licence in that behalf issued under section 17 of the *Firearms and Ammunition Act* (Ch. 80).

Penalty: Liable to a fine of five hundred dollars or to imprisonment for one year or to both such fine and such imprisonment, see section 20.

FIREARMS AND AMMUNITION ACT

PORTS AND PLACES OF IMPORT AND EXPORT	18
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did [import into **or** export from] Solomon Islands [firearms **or** ammunition] contrary to the terms of a notice issued by the Minister pursuant to section 18 of the *Firearms and Ammunition Act* (Ch. 80) in that the said [firearms **or** ammunition] were

- of a class declared not to be [imported into **and/or** exported from] Solomon Islands; **or**
- [imported into **or** exported from] Solomon Islands not at a [port **or** place] specified in the said notice.

Penalty: Liable to a fine of five hundred dollars or to imprisonment for one year or to both such fine and such imprisonment, see section 20.

As regards forfeiture, see section 37 of the Act.

DECLARATION OF FIREARMS AND AMMUNITION ON IMPORTATION	19
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entered Solomon Islands with [a firearm **or** ammunition] [in (his/her) possession **or** among (his/her) baggage] and did fail to make a declaration thereof to a customs officer [namely (specify the name of this person), if applicable] on arrival and before clearing the said [firearm **or** ammunition] through the customs produce to [a **or** the said] customs officer an import licence issued under section 15 of the *Firearms and Ammunition Act* (Ch. 80).

being a consignee receiving [a firearm **or** ammunition] imported into Solomon Islands did fail to make a declaration thereof to a customs officer [namely (specify the name of this person), if applicable] on arrival and before clearing the said [firearm **or** ammunition] through the customs produce to [a **or** the said] customs officer an import licence issued under section 15 of the *Firearms and Ammunition Act* (Ch. 80).

Penalty: Liable to a fine of three hundred dollars, see section 20.

As regards forfeiture, see section 37 of the Act.

CONCEALING UNLAWFULLY IMPORTED FIREARMS AND AMMUNITION	22
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did knowingly conceal [a firearm **or** ammunition] imported without a licence.

Penalty: Liable to a fine of one thousand dollars or to imprisonment for two years or to both such fine and such imprisonment.

As regards forfeiture, see section 37 of the Act.

FIREARMS AND AMMUNITION ACT

MINISTER MAY PROHIBIT IMPORTATION OR EXPORTATION	23(3)
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did [import into **or** export from] Solomon Islands [a firearm **or** ammunition] in [contravention of a notice under section 23 of the *Firearms and Ammunition Act* (Ch. 80) **or** breach of a condition subject to which a special licence was issued under section 23 of the *Firearms and Ammunition Act* (Ch. 80)] by [specify how the notice was contravened **or** special license breached].

Penalty: Liable to a fine of five hundred dollars or to imprisonment for one year or to both such fine and such imprisonment.

As regards forfeiture, see section 37 of the Act.

VESSEL USED FOR ILLEGAL IMPORTATION OR EXPORTATION	24(1)
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being the [owner **or** master] of a vessel namely [specify the name of the vessel] used for the

- [importation **or** exportation] of [a firearm, ammunition **or** parts of (firearms **or** ammunition)]; **or**
- [receipts **or** storage] of [a firearm, ammunition **or** parts of (firearms **or** ammunition)] imported

in contravention of a notice under section 23 of the *Firearms and Ammunition Act* (Ch. 80).

Penalty: Liable to a fine of five thousand dollars unless it is proved to the satisfaction of the court that the owner or master was not implicated in the placing of such firearm or ammunition or parts or a firearm or ammunition on board the vessel and that the offence in question was committed without his knowledge, consent or connivance, and the vessel may be detained by order of the court until security has been given for such sum, not exceeding five thousand dollars, as the court may order.

FIREARMS AND AMMUNITION IN CERTAIN AREAS – HONIARA & GUADALCANAL PROVINCE	25(2)
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without reasonable cause did [refuse **or** neglect] to comply with the provisions of the *Firearms and Ammunition (Prohibition of Firearms) Order* 1999 issued under section 25 of the *Firearms and Ammunition Act* (Ch. 80) in that the said [insert the name of the defendant] not being an exempted person did

- [use **or** carry] [a firearm **or** ammunition] in a specified area to wit the whole of Honiara City and the Guadalcanal Province; **or**
- not immediately deliver [a firearm **or** ammunition] in (his/her) possession to (his/her) nearest police station in Honiara City and the Guadalcanal Province.

Penalty: Liable to a fine of three hundred dollars or to imprisonment for six months or to both such fine and such imprisonment.

As regards forfeiture, see section 37 of the Act.

FIREARMS AND AMMUNITION ACT

CERTAIN WEAPONS PROHIBITED WITHOUT AUTHORITY OF MINISTER	26
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- (1) without the authority of the Minister did [sell, purchase **or** have in (his/her) possession] a firearm which was so [designed **or** adapted] that if pressure was applied to the trigger missiles continue to be discharged until pressure was removed from the trigger or the magazine containing the missiles was empty.

Penalty: Liable to a fine of one thousand dollars or to imprisonment for two years or to both such fine and such imprisonment.

As regards forfeiture see section 37 of the Act.

- (3) did fail to comply with a condition specified in writing in an authority of the Minister issued pursuant to section 26 of the *Firearms and Ammunition Act* (Ch. 80).

Penalty: Liable to a fine of two hundred dollars or to imprisonment for three months or to both such fine and such imprisonment.

As regards forfeiture, see section 37 of the Act.

- (5) who had an authority issued under section 26 of the *Firearms and Ammunition Act* (Ch. 80) revoked by the Minister by notice in writing did fail to comply with a requirement from the said Minister requiring (him/her) to deliver up the said authority to the person specified in the said notice namely [specify the name of this person].

[The date of this offence should specify ‘That on a date between the day before the date of issue of the notice to the day after the twenty-first day to deliver the authority’. For example, if the notice was issued on the 2nd day of June 2002 the authority would have to be delivered as specified within 21 days from that date. Therefore, the date of the offence would be ‘That on a date between the 1st day of June 2002 and the 23rd day of June 2002.’]

Penalty: Liable to a fine of two hundred dollars.

TAKING IN PAWN FIREARMS OR AMMUNITION	28(1)
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did take in pawn from a person namely [specify the name of this person] [a firearm **or** ammunition].

Penalty: Liable to a fine of three hundred dollars or to imprisonment for six months or to both such fine and such imprisonment.

As regards forfeiture, see section 37 of the Act.

FIREARMS AND AMMUNITION ACT

LOSS OF FIREARM OR PERMITTING ANOTHER PERSON TO USE FIREARM	29
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being [the owner **or** in lawful possession] of a firearm did [lose the said firearm through recklessness on (his/her) part **or** permit a person namely (specify the name of this person)] to use the said firearm without the written approval of the Principal Licensing Officer.

Penalty: Liable to a fine of five hundred dollars or to imprisonment for six months or to both such fine and imprisonment.

SEARCH FOR FIREARM OR AMMUNITION UNDER WARRANT	30(3)
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upon a search being made under section 30 of the *Firearms and Ammunition Act* (Ch. 80)

- having in (his/her) [possession **or** custody] [a firearm **or** ammunition]; **or**
- knowing where [a firearm **or** ammunition] was concealed

did

- refuse to [produce **or** point out] the said [firearm **or** ammunition] to; **or**
- intentionally conceal from

the police officer making the search namely (specify the name and rank of the officer).

Penalty: Liable to a fine of one thousand dollars or to imprisonment for two years or to both such fine and such imprisonment.

As regards forfeiture, see section 37 of the Act.

DEPOSIT OF FIREARMS AND AMMUNITION AT POLICE STATION	34(1)
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whose possession of [a firearm **or** ammunition] had become unlawful in consequence of the [expiry, revocation, cancellation **or** suspension] of a licence issued under the *Firearms and Ammunition Act* (Ch. 80) did fail to forthwith deposit the said [firearm **or** ammunition] at a police station or police armoury.

Penalty: Liable to a fine of five hundred dollars, see section 46.

As regards forfeiture, see section 37 of the Act.

SALE, REPAIR, etc., OF FIREARMS AND AMMUNITION	38(4)
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- (a) did [contravene **or** fail to comply with] a provision of section 38 of the *Firearms and Ammunition Act* (Ch. 80) in that the said [insert the name of the defendant/accused] did [specify how that section was (contravened **or** not complied with)].

FIREARMS AND AMMUNITION ACT

- (b) with a view to [purchasing, acquiring **or** procuring] the [repair, test **or** proof] of [a firearm **or** ammunition] did
- produce [a false (firearm licence **or** written authorisation) **or** a (firearm licence **or** written authorisation) in which a false entry had been made]; **or**
 - personate a person to whom a [firearm licence **or** written authorisation] had been granted namely [specify the name of this person]; **or**
 - make a false statement.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and imprisonment.

As regards forfeiture, see section 37 of the Act.

SECURITY OF FIREARMS AND AMMUNITION	39(1)
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did have in (his/her) possession [a firearm **or** ammunition] and the said [firearm **or** ammunition] was not kept securely and in safe custody and the said [insert the name of the defendant/accused] did fail to take all reasonable precautions to ensure that the said [firearm **or** ammunition] was not [lost **or** stolen] and was not available to an person not lawfully entitled to possess the same.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and imprisonment.

As regards forfeiture, see section 37 of the Act.

LOSS OF FIREARMS OR AMMUNITION TO BE REPORTED	40
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having possession of [a firearm **or** ammunition] and the said [firearm **or** ammunition] was [lost, stolen **or** destroyed] did fail to report the said [loss, theft **or** destruction] as soon as possible after its occurrence to a licensing officer or to the police officer in charge of the nearest police station.

Penalty: Liable to a fine of three hundred dollars or to imprisonment for six months or to both such fine and such imprisonment.

IMITATION FIREARMS – GOING ARMED	40A
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- (1) did without lawful excuse go armed with an imitation firearm.

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and imprisonment.

- (2) did go armed with an imitation firearm and did [word of mouth **or** conduct] threaten a person namely [specify the name of this person] in such a manner as to cause fear to the said person.

Penalty: Liable to a fine of five hundred dollars or to imprisonment for one year or to both such fine and imprisonment.

FIREARMS AND AMMUNITION ACT

IMITATION FIREARMS – SELL, DISPLAY OR MANUFACTURE
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40B

(1) did [import into Solomon Islands **or** (sell **or** display for sale)] an imitation firearm.

(2) did manufacture an imitation firearm for [use **or** sale].

Penalty: Liable to a fine of one thousand dollars or to imprisonment for one year or to both such fine and imprisonment.

CARRYING FIREARM WHILE DRUNK OR DISORDERLY

41

[was drunk **or** did behave in a disorderly manner] while carrying a firearm.

Penalty: Liable to a fine of five hundred dollars or to imprisonment for twelve months or to both such fine and such imprisonment.

As regards forfeiture, see section 37 of the Act.

THREATENING VIOLENCE WITH FIREARM
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42

[being the owner **or** having possession] of a firearm with intent to intimidate a person namely [specify the name of this person] to [do **or** refrain from doing] an act did threaten by [word of mouth **or** (his/her) conduct] to harm [the said person **or** a person namely (specify the name of this person)] with the use of the said firearm.

Penalty: Liable to a fine of one thousand dollars or to imprisonment for two years or to both such fine and such imprisonment.

As regards forfeiture see section 37 of the Act.

OBSTRUCT AND HINDER POLICE

43(2)

did [obstruct **or** hinder] a police officer namely [specify the rank and name of the officer] from exercising (his/her) powers under subsection (1) of section 43 of the *Firearms and Ammunition Act* (Ch. 80).

Penalty: Liable to a fine of one thousand dollars or to imprisonment for two years or to both such fine and such imprisonment.

Where a person is convicted of an offence under subsection (1), the court may order that any firearm found on the person's premises and taken possession of under that subsection be forfeited to the Crown.

FIREARMS AND AMMUNITION ACT

DISCHARGING FIREARM IN PUBLIC PLACE, etc

44

without reasonable excuse did discharge a firearm in a [public place to wit (specify the public place) **or** place situated within the boundaries of a town namely (specify the name of the town)].

Penalty: Liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and imprisonment.

As regards forfeiture, see section 37 of the Act.

FIREARMS, AMMUNITION AND AIR WEAPONS REGULATIONS

LOST LICENCES	6
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having obtained a new licence under section 10 of the *Firearms and Ammunition Act* (Ch. 80) in lieu of a licence that (he/she) had lost and did find the said lost licence did fail to surrender the said licence to a licensing officer or police officer.

[The date of this offence should specify ‘That on a date between the day before the date that the license was found to the day after the tenth day required to surrender the license’. For example, if a lost license was found on the 2nd day of June 2002 the license would have to be delivered as specified within 10 days from that date. Therefore, the date of the offence would be ‘That on a date between the 1st day of June 2002 and the 12th day of June 2002.’]

Penalty: Liable to a fine of fifty dollars or to imprisonment for two months or to both such fine and such imprisonment.

As regards forfeiture, see section 37 of the Act.

AIR WEAPONS	9
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(1) did import an air weapon into Solomon Islands without a permit issued by the Principal Licensing Officer authorising the said importation.

(2) not being a licensed firearms dealer or licensed air weapons dealer by way of [trade **or** business] did

- [sell, transfer **or** expose for sale] an air weapon; **or**
- [keep **or** have in (his/her) possession] an air weapon for the purpose of [selling, transferring **or** exposing for sale].

(3) not being a licensed firearms dealer or licensed air weapons dealer did [purchase, acquire **or** have in (his/her) possession] an air weapon.

being a licensed [firearms **or** air weapons] dealer did [purchase, acquire **or** have in (his/her) possession] an air weapon not in accordance the [terms **and/or** conditions] of a valid air weapon license authorising (him/her) so to do issued by a licensing officer by [specify how the terms **and/or** conditions were not complied with].

(4) did [sell, transfer **or** part with the possession of] an air weapon to a person other than a licensed firearms dealer namely [specify the name of this person] who did not produce a valid air weapon license authorising (him/her) to possess the said air weapon.

(5) did issue an air weapon to a person under the age of sixteen years namely [specify the name of this person].

(9) being a licensed [firearms **or** air weapons] dealer did fail to keep books containing an accurate record of all air weapons

- imported or received by (him/her) in the course of (his/her) business; **and/or**
- sold by (him/her) and of the marks by which all air weapons so sold may be identified with the date of sale and the name and address of the purchaser.

FIREARMS, AMMUNITION AND AIR WEAPONS REGULATIONS

being a licensed [firearms **or** air weapons] dealer did fail to on demand produce books containing an accurate record of all air weapons imported or received by (him/her) in the course of (his/her) business and sold by (him/her) and of the marks by which all air weapons so sold may be identified with the date of sale and the name and address of the purchaser for the inspection of a [licensing officer namely (specify the name of this person) **or** police officer namely (specify the name and rank of the officer)] at the place and time as the said officer did reasonably require.

being a licensed [firearms **or** air weapons] dealer did fail to furnish to the Principal Licensing Officer particulars in the prescribed form of (his/her) stock and of all air weapons imported or received by (him/her) in the course of (his/her) business and of all air weapons sold by (him/her) during the last preceding calendar month.

[The date of this offence should specify 'On a date between [the date of the previous month] and the 8th day of the current month' as such particulars are required to be furnished within the first seven days of each calendar month.]

being a licensed [firearms **or** air weapons] dealer did intentionally conceal (his/her) stock-in-trade.

did intentionally conceal the stock-in-trade of the holder of a licensed [firearms **or** air weapons] dealer namely [specify the name of this person] from a [licensing officer namely (specify the name of this person) **or** police officer namely (specify the name and rank of the officer)].

being a licensed [firearms **or** air weapons] dealer did wilfully refuse to point out where (his/her) stock-in-trade was kept to a [specify the name of this person].

did wilfully refuse to point out where the stock-in-trade of a licensed [firearms **or** air weapons] dealer namely [specify the name of this person] was kept to a [specify the name of this person].

did deliver to a consignee namely [specify the name of this person] an air weapon sent through the post from outside Solomon Islands to wit [specify the name of this country] although an import license for the said air weapon was not produced at the post office of delivery.

entered Solomon Islands with an air weapon [in (his/her) possession **or** among (his/her) baggage] and did fail to make a declaration thereof to a customs officer [namely (specify the name of this person), if applicable] on arrival and before clearing the said air weapon through the customs produce to [a **or** the said] customs officer an import licence issued under section 9 of the *Firearms and Ammunition Act* (Ch. 80).

being a consignee receiving an air weapon imported into Solomon Islands did fail to make a declaration thereof to a customs officer [namely (specify the name of this person), if applicable] on arrival and before clearing the said air weapon through the customs produce to [a **or** the said] customs officer an import licence issued under section 9 of the *Firearms and Ammunition Act* (Ch. 80).

FIREARMS, AMMUNITION AND AIR WEAPONS REGULATIONS

did knowingly conceal an air weapon imported without a licence.

upon a search being made under section 9 of the *Firearms and Ammunition Act* (Ch. 80)

- having in (his/her) [possession **or** custody] an air weapon; **or**
- knowing where an air weapon was concealed
did
- refuse to [produce **or** point out] the said air weapon to; **or**
- intentionally conceal from

the police officer making the search namely (specify the name and rank of the officer).

whose possession of an air weapon had become unlawful in consequence of the [expiry, revocation, cancellation **or** suspension] of a licence issued under the *Firearms and Ammunition Act* (Ch. 80) did fail to forthwith deposit the said air weapon at a police station or police armoury.

Penalty: Liable to a fine of fifty dollars or to imprisonment for two months or to both such fine and such imprisonment.

As regards forfeiture, see section 37 of the Act.

DEALERS NOT TO SELL FIREARMS WITHOUT IDENTIFICATION MARKS UNLESS EXEMPTED	12
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being a dealer under the provisions of the *Firearms and Ammunition Act* (Ch. 80) did [sell **or** transfer] a firearm not exempted under regulation 11 of the *Firearms and Ammunition Regulations* (Ch. 80) and the said firearm was not marked with an S.I. identification number in accordance with regulation 10 of the said Regulations.

Penalty: Liable to a fine of fifty dollars or to imprisonment for two months or to both such fine and such imprisonment.

As regards forfeiture, see section 37 of the Act.