

5:

CRIMINAL JURISDICTION

1 Introduction

A crime is the commission of an act that is forbidden by statute or the omission of an act that is required by statute.

The *Penal Code – Cap 26 (PC)* sets out those acts that are crimes in the Solomon Islands. There are different categories of crime, and the category of crime determines which Court has jurisdiction to hear and determine the matter.

Other legislation establishes offences, for example:

- the *Traffic Act*;
- the *Firearms and Ammunition Act*;
- the *Liquor Act*;
- the *National Provident Fund Act*.

This chapter lists the offences within the jurisdiction of the Magistrates' Courts, under the *Penal Code* and *Traffic Act and Regulations*. It does not, however, provide a complete list of all criminal matters which may come before you. You must always check whether you have jurisdiction to hear a criminal matter.

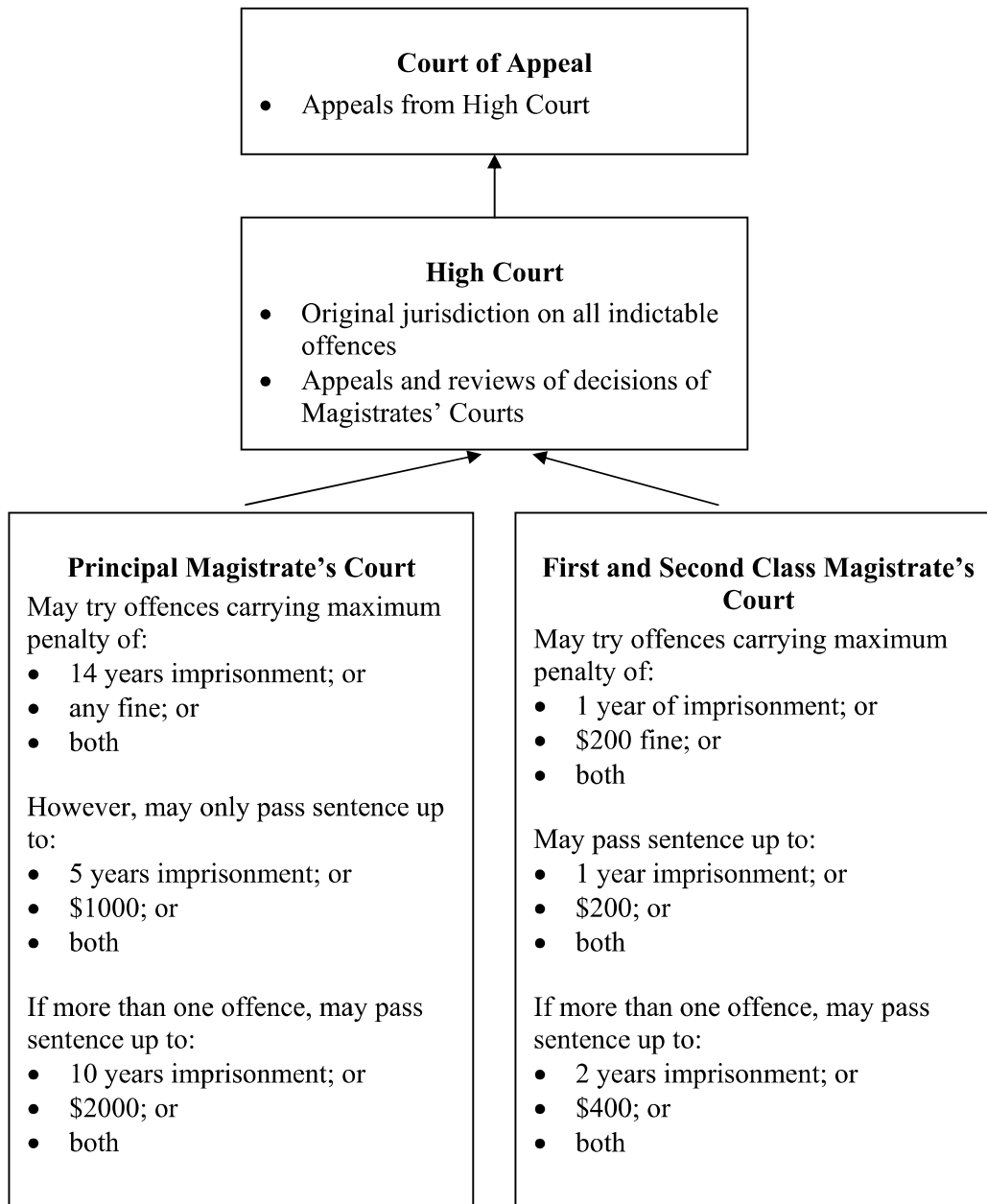
Guidance on some of the common offences are also provided, for quick reference. You may wish to add to these yourself, and share your additions with your judicial colleagues.

2 Criminal Jurisdiction of the Magistrates' Courts

For a detailed explanation of the criminal jurisdiction of the Magistrates' Courts, see Chapter 4 "The Magistrate's Court", paragraph 4.

The figure on the following page shows which Courts may hear which offences.

Figure 1: Criminal Jurisdiction



2.1 Table of Criminal Jurisdiction under the *Penal Code*

The following table lists the name and section of major offences set out in the *Penal Code*, and provides the maximum sentence that may be imposed and which Court has jurisdiction to hear the offence.

Use this table as a quick reference guide to determine if you have jurisdiction to hear a particular offence.

Offence	Section of <i>PC</i>	Maximum penalty	Jurisdiction
Spreading false rumours	<i>s63</i>	One year imprisonment or \$200 fine	All Magistrates
Being member of unlawful society	<i>s68</i>	3 years imprisonment	Principal Magistrate
Unlawful assembly	<i>ss73, 74</i>	One year imprisonment	All Magistrates
Riot	<i>ss73, 75, 41</i>	2 years or with a fine	Principal Magistrate
Riot after proclamation	<i>s78</i>	5 years imprisonment	Principal Magistrate
Preventing or obstructing the making of proclamation	<i>s79</i>	5 years imprisonment	Principal Magistrate
Rioters injuring buildings, machinery, etc.,	<i>s81</i>	7 years	Principal Magistrate
Riotously interfering with aircraft, vehicle or vessel	<i>ss82, 41</i>	2 years or with a fine	Principal Magistrate
Going armed in public	<i>s83, 41</i>	2 years or with a fine	Principal Magistrate
Affray	<i>s87</i>	One year imprisonment	All Magistrates
Challenge to fight a duel	<i>s88, 41</i>	2 years or with a fine	Principal Magistrate
Assembling for the purpose of smuggling	<i>ss90, 41</i>	2 years or with a fine	Principal Magistrate
Official corruption	<i>s91</i>	7 years imprisonment	Principal Magistrate
Extortion by public officers	<i>s92</i>	3 years	Principal Magistrate
Public officers receiving property to show favour	<i>s93</i>	6 months imprisonment	All Magistrates
Officers charged with administration of property of a special character or with special duties	<i>s94</i>	One year imprisonment	All Magistrates
False claims by officials	<i>ss95, 41</i>	2 years or with a fine	Principal Magistrate
Abuse of office	<i>ss96, 41</i>	2 years or with a fine	Principal Magistrate
False certificate by public officers	<i>ss97, 41</i>	2 years or with a fine	Principal Magistrate
Unauthorised administration of oaths	<i>ss41, 98</i>	2 years or with a fine	Principal Magistrate
False assumption of authority	<i>ss99, 41</i>	2 years or with a fine	Principal Magistrate
Personating public officers	<i>s100</i>	3 years imprisonment.	Principal Magistrate

Offence	Section of PC	Maximum penalty	Jurisdiction
Threat of injury to persons employed in public service	<i>s101</i>	2 years or with a fine	Principal Magistrate
Perjury	<i>s102</i>	7 years	Principal Magistrate
False statement on oath made otherwise than in a judicial proceeding	<i>s103</i>	7 years	Principal Magistrate
False statement etc. with reference to marriage	<i>s104</i>	7 years	Principal Magistrate
False statement etc. as to births or deaths	<i>s105</i>	7 years	Principal Magistrate
False statutory declarations and other false statements without oath	<i>s106</i>	2 years or with a fine	Principal Magistrate
False declaration etc. to obtain registration, etc., for carrying on vocation	<i>s107</i>	12 months	All Magistrates
Aiders, abettors, suborners, etc of offences under <i>ss102-107</i>	<i>ss108, 41</i>	2 years or with a fine	Principal Magistrate
Fabricating evidence	<i>s110</i>	7 years	Principal Magistrate
Inconsistent or contradictory statement	<i>s111</i>	6 months	All Magistrates
Deceiving witnesses	<i>ss114, 41</i>	2 years or with a fine	Principal Magistrate
Destroying evidence	<i>ss115, 41</i>	2 years or with a fine	Principal Magistrate
Conspiracy to defeat justice and interference with witnesses	<i>ss116, 41</i>	2 years or with a fine	Principal Magistrate
Compounding felonies	<i>ss117, 41</i>	2 years or with a fine	Principal Magistrate
Compounding penal actions	<i>ss118, 41</i>	2 years or with a fine	Principal Magistrate
Advertisement for stolen property	<i>ss119, 41</i>	2 years or with a fine	Principal Magistrate
Corruptly taking a reward	<i>s120</i>	7 years	Principal Magistrate
Offences relating to judicial proceedings	<i>s121(1)</i> <i>s121(2)</i>	3 months \$100 or 1 month	All Magistrates All Magistrates
Bribe or attempt to bribe	<i>s122, 41</i>	2 years or with a fine	Principal Magistrate
Injury, damage or threat	<i>ss123, 41</i>	2 years or with a fine	Principal Magistrate
Rescue	<i>s124 (a)</i> <i>s124(b)</i> <i>ss124(c), 41</i>	Life imprisonment Seven Years 2 years or with a fine	High Court Principal Magistrate
Resisting arrest and escape	<i>ss125, 41</i>	2 years or with a fine	Principal Magistrate
Aiding prisoners to escape	<i>s126</i>	7 years	Principal Magistrate
Removal etc., of property under lawful seizure	<i>s127</i>	3 years	Principal Magistrate
Obstructing court officers	<i>s128</i>	1 year	All Magistrates
Frauds and breaches of trust by persons employed in the public service	<i>ss129, 41</i>	2 years or with a fine	Principal Magistrate
False information to public servant	<i>s130</i>	6 months or \$100. fine	All Magistrates

Offence	Section of PC	Maximum penalty	Jurisdiction
Insult to religion of any class	<i>ss131, 41</i>	2 years or with a fine	Principal Magistrate
Disturbing religious assembly	<i>ss132, 41</i>	2 years or with a fine	Principal Magistrate
Trespassing on burial places	<i>ss133, 41</i>	2 years or with a fine	Principal Magistrate
Hindering burial of dead body, etc	<i>ss134, 41</i>	2 years or with a fine	Principal Magistrate
Writing or uttering words with intent to wound religious feelings	<i>s135</i>	1 year	All Magistrates
Rape	<i>ss136 & 137</i>	Life imprisonment	High Court
Attempt rape	<i>s138</i>	7 years	Principal Magistrate
Abduction	<i>s139</i>	7 years	Principal Magistrate
Abduction of girl under 18 years of age with intent to have sexual intercourse	<i>ss140, 41</i>	2 years or with a fine	Principal Magistrate
Indecent assaults on female	<i>s141</i>	5 years	Principal Magistrate
Insulting the modesty of a woman or girl	<i>s141(3)</i>	1 year	All Magistrates
Defilement of girl under 13 years of age	<i>s142(1)</i>	Life imprisonment	High Court
Attempt defilement of girl under 13 years	<i>s142(2)</i>	2 years	Principal Magistrate
Defilement of a girl between 13 and 15 years of age, or of idiot or imbecile	<i>s143</i>	5 years	Principal Magistrate
Procuration	<i>s144</i>	2 years	Principal Magistrate
Procuring defilement of woman by threats or fraud or administering drugs	<i>s145</i>	2 years	Principal Magistrate
Householder permitting defilement of girl under 13 on his premises	<i>s146</i>	Life imprisonment	High Court
Householder permitting defilement of a girl under 15 on his premises	<i>s147</i>	2 years	Principal Magistrate
Detention with intent or in a brothel	<i>s148</i>	2 years	Principal Magistrate
Disposing of minors under the age of 15 years for immoral purposes	<i>s149</i>	2 years	Principal Magistrate
Obtaining minors under the age of 15 years for immoral purposes	<i>s150</i>	2 years	Principal Magistrate
Living on earnings of prostitution or aiding prostitution	<i>ss153, 41</i>	2 years or with a fine	Principal Magistrate
Brothel	<i>ss155, 41</i>	2 years or with a fine	Principal Magistrate

Offence	Section of PC	Maximum penalty	Jurisdiction
Conspiracy to defile	<i>ss156, 41</i>	2 years or with a fine	Principal Magistrate
Attempts to procure abortion	<i>s157</i>	Life imprisonment	High Court
The like by woman with child	<i>s158</i>	Life imprisonment	High Court
Supplying drugs or instruments to procure abortion	<i>s159</i>	5 years	Principal Magistrate
Unnatural offences	<i>s160</i>	14 years	Principal Magistrate
Attempts to commit unnatural offences and indecent assaults	<i>s161</i>	7 years	Principal Magistrate
Indecent practices between persons of the same sex	<i>s162</i>	5 years	Principal Magistrate
Incest by male	<i>s163(1)</i>	7 years	High Court
Incest by male of female under 13 years	<i>s163(1)</i>	Life imprisonment	High Court
Attempted incest by male	<i>s163(3)</i>	2 years or with a fine	Principal Magistrate
Incest by female	<i>s164</i>	7 years	Principal Magistrate
Fraudulent pretence of marriage	<i>s169</i>	10 years	Principal Magistrate
Bigamy	<i>s170</i>	7 years	Principal Magistrate
Marriage ceremony fraudulently gone through without lawful marriage	<i>s171</i>	5 years	Principal Magistrate
Common nuisance	<i>s172</i>	1 year	All Magistrates
Traffic in obscene publication	<i>s173</i>	2 years or \$200 fine	Principal Magistrate
Possession of obscene video tape or photograph	<i>s174</i> (Refer to <i>s173</i> also)	2 years or \$200 fine	Principal Magistrate
Idle and disorderly persons	<i>s175</i>	2 months or \$20 fine	All Magistrates
Rouges and vagabonds	<i>s176</i>	3 months (1 year for subsequent offence) Residence order not to exceed 3 years (6 months for failure to comply with residence order)	All Magistrates
Offences in public way	<i>s178(a)</i>	1 month or \$10 Fine	All Magistrates
Driving cattle	<i>s178(b)</i>	1 month or \$10 Fine	All Magistrates
Exposing goods for sale	<i>s178(c)</i>	1 month or \$10 Fine	All Magistrates
Handing out cloths, etc	<i>s178(d)</i>	1 month or \$10 fine	All Magistrates
Extinguishing lamps, ringing bells and knocking at doors	<i>s178(e)</i>	1 month or \$ 10 fine	All Magistrates
Damaging signboard	<i>s178(f)</i>	1 month or \$10 Fine	All Magistrates
Placing stones timber, etc., in public way	<i>s178(g)</i>	1 month or \$10 Fine	All Magistrates
Throwing rubbish, etc., from houses	<i>s178(h)</i>	1 month or \$10 Fine	All Magistrates

Offence	Section of PC	Maximum penalty	Jurisdiction
Throwing away rubbish etc., on footway	<i>s178(l)</i>	1 month or \$ 10 fine	All Magistrates
Dangerous dogs at large unmuzzled	<i>s178(j)</i>	1 month or \$ 10 fine	All Magistrates
Mad dogs	<i>s178(k)</i>	1 month or \$10 Fine	All Magistrates
Blasting rocks, etc.	<i>s178(l)</i>	1 month or \$10 Fine	All Magistrates
Indecency and obscenity	<i>s178(m)</i>	1 month or \$10 Fine	All Magistrates
Threatening abusive or insulting behaviour	<i>s178(n)</i>	1 month or \$ 10 fine	All Magistrates
Carrying meat without covering	<i>s178(o)</i>	1 month or \$ 10 fine	All Magistrates
Playing games in public way	<i>s178(p)</i>	1 month or \$10 Fine	All Magistrates
Careless driving	<i>s178(q)</i>	1 month or \$10 Fine	All Magistrates
Cattle or vehicle obstructing public way	<i>s178(r)</i>	1 month or \$10 Fine	All Magistrates
Obstructing free passage of public way	<i>s178(s)</i>	1 month or \$ 10 fine	All Magistrates
Leaving things on public way	<i>s178(t)(i)</i>	1 month or \$ 10 fine	All Magistrates
Placing blinds, etc., over public way	<i>s178(t)(ii)</i>	1 month or \$ 10 fine	All Magistrates
Carrying torches	<i>s178 (t) (iii)</i>	1 month or \$ 10 fine	All Magistrates
Drunk and incapable	<i>s179</i>	\$20 fine	All Magistrates
Shouting , etc., in town	<i>s180</i>	1 month or \$20 fine	All Magistrates
Polluting or obstructing watercourses	<i>s181</i>	2 months or \$40 fine	All Magistrates
Posting placards, etc., on walls without consent of owner	<i>s182</i>	1 month or \$10 fine	All Magistrates
Dangerous dogs and other animals	<i>s183</i>	2 month or \$30. fine	All Magistrates
Wearing of uniform without authority prohibited	<i>s184(1)</i>	1 month or \$10 fine	All Magistrates
Wearing and likely to bring contempt to uniform	<i>s184(2)</i>	2 months or \$40 fine	All Magistrates
Imports or sells uniform	<i>s184(3)</i>	6 months or \$200 fine	All Magistrates
Negligent act likely to spread infection of Disease	<i>s185</i>	2 years or with a fine	Principal Magistrate
Fouling air	<i>s186</i>	2 years or with a fine	Principal Magistrate
Offensive trades	<i>s187</i>	1 year	Principal Magistrate
Endangering property with fire, etc	<i>s188</i>	2 years or with a fine	Principal Magistrate
Criminal trespass	<i>s189</i>	3 months to 1 year	All Magistrates
Sorcery	<i>s190</i>	2 months or \$40 fine	All Magistrates
Libel	<i>s191</i>	2 years or with a fine	Principal Magistrate
Manslaughter	<i>s199</i>	Life imprisonment	High Court
Murder	<i>s200</i>	Life imprisonment	High Court

Offence	Section of PC	Maximum penalty	Jurisdiction
Infanticide	<i>s206</i>	Life imprisonment	High Court
Attempt to murder	<i>s215</i>	Life imprisonment	High Court
Accessory after the fact to murder	<i>s216</i>	7 years	Principal Magistrate
Written threats to murder	<i>s217</i>	10 years	Principal Magistrate
Conspiracy to murder	<i>s218</i>	10 years	Principal Magistrate
Complicity in another's suicide	<i>s219</i>	15 years	High Court
Concealing the birth of children	<i>s220</i>	2 years or with a fine	Principal Magistrate
Killing an unborn child	<i>s221</i>	Life imprisonment	High Court
Disabling in order to commit felony or misdemeanour	<i>s222</i>	Life imprisonment	High Court
Stupefying in order to commit felony or misdemeanour	<i>s223</i>	Life imprisonment	High Court
Acts intended to cause grievous harm or prevent arrest	<i>s224</i>	Life imprisonment	High Court
Preventing escape from wreck	<i>s225</i>	Life imprisonment	High Court
Grievous harm	<i>s226</i>	14 years	Principal Magistrate
Attempting to injure by explosive substances	<i>s227</i>	14 Years	Principal Magistrate
Maliciously administering poison with intent to harm	<i>s228</i>	14 Years	Principal Magistrate
Unlawful wounding	<i>s229</i>	5 years	Principal Magistrate
Unlawful poisoning	<i>s230</i>	5 years	Principal Magistrate
Intimidation and molestation	<i>s231</i>	3 years	Principal Magistrate
Failure to supply necessities	<i>s232</i>	3 years	Principal Magistrate
Cruelty to children	<i>s233</i>	5 years	Principal Magistrate
Reckless and negligent acts	<i>s237</i>	2 years or with a fine	Principal Magistrate
Other negligent acts causing harm	<i>s238</i>	6 months	All Magistrates
Dealing in poisonous substances in negligent manner	<i>s239</i>	6 months or \$200 fine	All Magistrates
Endangering safety of persons travelling by aircraft, vehicle or vessel	<i>s240</i>	2 years or with a fine	Principal Magistrate
Exhibition of false light, mark or buoy	<i>s241</i>	7 years	Principal Magistrate
Conveying person by water for hire in unsafe or overloaded vessel	<i>s242</i>	2 years or with a fine	Principal Magistrate

Offence	Section of PC	Maximum penalty	Jurisdiction
Danger or obstruction in public way or line of navigation	<i>s243</i>	\$200 fine	All Magistrates
Common assaults	<i>s244</i>	1 year	All Magistrates
Assaults causing actual bodily harm	<i>s245</i>	5 years	Principal Magistrate
Assaults on Magistrates and other persons protecting wreck	<i>s246</i>	7 years	Principal Magistrate
Assaults punishable with 2 years imprisonment	<i>s247</i>	2 years	Principal Magistrate
Kidnapping	<i>s249</i>	7 years	Principal Magistrate
Kidnapping or abducting with intent to confine person	<i>s250</i>	7 years	Principal Magistrate
Kidnapping or abducting in order to subject person to grievous harm, slavery, etc	<i>s251</i>	10 years	Principal Magistrate
Wrongfully concealing in confinement kidnapped or abducted person	<i>s252</i>	7 years	Principal Magistrate
Child stealing	<i>s253</i>	7 years	Principal Magistrate
Abduction of girls under 15	<i>s254</i>	2 years or with a fine	Principal Magistrate
Punishment for wrongful confinement	<i>s255</i>	1 year or \$400 fine	All Magistrates
Unlawful compulsory labour	<i>s256</i>	2 years or with a fine	Principal Magistrate
Simple larceny	<i>s261</i>	5 years	Principal Magistrate
Second conviction	<i>s261(2)</i>	10 years	Principal Magistrate
Larceny of will	<i>s262</i>	Life imprisonment	High Court
Larceny of documents of title and other legal documents	<i>s263</i>	5 years	Principal Magistrate
Larceny of electricity	<i>s264</i>	5 years	Principal Magistrate
Larceny of minerals	<i>s265</i>	5 years	Principal Magistrate
Larceny of postal packets	<i>s266</i>	10 years	Principal Magistrate
Embezzlement of money by postal officer	<i>s267</i>	Life imprisonment	High Court
Embezzlement of other postal packets by postal officer	<i>s267 (b)</i>	7 years	
Larceny in dwelling-house	<i>s269</i>	14 years	Principal Magistrate
Larceny from the person	<i>s270</i>	14 years	Principal Magistrate
Larceny from ship, dock, etc	<i>s271</i>	14 years	Principal Magistrate
Larceny by tenant or lodger for more than \$10	<i>s272</i>	7 years	Principal Magistrate

Offence	Section of PC	Maximum penalty	Jurisdiction
Larceny by tenant or lodger for less than \$10	<i>s272 (b)</i>	2 years	Principal Magistrate
Larceny and embezzlement by clerks or servants	<i>s273</i>	14 years	Principal Magistrate
Larceny of cattle	<i>s274</i>	5 years	Principal Magistrate
Larceny of dogs	<i>s275</i>	18 months	All Magistrates
Larceny of creatures not the subject of larceny at common law	<i>s276</i>	6 months or \$200 fine	All Magistrates
Larceny of fish	<i>s277</i>	\$10 fine	All Magistrates
Conversion	<i>s278</i>	7 years	Principal Magistrate
Larceny of trees	<i>ss279, 41</i>	2 years or with a fine	Principal Magistrate
Larceny of fences	<i>ss280, 41</i>	2 years or with a fine	Principal Magistrate
Larceny of fruit and vegetables	<i>ss281, 41</i>	2 years or with a fine	Principal Magistrate
Damaging fixtures, trees, etc., with intent to steal	<i>s282</i>	5 years	Principal Magistrate
Fraudulent destruction of documents	<i>s283</i>	5 years	Principal Magistrate
Fraudulent destruction of document of title	<i>s284</i>	3 years	Principal Magistrate
Fraudulent destruction of will	<i>s285</i>	Life imprisonment	High Court
Fraudulent destruction of record, writ, etc	<i>s286</i>	3 years	Principal Magistrate
Miners removing minerals	<i>s287</i>	2 years	Principal Magistrate
Killing tame birds	<i>s288</i>	\$10 fine	All Magistrates
Killing animals with intent to steal	<i>s289</i>	5 years (see also <i>s274</i>)	Principal Magistrate
Larceny of or dredging for oysters	<i>s290</i>	3 months	All Magistrates
Factors obtaining advances on the property of their principals	<i>s291</i>	7 years	Principal Magistrate
Unlawful use of vehicles, animals, etc	<i>s292</i>	6 months or \$200. Fine or both	All Magistrates
Armed Robbery and robbery with violence	<i>s293(1)</i>	Life imprisonment	Principal Magistrate
Robbery	<i>s293(2)</i>	14 years	Principal Magistrate
Assault with intent to commit robbery	<i>s293(3)</i>	5 years	Principal Magistrate
Demanding money, etc., with menaces	<i>s294</i>	Life imprisonment	High Court
Demanding with menaces things capable of being stolen	<i>s295</i>	5 years	Principal Magistrate
Threaten to publish with intent to extort	<i>s296</i>	2 years	Principal Magistrate
Sacrilege	<i>s298</i>	14 years	Principal Magistrate

Offence	Section of PC	Maximum penalty	Jurisdiction
Burglary	<i>s299</i>	Life imprisonment	High Court
House-breaking and committing felony	<i>s300</i>	14 years	Principal Magistrate
House-breaking with intent to commit felony	<i>s301</i>	7 years	Principal Magistrate
Being found by night armed or in possession of house-breaking implements	<i>s302</i>	10 years	All Magistrates
Breach of residence order	<i>s303</i>	6 months	All Magistrates Magistrate
Conversion by trustee	<i>s304</i>	7 years	Principal Magistrate
Director, etc., of any body corporate, or public company wilfully destroying books, etc	<i>s305</i>	7 years	Principal Magistrate
Fraudulent falsification of accounts	<i>s306</i>	7 years	Principal Magistrate
False pretences	<i>s308</i>	5 years	Principal Magistrate
Obtaining credit by false pretences	<i>s309</i>	1 year	All Magistrates
Pretending to tell fortunes	<i>s310</i>	2 years or with a fine	Principal Magistrate
Obtaining registration by false pretence	<i>s311</i>	2 years or with a fine	Principal Magistrate
False declaration for passport	<i>s312</i>	2 years or with a fine	Principal Magistrate
Receiving stolen property	<i>s313</i>	Felony: 14 years Misdemeanour: 7 years	Principal Magistrate
Receiving goods stolen outside Solomon Islands	<i>s314</i>	7 years	Principal Magistrate
Stealing from stores	<i>s315(2)</i>	2 years or with a fine	Principal Magistrate
Tracing possession and penalty for unlawful possession	<i>s316</i>	6 months or \$100 fine	All Magistrates
Arson	<i>s319</i>	Life imprisonment	High Court
Attempts to commit arson	<i>s320</i>	14 years	Principal Magistrate
Setting fire to crops and growing trees	<i>s321</i>	14 years	Principal Magistrate
Attempting to set fire to crops, etc	<i>s322</i>	7 years	Principal Magistrate
Casting away vessels	<i>s323</i>	14 years	Principal Magistrate
Attempts to cast away vessels	<i>s324</i>	7 years	Principal Magistrate
Injuring animals	<i>s325</i>	2 years or with a fine	Principal Magistrate
Malicious injuries	<i>s326(1)</i>	2 years general penalty	Principal Magistrate
Malicious injuries with explosive substance and to various types of property	<i>s326(2) - (7)</i> (see also specific cases)	Life imprisonment	High Court
Attempts to destroy property by explosives	<i>s327</i>	14 years	Principal Magistrate

Offence	Section of PC	Maximum penalty	Jurisdiction
Communicating infectious diseases to animals	<i>s328</i>	7 years	Principal Magistrate
Removing boundary marks with intent to defraud	<i>s329</i>	3 years	Principal Magistrate
Wilful damage, etc., to survey and boundary marks	<i>s330</i>	2 years or with a fine	Principal Magistrate
Threats to burn, etc	<i>s331</i>	7 years	Principal Magistrate
Forgery of certain documents with intent to defraud	<i>s336(1)</i>	Life imprisonment	High Court
Forgery of certain documents with intent to defraud	<i>s336(2)</i>	14 years	Principal Magistrate
Forgery of certain documents with intent to defraud or deceive	<i>s337(1)</i>	Life imprisonment	High Court
Forgery of certain documents with intent to defraud or deceive	<i>s337(2)</i>	14 years	Principal Magistrate
Forgery of certain documents with intent to defraud or deceive	<i>s337(3)</i>	7 years	Principal Magistrate
Forging copies of certificates of records	<i>s338</i>	7 years	Principal Magistrate
Forging registers of births, baptisms, marriages, deaths or burials	<i>s339</i>	Life imprisonment	High Court
Making false entry in copies of register sent to registrar	<i>s340</i>	Life imprisonment	High Court
Forgery of other documents with intent to defraud or deceive a misdemeanour	<i>s341</i>	2 years or with a fine	Principal Magistrate
Forgery of seals of courts of record and the UK	<i>s342(1)</i>	Life imprisonment	High Court
Forgery of seals of births, baptisms, deeds, etc.	<i>s342(2)</i>	14 years	Principal Magistrate
Forgery of seals of court of justice, notary public	<i>s342(3)</i>	7 years	Principal Magistrate
Forgery of dies used by Chief Accountant or Comptroller	<i>s342(4)</i>	14 years	Principal Magistrate
Forgery of dies of post office	<i>s342(5)</i>	7 years	Principal Magistrate
Uttering	<i>s343</i>	same as <i>ss342(2)-(5)</i>	Principal Magistrate
Uttering cancelled or exhausted documents	<i>s344</i> (see also <i>s336-342</i>)	See <i>s336-342</i> for penalty of specific document	Principal Magistrate

Offence	Section of PC	Maximum penalty	Jurisdiction
Demanding property on forged document	<i>s345</i>	14 years	Principal Magistrate
Possession of forged documents, seals and dies	<i>s346</i>	14 years	Principal Magistrate
Possession of forged die for Post Office Act	<i>s346(3)</i>	7 years	Principal Magistrate
Making or having in possession paper or implements for forgery	<i>s347</i>	7 years	Principal Magistrate
Purchasing or having in possession certain paper before it had been stamped and issued	<i>s348</i>	2 years or with a fine	Principal Magistrate
Falsifying warrants for money payable under public authority	<i>s349</i>	7 years	Principal Magistrate
Procuring execution of documents by false pretences	<i>s350</i>	Punished as if he had forged that document (see <i>ss336-342</i>)	Principal Magistrate
Letter written for certain persons to be signed, etc., by writer	<i>s351</i>	\$10 fine	All Magistrates
Counterfeiting (Current gold or silver coin)	<i>s352(1)(b)</i>	Life imprisonment	High Court
Counterfeiting (Current copper coin)	<i>s352(1)(b)</i>	7 years	Principal Magistrate
Gilding, silvering, filing and altering	<i>s353</i>	Life imprisonment	High Court
Impairing gold or silver and unlawful possession of filing, etc	<i>s354</i>	7 years	Principal Magistrate
Uttering and possession with intent to utter	<i>s355(1),(4) & (6)</i>	1 year	All Magistrates
Uttering and possession with intent to utter and possession of other false coins	<i>s355(2)</i>	2 years or with a fine	Principal Magistrate
Possession of 3 or more false silver and gold coins	<i>s355(3)</i>	5 years	Principal Magistrate
Possession of false coin and previous conviction for same offence	<i>s355(5)</i>	Life imprisonment	High Court
Buying or selling, etc., counterfeit coin that is gold or silver for lower value than its denomination	<i>s356(1)(a)</i>	Life imprisonment	High Court

Offence	Section of PC	Maximum penalty	Jurisdiction
Buying or selling, etc., counterfeit coin that is copper for lower value than its denomination	<i>s356(1)(a)</i>	7 years	Principal Magistrate
Importing or exporting counterfeit coin	<i>s357</i>	14 years	Principal Magistrate
Making possessing and selling medals resembling gold or silver coin	<i>s358</i>	1 year	All Magistrates
Making mending and having possession of coining implements for gold or silver coin	<i>s359</i>	Life imprisonment	High Court
Making mending and having possession of coining implements for copper coin	<i>s359(3)</i>	7 years	Principal Magistrate
Defacing and uttering defaced coins	<i>s362</i>	1 year	All Magistrates
Tendering defaced coin	<i>s362(3)</i>	\$4 fine	All Magistrates
Melting down of currency	<i>s363</i>	6 months	All Magistrates
Mutilating or defacing currency notes	<i>s364</i>	\$40 fine	All Magistrates
Imitation of currency	<i>s365(1)</i>	6 months	All Magistrates
Imitation of currency	<i>s365(2)</i>	\$10 fine for each document	All Magistrates
Imitation of currency	<i>s365(3)</i>	\$20 fine	All Magistrates
Personation in general	<i>s367</i>	2 years or with a fine	Principal Magistrate
Personation to obtain property	<i>s367</i>	7 years	Principal Magistrate
Falsely acknowledging deeds, recognisances, etc.	<i>s368</i>	7 years	Principal Magistrate
Personation of a person named in a certificate	<i>s369</i>	Penalty as if he had forged the document (see <i>ss336-342</i>)	Principal Magistrate
Lending, etc. certificate for personation	<i>ss370, 41</i>	2 years or with a fine	Principal Magistrate
Personation of person named in a testimonial of character	<i>s371</i>	1 year	All Magistrates
Lending, etc., testimonial for personation	<i>s372</i>	2 years or with a fine	Principal Magistrate
Corrupt practices	<i>s374</i>	2 years or \$600 fine	Principal Magistrate
Secret commission on government contracts	<i>s375</i>	7 years or \$1000 fine	Principal Magistrate
Attempts to commit offences	<i>ss379, 41</i>	2 years or with a fine	Principal Magistrate
Punishment of attempts to commit certain felonies	<i>s380</i>	7 years	Principal Magistrate

Offence	Section of PC	Maximum penalty	Jurisdiction
Soliciting or inciting others to commit offence in S.I. or elsewhere	<i>s381</i>	Penalty for an attempt to commit that same offence	High Court (depending on the offence attempted to be committed)
Neglect to prevent felony	<i>s382</i>	2 years or with a fine	Principal Magistrate
Conspiracy to commit a felony	<i>s383</i>	7 years	Principal Magistrate
Conspiracy to commit misdemeanour	<i>ss384, 41</i>	2 years or with a fine	Principal Magistrate
Other conspiracies	<i>ss385, 41</i>	2 years or with a fine	Principal Magistrate
Punishment of accessories after the fact to felonies	<i>s387</i>	3 years	Principal Magistrate

2.2 Table of Jurisdiction under the *Traffic Act*

According to the *Magistrates' Courts (Increase of Jurisdiction)* (1990) Order L.N. 172/1990, all First Class Magistrates are given jurisdiction to hear and determine any offence under the *Traffic Act* apart from offences under *ss38, 39* or *43*.

Sections 38, 39 and *43* are to be heard by Principal Magistrates.

All First Class Magistrates' Courts are given jurisdiction to hear and determine offences under *ss43(1)(b)* and *43(2)(b)* of the *Traffic Act*, according to the *Magistrates' Courts (Increase of Jurisdiction)* 1993 Order L.N. 77/93

The following tables will set out the name and section of the offence under the *Traffic Act* and the *Traffic Regulations*, as well as the maximum penalty, the jurisdiction of the Magistrates' Court and whether there is endorsement or disqualification.

Offences	Section	Maximum Penalty	Jurisdiction	Endorsable	Disqual.
Unlicensed Motor Vehicle	<i>s7(1)</i>	6 months Imp. or \$500 fine or both	All Magistrates	No	No
Licensed in wrong class of vehicle	<i>s7(4)</i>	6 months Imp. or \$200 fine or both	All Magistrates	No	No
Identification plates	<i>s12</i>	6 months or \$200 fine or both	All Magistrates	No	No
License to be displayed on vehicle	<i>s13</i>	6 months or \$200 fine or both	All Magistrates	No	No
Dealer's general licence	<i>s16</i>	6 months or \$500 fine or both	All Magistrates	No	No

Offences	Section	Maximum Penalty	Jurisdiction	Endorsable	Disqual.
Drivers to be licensed	<i>s20</i>	6 months or \$200 fine or both	All Magistrates	Yes (<i>Sch. 2</i>)	Discretionary
Drivers to be licensed: second conviction	<i>s20</i>	6 months or \$500 fine or both	All Magistrates	Yes (<i>Sch. 2</i>)	Discretionary
Provisional driving licence	<i>s23</i>	2 months or \$150 fine or both	All Magistrates	Yes (<i>Sch. 2</i>)	Discretionary
Production of driving licence	<i>s25</i>	\$50 fine	All Magistrates	No	No
Applying for or obtaining licence, or driving while disqualified	<i>s35</i>	12 months (custodial obligatory) unless special reason, then \$500 fine or both	All Magistrates	Yes (<i>Sch. 1</i>)	Obligatory to not less than 12 months unless for special reason to less period or not to disqualify
Endorsement of licence	<i>s36(4)</i>	\$200 fine and licence suspended until produced	First & Second Class	No (except for the present offence for which it was not produced)	No
Endorsement of licence	<i>s36(6)</i>	\$200 fine (licence so obtain shall have no effect)	All Magistrates	No (but for the present offence for which it was not produced)	No
Causing death by reckless or dangerous driving	<i>s38</i>	5 years	Principal Magistrate	Yes (<i>Sch. 1</i>)	Obligatory
Reckless and dangerous driving	<i>s39(a)</i>	2 years or \$1000 or both	High Court	Yes (<i>Sch. 1</i>)	Obligatory
Reckless and dangerous driving	<i>s39(b)</i>	12 months or \$600 fine or both	Principal Magistrate	Yes (<i>Sch. 1</i>)	Obligatory
Careless and inconsiderate driving	<i>s40</i>	6 months or \$700 Fine or both	All Magistrates	Yes (<i>Sch 2</i>)	Discretionary
Speeding	<i>s41</i>	6 months or \$700. fine	All Magistrates	Yes (<i>Sch.2</i>)	Discretionary
Minimum age for driving	<i>s42</i>	6 months or \$400 fine	All Magistrates	Yes (<i>Sch.2</i>)	Discretionary

Offences	Section	Maximum Penalty	Jurisdiction	Endorsable	Disqual.
Driving motor vehicle whilst under the influence of drink or drugs	<i>s43(1)(a)</i>	2 years or \$2000 fine or both	High Court	Yes (<i>Sch. 1</i>)	Obligatory
Driving motor vehicle whilst under the influence of drink or drugs	<i>s43(1)(b)</i>	12 months or \$400 fine Subsequent convictions: 12 months or \$400 fine	All Magistrates	Yes (<i>Sch. 1</i>)	Obligatory
In charge of motor vehicle whilst under the influence of drink or drugs	<i>s43(2)(a)</i>	6 months or \$500 fine or both	High Court	Yes (<i>Sch. 2</i>)	Discretionary
In charge of motor vehicle whilst under the influence of drink or drugs	<i>s43(2)(b)</i>	6 months or \$200 fine Subsequent convictions: 6 months or \$300 fine	All Magistrates	Yes (<i>Sch. 2</i>)	Discretionary
Improper condition or overloading	<i>s46</i>	6 months or \$200 fine or both	All Magistrates	Yes (<i>Sch. 2</i>)	Discretionary
Motor racing on public road	<i>s47</i>	6 months or \$200 fine or both	All Magistrates	Yes (<i>Sch. 2</i>)	Discretionary
Restrictions on carriage of person on motor cycle	<i>s48</i>	\$100 fine	All Magistrates	Yes (<i>Sch. 2</i>)	Discretionary
Reckless and dangerous cycling	<i>s49</i>	3 months or \$150 fine	All Magistrates	No	No
Careless and inconsiderate cycling	<i>s50</i>	3 months or \$150 fine	All Magistrates	No	No
Cycling when under the influence of drink or drugs	<i>s51</i>	3 months or \$150 fine	All Magistrates	No	No
Cycle racing on roads	<i>s52</i>	\$50 fine	All Magistrates	No	No
Drivers failing to comply with traffic directions	<i>s53</i>	\$300 fine	All Magistrates	Yes (<i>Sch. 2</i>)	Discretionary

Offences	Section	Maximum Penalty	Jurisdiction	Endorsable	Disqual.
Pedestrians failing to comply with directions to stop by police regulating traffic	<i>s54</i>	\$100 fine	All Magistrates	No	No
Leaving vehicle in dangerous position	<i>s55</i>	3 months or \$150 fine	All Magistrates	Yes (<i>Sch. 2</i>)	Discretionary
Obstructing driver of motor vehicle	<i>s56</i>	3 months or \$100 fine	All Magistrates	No	No
Riding in dangerous position	<i>s57</i>	3 months or \$100 fine	All Magistrates	No	No
Throwing objects at or impeding progress of vehicles on roads	<i>s58</i>	3 months or \$200 fine	All Magistrates	No	No
Taking vehicles without authority	<i>s59(a)</i>	6 months or \$500 fine or both	High Court	Yes (<i>Sch. 2</i>)	Discretionary
Taking vehicles without authority	<i>s59(b)</i>	3 months or \$200 fine	All Magistrates	Yes (<i>Sch. 2</i>)	Discretionary
Offence to temper with motor vehicle	<i>s60</i>	3 months or \$200 fine	All Magistrates	No	No
Holding or getting on to vehicle in order to be towed, or carried	<i>s61</i>	\$50 fine Subsequent convictions: \$100 fine	All Magistrates	No	No
Carelessness while in charge of animals	<i>s62</i>	\$50 fine	All Magistrates	No	No
Duty to stop and report	<i>s63</i>	3 months or \$200 fine Subsequent conviction: 6 months or \$300 fine or both	All Magistrates	Yes (<i>Sch. 2</i>)	Discretionary

Offences	Section	Maximum Penalty	Jurisdiction	Endorsable	Disqual.
Inspection of vehicle involved in an accident	<i>s64</i>	6 months or \$300 fine or both	All Magistrates	No	No
Closure of roads	<i>s69</i>	\$200 fine Subsequent conviction: \$300 fine	All Magistrates	No	No
Inspection of vehicles	<i>s71</i>	\$100 fine	All Magistrates	No	No
Removal of vehicles from road	<i>s72</i>	12 months or \$800 fine or both	All Magistrates	No	No
Failure to meet instruction under <i>s72</i>	<i>s72(7)</i>	\$200 fine	All Magistrates	No	No
Owner or other person to furnish information as to identity of driver of vehicle	<i>s77</i>	6 months or \$200 fine or both	All Magistrates	No	No
Owner to keep list of drivers employed	<i>s78</i>	\$100 fine	All Magistrates	No	No
Giving false information	<i>s80</i>	6 months or \$300 fine or both	All Magistrates	No	Discretionary
Fraudulent imitation, etc., of documents	<i>s81</i>	12 months or \$600 fine or both	All Magistrates	No	No
Highway authorities' powers to make traffic orders	<i>s83</i>	\$100 fine	All Magistrates	No	No
Breach of section 8 of <i>M.V. (Third Party Ins.) Act</i>	<i>s8 T.P.I. Act</i>	2 years or \$800 fine or both	High Court	Yes (<i>Sch. 2</i>)	Discretionary
Breach of section 8 of <i>M.V. (Third Party Ins.) Act</i>	<i>s8 T.P.I. Act</i>	4 months or \$150 fine or both	All Magistrates	Yes (<i>Sch. 2</i>)	Discretionary
Consuming liquor in a vehicle	<i>s66 Liquor Act</i>	12 months or \$1000 fine or both	First & Second Class under (<i>L.N 172/1990</i>)	Yes (<i>Sch. 2</i>)	Discretionary

2.3 Table of Jurisdiction under the *Traffic Regulations*

Offences	Section	Maximum Penalty	Jurisdiction	Endorsable
Offences under Part III of the <i>Traffic Regulations</i>	<i>s49</i> (General penalty)	2 months or \$80 fine or both Subsequent conviction: 3 months or \$100 fine	First & Second Class	No
Penalty for contravention of regulations 60 and 61(1)	<i>s62</i>	2 months or \$80 fine or both	First & Second Class	No
Offences under Part VI	<i>s73</i>	1 month or \$10 fine or both	First & Second Class	No
Maximum number of passengers	<i>s74</i>	2 months or \$80 fine or both	First & Second Class	No
Display of Taxi sign without licence	<i>s78</i>	2 months or \$80 fine or both	First & Second Class	No
Taxi to be inspected quarterly	<i>s79</i>	2 months or \$80 fine or both	First & Second Class	No
Driving a public service vehicle without passenger insurance	<i>s80</i>	2 months or \$80 fine or both Subsequent conviction: 3 months or \$100 fine	First & Second Class	No
Wearing of protective headgear <i>Traffic (Motorcyclist headgear) Regulation (MCR)</i>	<i>s3</i>	\$20 fine Subsequent conviction: \$50 fine	First & Second Class	No
Failing to comply with directions of police officers <i>(MCR)</i>	<i>s4</i>	\$10 fine	First & Second Class	No