



Application of Enactments Ordinance 1954 (FLK No.13 of 1954)

Application of Colony Laws Ordinance 1955 (DS No.1 of 1955)

Application of Enactments (Amendment) Ordinance 1960 (FLK No.10 of 1960)

Application of Colony Laws Ordinance 1961 (DS No.2 of 1961)

Criminal Justice Administration Act 1914

UK Legis LINK as originally enacted	Criminal Justice Administration Act 1914 c.58
English commencement	1 December 1914
English status	Largely repealed and replaced
AEO Schedule No.	15
Date applied in SGSSI:	1 November 1954
Extent of Application	Sections 14 , 28(2), 38, 39 (1), 40(1)(a), 40(1)(c), 41. References to “the Lord Chancellor” shall be construed as references to “the Governor in Council”.

[Note: Addition of section 14 made by:

Application of Enactments (Amendment) Ordinance 1960 applied by

Application of Colony Laws Ordinance 1961 with effect from 1 November 1960]

s14 Provisions as to malicious damage to property

- (1) If any person wilfully or maliciously commits any damage to any real or personal property whatsoever, either of a public or private nature, and the amount of the damage does not, in the opinion of the court, exceed twenty pounds, he shall be liable on summary conviction—

- (a) if the amount of the damage, in the opinion of the court, exceeds five pounds, to imprisonment for a term not exceeding three months or to a fine not exceeding twenty pounds ; and
- (b) if the amount of the damage is, in the opinion of the court, five pounds or less, to imprisonment for a term not exceeding two months or to a fine not exceeding five pounds ;

and in either case to the payment of such further amount as appears to the court reasonable compensation for the damage so committed which last-mentioned amount shall be paid to the party aggrieved :

Provided that this provision shall not apply where the alleged offender acted under a fair and reasonable supposition that he had a right to do the act complained of.

- (2) So much of section fifty-one of the [24 & 25 Vict. c. 97.] Malicious Damage Act, 1861, as limits the cases which may be dealt with under that section to cases where the damage, injury or spoil exceeds five pounds, shall be repealed but a court of summary jurisdiction shall not commit any person for trial for an offence under that section unless it is of opinion that the damage, injury or spoil exceeds five pounds.
- (3) Except so far as otherwise provided in the last foregoing subsection, nothing in this section shall be construed as preventing a court of summary jurisdiction from committing a person for trial for an offence notwithstanding that the offence is an offence which the court has power to deal with summarily under this, section

Notes:

- (i) Provision inserted by Application of Enactments (Amendment) Ordinance 1960 and Application of Colony Laws Ordinance 1961
- (ii) Provision repealed in England by Criminal Damage Act 1971

s28 Provisions as to evidence

- (2) The provisions of section thirty of the [8 Edw. 7. c. 67.] Children Act, 1908 (which enables the evidence of a child of tender years to be received though not given on oath), shall apply to proceedings against persons for offences not mentioned in that section, in like manner as

they apply in respect of proceedings against persons for offences mentioned in that section

Notes:

1. Provision repealed in England by Children and Young Persons Act 1933 ostensibly prior to this provision being extended to SGSSI.
2. Other provisions of the Children and Young Person Act 1933 are extended to SGSSI by the Application of Enactments Ordinance 1954 (etc.) and other amending Ordinances.

s38 One justice to be competent to exercise certain powers in respect of charges of drunkenness

Notwithstanding any enactment to the contrary, it shall be sufficient for a court of summary jurisdiction to consist of one justice only when hearing, trying, adjudging, and determining a charge or information against any person of having been found drunk in any highway or other public place, whether a building or not, or on any licensed premises, under section twelve of the [35 & 36 Vict. c. 94.] Licensing Act, 1872

Note:

Provision repealed in England on 5 November 1993 by Statute Law (Repeals) Act 1993

s39 Convictions on indictments

- (1) Where a prisoner is arraigned on an indictment for any offence, and can lawfully be convicted on such indictment of some other offence not charged in such indictment, he may plead not guilty of the offence charged in the indictment, but guilty of such other offence.

Note:

Provision repealed in England by Criminal Law Act 1967

s40 Rules

- (1) The power of the [Commissioner] to make rules under section twenty-nine of the Summary Jurisdiction Act, 1879, shall extend to the making of rules—

- (a) for regulating the manner in which convictions and orders of courts of summary jurisdiction are to be drawn up, and in such cases as may be provided for by the rules, the transmission of such convictions and orders and any other documents therewith to the clerk of the peace and the filing of them by him, and
- (b) [does not apply]
- (c) for regulating the procedure of courts of summary jurisdiction under this Act, and the procedure in any legal proceedings which under any Act, whether general or local, and whether passed before or after the commencement of this Act (other than the Summary Jurisdiction Acts), are to be taken before any police or stipendiary magistrate or other court of summary jurisdiction.

Note:

This provision was repealed in England by Justice of the Peace Act 1949 ostensibly before it was applied to South Georgia and the South Sandwich Islands.

s41 Definitions

For the purposes of this Act, unless the context otherwise requires,—

- (1) The expression "sentenced to imprisonment" shall include cases where imprisonment is imposed by a court on any person either with or without the option of a fine, or in respect of the non-payment of any sum of money, or for failing to do or abstaining from doing any act or thing required to be done or left undone, and the expression "sentence of imprisonment" shall be construed, accordingly :
- (2) The expressions "fine," "sum adjudged to be paid by a conviction," and "sum adjudged to be paid by an order," have the same meanings as in the Summary Jurisdiction Act, 1879

Note:

This provision was repealed in England by Statute Law (Repeals) Act 1977

Notes:

1. These provisions are predominantly administrative.
2. When considering their application to South Georgia and the South Sandwich Islands today consider in particular section 6 of the [Falkland Islands Courts \(Overseas Jurisdiction\) Order 2009 No.777 \(as amended\)](#) which applies Falkland Islands laws on procedure, evidence and rules of court in any proceedings relating to criminal or civil matters.
3. Please also see www.legislation.gov.uk website for the original Act and then consider it in the light of extent of application noted above and the Principal Adaptive Provisions.

Disclaimers:

1. Nothing on this website should be taken as being a representation of what the Commissioner or Government of South Georgia and the South Sandwich Islands considers to be the laws of South Georgia and the South Sandwich Islands.
2. The Government cannot guarantee that links to any other website, including www.legislation.gov.uk will remain current, active or accurate.
3. The only official publication of the laws of South Georgia and the South Sandwich Islands is made in the *Gazette*.

If you consider anything stated on the website is in error please advise the Government by email: admin@gov.gs