

CHAPTER 27.**IMPERIAL STATUTES (CRIMINAL LAW) ADOPTION.****ARRANGEMENT OF SECTIONS.****SECTION.**

1. Short title.
2. Adoption of Imperial Statutes.

SCHEDULE.**CHAPTER 27.****IMPERIAL STATUTES (CRIMINAL LAW) ADOPTION.**

An Ordinance to adopt and apply certain Statutes of the Imperial Parliament whereby the Criminal Law of England has been consolidated, simplified and amended.

[1ST JANUARY, 1933.]

Short title.

1. This Ordinance may be cited as the Imperial Statutes (Criminal Law) Adoption Ordinance.

Adoption of
Imperial
Statutes.
4 of 1946.
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2. The Statutes of the Imperial Parliament set forth in the first column of the Schedule are hereby expressly declared to apply to the Colony and Protectorate to the extent specified in the second column of the Schedule.

SCHEDULE.

| Date of Statute and Title. | | Extent to which applied. |
|------------------------------------------------|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 and 2 George V. c. 6 29th June, 1911. | The Perjury Act, 1911. | Sections 1, 2, 5, 6, 7, 8, 11, 12, 13, 14, 15, 16 (1), 17 and 19. |
| 3 and 4 George V. c. 27 15th August, 1913. | The Forgery Act, 1913. | Sections 1, 2, 3 (3), 4, 5 (1) (c), 5 (3) (a), 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19 (1), 20 and 22. |
| 6 and 7 George V. c. 50 31st October, 1916. | The Larceny Act, 1916. | Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17 (1), 17 (2), 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33 (1), 33 (3), 33 (4), 34, 35, 36, 37 (1), 37 (2), 37 (3), 37 (4), 37 (5), 39, 40 (1), 40 (2), 40 (3), 40 (4), 43, 46, 47, 48 (1) and 50. |

*(The sections of the above-mentioned Acts, which are applied by this Ordinance, are printed, next after this, for convenience).

PERJURY ACT, 1911.

[1 & 2 GEO. 5. CH. 6.]

ARRANGEMENT OF SECTIONS.

SECTION.

1. Perjury.
2. False statements on oath made otherwise than in a judicial proceeding.
3. (*Not applied.*)
4. (*Not applied.*)
5. False statutory declarations and other false statements without oath.
6. False declarations, etc. to obtain registration, etc. for carrying on a vocation.
7. Aiders, abettors, suborners, etc.
8. Venue.
9. (*Not applied.*)
10. (*Not applied.*)
11. Application of Vexatious Indictments Act, 1859.
12. Form of indictment.
13. Corroboration.
14. Proof of certain proceedings on which perjury is assigned.
15. Interpretation, etc.
16. Savings.
17. Repeals.
18. (*Not applied.*)
19. Short title and commencement.

SCHEDULE.

PERJURY ACT, 1911.

[1 & 2 GEO. 5. CH. 6.]

An Act to consolidate and simplify the Law relating to Perjury and kindred offences. A.D. 1911.

[29TH JUNE, 1911.]

1. (1) If any person lawfully sworn as a witness or as an interpreter in a judicial proceeding wilfully makes a statement material in that proceeding, which he knows to be false or does not believe to be true, he shall be guilty of perjury, and shall, on conviction thereof on indictment, be liable to penal servitude for a term not exceeding seven years, or to imprisonment with or without hard labour for a term not exceeding two years, or to a fine or to both such penal servitude or imprisonment and fine.

(2) The expression "judicial proceeding" includes a proceeding before any court, tribunal, or person having by law power to hear, receive, and examine evidence on oath.

(3) Where a statement made for the purposes of a judicial proceeding is not made before the tribunal itself, but is made on oath before a person authorised by law to administer an oath to the person who makes the statement, and to record or authenticate the statement, it shall, for the purposes of this section, be treated as having been made in a judicial proceeding.

(4) A statement made by a person lawfully sworn in England for the purposes of a judicial proceeding—

(a) in another part of His Majesty's dominions; or

(b) in a British tribunal lawfully constituted in any place by sea or land outside His Majesty's dominions; or

(c) in a tribunal of any foreign state,

shall, for the purposes of this section, be treated as a statement made in a judicial proceeding in England.

(5) Where, for the purposes of a judicial proceeding in England, a person is lawfully sworn under the authority of an Act of Parliament—

(a) in any other part of His Majesty's dominions; or

(b) before a British tribunal or a British officer in a foreign country, or within the jurisdiction of the Admiralty of England;

a statement made by such person so sworn as aforesaid (unless the Act of Parliament under which it was made otherwise specifically provides) shall be treated for the purposes of this section as having been made in the judicial proceeding in England for the purposes whereof it was made.

(6) The question whether a statement on which perjury is assigned was material is a question of law to be determined by the court of trial.

2. If any person—

(1) being required or authorised by law to make any statement on oath for any purpose, and being lawfully sworn (otherwise than in a judicial proceeding) wilfully makes a statement which is material for that purpose and which he knows to be false or does not believe to be true; or

(2) wilfully uses any false affidavit for the purposes of the Bills of Sale Act, 1878, as amended by any subsequent enactment;

he shall be guilty of a misdemeanour, and, on conviction thereof on indictment, shall be liable to penal servitude for a term not exceeding seven years or to imprisonment, with or without hard labour, for a term not exceeding two years, or to a fine or to both such penal servitude or imprisonment and fine.

False
statements
on oath made
otherwise
than in a
judicial
proceeding.

41 & 42 Vict.
c. 31.

3. (*Not applied.*)

4. (*Not applied.*)

5. If any person knowingly and wilfully makes (otherwise than on oath) a statement false in a material particular, and the statement is made—

False
statutory
declarations
and other
false
statements
without oath.

(a) in a statutory declaration; or

(b) in an abstract, account, balance sheet, book, certificate, declaration, entry, estimate, inventory, notice, report, return, or other document which he is authorised or required to make, attest, or verify, by any public general Act of Parliament for the time being in force; or

(c) in any oral declaration or oral answer which he is required to make by, under, or in pursuance of any public general Act of Parliament for the time being in force;

he shall be guilty of a misdemeanour and shall be liable on conviction thereof on indictment to imprisonment, with or without hard labour, for any term not exceeding two years, or to a fine or to both such imprisonment and fine.

6. If any person—

False
declarations,
etc. to
obtain
registration,
etc. for
carrying on
a vocation.

(a) procures or attempts to procure himself to be registered on any register or roll kept under or in pursuance of any public general Act of Parliament for the time being in force of persons qualified by law to practise any vocation or calling; or

(b) procures or attempts to procure a certificate of the registration of any person on any such register or roll as aforesaid;

by wilfully making or producing or causing to be made or produced either verbally or in writing, any declaration, certificate, or representation which he knows to be false or fraudulent, he shall be guilty of a misdemeanour and shall be liable on conviction thereof on indictment to imprisonment for any term not exceeding twelve months, or to a fine, or to both such imprisonment and fine.

7. (1) Every person who aids, abets, counsels, procures, or suborns another person to commit an offence against this Act shall be liable to be proceeded against, indicted, tried and punished as if he were a principal offender.

Aiders,
abettors,
suborners,
etc.

(2) Every person who incites or attempts to procure or suborn another person to commit an offence against this Act

shall be guilty of a misdemeanour, and, on conviction thereof on indictment, shall be liable to imprisonment, or to a fine, or to both such imprisonment and fine.

Venue.

8. Where an offence against this Act or any offence punishable as perjury or as subornation of perjury under any other Act of Parliament is committed in any place either on sea or land outside the United Kingdom, the offender may be proceeded against, indicted, tried, and punished in any county or place in England where he was apprehended or is in custody as if the offence had been committed in that county or place; and, for all purposes incidental to or consequential on the trial or punishment of the offence, it shall be deemed to have been committed in that county or place.

9. (*Not applied.*)

10. (*Not applied.*)

Application
of Vexatious
Indictments
Act, 1859.
22 & 23 Vict.
c. 17.

11. The provisions of the Vexatious Indictments Act, 1859, and the Acts amending the same, shall apply in the case of any offence punishable under this Act, and in the case of any offence which under any other enactment for the time being in force, is declared to be perjury or subornation of perjury or is made punishable as perjury or as subornation of perjury, in like manner as if all the said offences were enumerated in section 1 of the said Vexatious Indictments Act, 1859:

14 & 15 Vict.
c. 100.

Provided that in that section a reference to this Act shall be substituted for the reference therein to the Criminal Procedure Act, 1851.

Form of
indictment.

12. (1) In an indictment—

(a) for making any false statement or false representation punishable under this Act; or

(b) for unlawfully, wilfully, falsely, fraudulently, deceitfully, maliciously, or corruptly taking, making, signing, or subscribing any oath, affirmation, solemn declaration, statutory declaration, affidavit, deposition, notice, certificate, or other writing;

it is sufficient to set forth the substance of the offence charged, and before which court or person (if any) the offence was committed without setting forth the proceedings or any part of the proceedings in the course of which the offence was committed, and without setting forth the authority of any court or person before whom the offence was committed.