



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 Act 1925

UK Legis LINK as
originally enacted

[Criminal Justice Act 1925 c.86](#)

English
commencement

30 September 1925

English status

In force subject to amendments and repeals etc.

AEO Schedule No.

31

Date applied in SGSSI:

1 November 1954

Date amendment
applied in SGSSI

1 November 1960

Extent of application:

Sections 12(4) second paragraph, 12(6), 28, 35, 36, 37, 38,39,47. In Section 37(2) the words "out of the Public Revenues of the Colony in pursuance of any Ordinance" shall be substituted for the words out of the Consolidation Fund of the United Kingdom in pursuance of any Act.

Extent of amendment:

Addition of section 41

12 Provisions as to taking of depositions, and caution to and statement of accused on proceedings before examining justices

- (4) ... On the trial the statement of the accused taken down as aforesaid, and whether signed by him or not, may be given in evidence without further proof thereof, unless it is proved that the examining justices purporting to sign the statement did not in fact sign it.
- (6) Nothing contained in this section shall prevent the prosecutor in any case from giving in evidence at the trial any admission or confession or other statement of the accused made at any time which is by law admissible as evidence against the accused.

28 Summary proceedings for offence under s. 3, and amendments of ss. 3 and 4, of Perjury Act, 1911

- (1) Section three of the [1 & 2 Geo. 5. c. 6.] Perjury Act, 1911 (which relates to false statements as to marriages) shall have effect as though at the end of subsection (1) thereof there were inserted the words " and on summary conviction thereof shall be liable to a penalty not exceeding " fifty pounds."
- (2) A person convicted summarily of an offence under section four of the Perjury Act, 1911 (which relates to false statements as to births or deaths), shall be liable to a penalty not exceeding fifty pounds.
- (3) Summary proceedings for an offence under the said section three or under the said section four may, notwithstanding any provision of the Summary Jurisdiction Acts, be instituted at any time within twelve months after the commission of the offence.

35 Amendment of ss. 1 and 18 of Forgery Act, 1913

- (1) For the purpose of removing doubts, it is hereby declared that a document may be a false document for the purposes of the [3 & 4 Geo. 5. c. 27.] Forgery Act, 1913, notwithstanding that it is not false in any such manner as is described in subsection (2) of section one of that Act.
- (2) The Forgery Act, 1913, shall have effect as though in the definition of " valuable security " in section eighteen thereof there were inserted

after the words " security for the payment of money " the words "or any authority or " request for the payment of money or for the delivery or " transfer of goods or chattels."

36 Forgery of passport

- (1) The forgery of any passport, or the making by any person of a statement which is to his knowledge untrue for the purpose of procuring a passport, whether for himself or any other person, shall be a misdemeanour punishable with imprisonment not exceeding two years or a fine not exceeding one hundred pounds or both such imprisonment and fine.
- (2) In this section the expression " forgery " has the same meaning as in the Forgery Act, 1913.

37 Unlawful possession of pension documents

- (1) If any person receives, detains or has in his possession any document to which this section applies as a pledge or a security for a debt or with a view to obtaining payment from the person entitled thereto of a debt due either to himself or to any other person, he shall be liable, on summary conviction, to a fine not exceeding twenty pounds, or to imprisonment for a term not exceeding six months, or to both such fine and imprisonment.
- (2) This section applies to certificates or official documents evidencing or issued in connection with the right of persons to pensions or allowances payable out of any grant which may be made [out of the Public Revenues of the Colony in pursuance of any Ordinance.]

Note: textual amendment in s37(2)

38 Imitation, &c, of currency or bank notes

- (1) If any person makes, or causes to be made, or uses for any purpose whatsoever, or utters, any document purporting to be, or in any way resembling, or so nearly resembling as to be calculated to deceive, any currency or bank note, or any part thereof, he shall be guilty of an offence against this section and shall be liable on summary conviction

to a fine not exceeding five pounds, and it shall be lawful for the court dealing with the case to order the document in respect of which the offence was committed, and any copies of that document, or any plates, blocks, dies or other instruments used for, or capable of being used for, printing or reproducing any such document which are in the possession of the offender to be destroyed.

- (2) If any person whose name appears on any document the making of which is an offence under this section refuses, without lawful excuse, to disclose to a police officer on being so required the name and address of the person by whom it was printed or otherwise made, he shall be liable on summary conviction to a fine not exceeding ten pounds.
- (3) Where the name of any person appears on any document in respect of which any person is charged with an offence under subsection (1) of this section, or on any other document used or distributed in connection with that document, it shall be prima facie evidence that that person caused the document to be made.
- (4) In this section the expression " currency note " means a currency note issued under the Currency and Bank Notes Act, 1914, and includes any note of a similar character, by whatever name called, issued by or on behalf of the government of any foreign state or any part of His Majesty's Dominions outside the United Kingdom, and the expression " hank note " has the same meaning as in the Forgery Act, 1913.

39 Amendment of ss. 42 and 43 of Offences against the Person Act, 1861

- (1) Where a person has been convicted by a court of summary jurisdiction of an offence under section forty-two of the [24 & 25 Vict. c. 100.] Offences against the Person Act, 1861 (which imposes a penalty on persons committing any common assault or battery) he shall instead of being liable to a fine not exceeding, together with costs, the sum of five pounds, be liable to a fine not exceeding five pounds in addition to any costs which the court may order him to pay.
- (2) The fine to which a person shall be liable on conviction by a court of

summary jurisdiction for an offence under section forty-three of the Offences against the Person Act, 1861 (which imposes a penalty on persons committing an aggravated assault), shall, instead of being a fine not exceeding together with costs the sum of twenty pounds, be a fine not exceeding the sum of fifty pounds, and the offender shall in addition be liable to pay any costs which the court may order him to pay.

- (3) A court of summary jurisdiction by which any person is convicted of an offence under either of the enactments mentioned in this section may, in addition to imposing any penalty, order the offender to enter into a recognizance, with or without sureties, to keep the peace or to be of good behaviour for a period not exceeding twelve months.

41 Prohibition on taking photographs, &c, in court

- (1) No person shall—

- (a) take or attempt to take in any court any photograph, or with a view to publication make or attempt to make in any court any portrait or sketch, of any person, being a judge of the court or a juror or a witness in or a party to any proceedings before the court, whether civil or criminal; or
- (b) publish any photograph, portrait or sketch taken or made in contravention of the foregoing provisions of this section or any reproduction thereof;

and if any person acts in contravention of this section he shall, on summary conviction, be liable in respect of each offence to a fine not exceeding fifty pounds.

- (2) For the purposes of this section—

- (a) the expression " court" means any court of justice, including the court of a coroner :
- (b) the expression "judge" includes recorder, registrar, magistrate, justice and coroner :
- (c) a photograph, portrait or sketch shall be deemed to be a

photograph, portrait or sketch taken or made in court if it is taken or made in the court-room or in the building or in the precincts of the building in which the court is held, or if it is a photograph, portrait or sketch taken or made of the person while he is entering or leaving the court-room or any such building or precincts as aforesaid.

[**Note:** s41 inserted with effect from 1 November 1960 by Application of Enactments (Amendment) Ordinance 1960 and by Application of Colony Laws Ordinance 1961

47 Amendment of s4 Vagrancy Act 1824

The words "in any street, road, or public high-" way, or in the view thereof, or in any place of public " resort," in section four of the [5 Geo. 4. c. 83.] Vagrancy Act, 1824, are hereby repealed

Notes:

1. Please see www.legislation.gov.uk website for the original Act and subsequent amendments and then consider it in the light of extent of application noted above and the Principal Adaptive Provisions.
2. The application of this Act confirms that both the Offences Against the Person Act 1861 and the Vagrancy Act 1824 were considered to be part of the laws of the Falkland Islands and South Georgia and the South Sandwich Islands in 1954.

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