



Interpretation and General Clauses Ordinance (1977) (FLK No.14 of 1977)

Application of Colony Laws Ordinance 1977 (DS No.1 of 1977)

Interpretation and General Clauses (Amendment) Ordinance 1978 (FLK No.3 of 1978)

Application of Colony Laws Ordinance 1978 (DS No.1 of 1978)

Children and Young Persons Act 1933

UK Legis LINK as originally enacted	Children and Young Persons Act 1933 c.12
English commencement	13 April 1933 (Royal Assent)
English status	Partially in force (with amendments)
AEO Schedule No.	C7
Date applied in SSGSSI	11 July 1977
Extent of application	Section 1 only Interpretation and General Clauses Ordinance section 81A(2): <i>"So much of the enactments specified in the Schedule to this Ordinance as is not already in force in the Colony, and is capable of being applied therein by Ordinance, shall apply therein with such modifications as the circumstances of the Colony require."</i> This is an enactment or a series of enactments listed in the Schedule.

Children and Young Persons Act 1933

Chapter 12

An Act to consolidate certain enactments relating to persons under the age of eighteen years.

BE it enacted by the King's most Excellent Majesty, by and with the advice and

consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled and by the authority of the same as follows:-

PART I
PREVENTION OF CRUELTY AND EXPOSURE TO MORAL AND PHYSICAL DANGER
Offences

1 Cruelty to persons under sixteen

- (1) If any person who has attained the age of sixteen years and has the custody, charge, or care of any child or young person under that age, wilfully assaults, ill-treats, neglects, abandons, or exposes him, or causes or procures him to be assaulted, ill-treated, neglected, abandoned, or exposed, in a manner likely to cause him unnecessary suffering or injury to health (including injury to or loss of sight, or hearing, or limb, or organ of the body, and any mental derangement), that person shall be guilty of a misdemeanour, and shall be liable-
 - (a) on conviction on indictment, to a fine not exceeding one hundred pounds, or alternatively, or in default of payment of such a fine, or in addition thereto, to imprisonment for any term not exceeding two years;
 - (b) on summary conviction, to a fine not exceeding twenty-five pounds, or alternatively, or in default of payment of such a fine, or in addition thereto, to imprisonment for any term not exceeding six months.
- (2) For the purposes of this section -
 - (a) a parent or other person legally liable to maintain a child or young person shall be deemed to have neglected him in a manner likely to cause injury to his health if he has failed to provide adequate food, clothing, medical aid or lodging for him, or if, having been unable otherwise to provide such food, clothing, medical aid or lodging, he has failed to take steps to procure it to be provided under the Acts relating to the relief of the poor;
 - (b) where it is proved that the death of an infant under three years of age was caused by suffocation (not being suffocation caused by disease or the presence of any foreign body in the throat or air passages of the infant) while the infant was in bed with some other person who has attained the age of sixteen years, that other person shall, if he was, when he went to bed, under the influence of drink, be deemed to have neglected the infant in a manner likely to cause injury to its health.
- (3) A person may be convicted of an offence under this section-
 - (a) notwithstanding that actual suffering or injury to health, or the likelihood of actual suffering or injury to health, was obviated by the action of another person;

- (b) notwithstanding the death of the child or young person in question.
- (4) Upon the trial of any person who has attained the age of sixteen years and is indicted for infanticide or for the manslaughter of a child or young person under the age of sixteen years of whom he had the custody, charge, or care, it shall be lawful for the jury, if they are satisfied that he is guilty of an offence under this section to find him guilty of that offence.
- (5) If it is proved that a person convicted under this section was directly or indirectly interested in any sum of money accruing or payable in the event of the death of the child or young person, and had knowledge that that sum of money was accruing or becoming payable, then-
 - (a) in the case of a conviction on indictment, the maximum amount of the fine which may be imposed under this section shall be two hundred pounds, and the court shall have power, in lieu of awarding any other penalty under this section, to sentence the person convicted to penal servitude for any term not exceeding five years ; and
 - (b) in the case of a summary conviction, the court in determining the sentence to be awarded shall take into consideration the fact that the person was so interested and had such knowledge.
- (6) For the purposes of the last foregoing subsection:-
 - (a) a person shall be deemed to be directly or indirectly interested in a sum of money if he has any share in or any benefit from the payment of that money, notwithstanding that he may not be a person to whom it is legally payable; and
 - (b) a copy of a policy of insurance, certified to be a true copy by an officer or agent of the insurance company granting the policy, shall be evidence that the child or young person therein stated to be insured has in fact been so insured, and that the person in whose favour the policy has been granted is the person to whom the money thereby insured is legally payable.
- (7) Nothing in this section shall be construed as affecting the right of any parent, teacher, or other person having the lawful control or charge of a child or young person to administer punishment to him.

Notes:

1. The Application of Enactments Ordinance 1954 and Application of Colony Laws Ordinance 1955 applied portions of the Children and Young Persons Act 1933 to South Georgia and the South Sandwich Islands with effect from 1 November 1954.

2. 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.

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*.

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