

ANTIGUA AND BARBUDA



THE SMALL CHARGES (AMENDMENT) ACT, 2008

No. 14 of 2008

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ARRANGEMENT

Sections

1. Short title.
2. Amendment of section 2
3. Amendment of section 12

The Small Charges (Amendment) Act, 2008.

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No. 14 of 2008.



I Assent,

[L.S.]

Louise Lake-Tack,
Governor-General.

14th December, 2008

ANTIGUA AND BARBUDA

THE SMALL CHARGES (AMENDMENT) ACT, 2008

No. 14 of 2008

AN ACT to amend the Small Charges Act, Cap. 405 and for incidental and connected purposes.

ENACTED by the Parliament of Antigua and Barbuda as follows:

1. Short title

This Act may be cited as the Small Charges (Amendment) Act, 2008.

2. Amendment of section 2

The principal Act is amended in section 2 by repealing the definition of “public place” and substituting the following—

“public place” means any place to which members of the public have access and includes any—

- (a) road;
- (b) sidewalk;
- (c) pathway;
- (d) wharf;

- (e) jetty;
- (f) bridge;
- (g) courthouse;
- (h) church;
- (i) park;
- (j) playing field;
- (k) vehicle used for transporting members of the public;
- (l) place of entertainment;
- (m) premises established and maintained by a school for the benefit of its pupils whether or not the buildings, playing fields or other premises are within the curtilage of the school;
or
- (n) vehicle whether publicly or privately owned which is used specifically for transporting pupils to or from school or to or from school related activities.

3. Amendment of section 12

The principal Act is amended by repealing section 12 and substituting the following—

“12. Arms and other offensive weapons

(1) A person found carrying an imitation gun, cutlass, knife, bludgeon or other offensive weapon capable of causing any form of wounding or blunt force injury to another person, or any explosive substance or device in a public place, who is unable to provide a satisfactory explanation for being in possession of any of these weapons, substances or devices at the particular time that the weapon, substance or device is found to be in the person’s possession, commits an offence and is liable to a fine of five thousand dollars or to imprisonment for one year, and in addition to that penalty, a Magistrate shall confiscate the offensive weapon.

(2) The proprietor or person in charge of a place where people are gathered for entertainment shall post at the entrance of the place of entertainment a notice which—

- (a) prohibits a person who is carrying an imitation gun, cutlass, knife, bludgeon or other offensive weapon from entry to that place; and

(b) contains the penalty for contravening the prohibition.

(3) A person who contravenes subsection (2) commits an offence and is liable on conviction to a fine of five hundred dollars.

(4) If a police officer suspects that a person in a public place, is in unlawful possession of an imitation gun, cutlass, knife, bludgeon or other offensive weapon the police officer, after identifying himself, may search the person without a warrant and shall seize the imitation gun, cutlass, knife, bludgeon or other offensive weapon found on the person.

(5) For the purposes of this section and notwithstanding subsection (1) “offensive weapon” includes—

(a) any article made or adapted to cause injury to a person, and

(b) any article or device made or adapted to cause damage to any property.”.

Passed the House of Representatives on
the 17th day of September, 2008.

Passed the Senate on the 29th day of
October , 2008.

D. Gisele Isaac-Arrindell,
Speaker.

Hazlyn M. Francis,
President.

Yvonne Henry,
Clerk to the House of Representatives.

Yvonne Henry,
Clerk to the Senate.