

CHAPTER 137

MINOR OFFENCES

1998-1

This Act came into operation on 5th February, 1998.

Amended by:

This Act has not been amended

Law Revision Orders

The following Law Revision Order or Orders authorized the insertion and removal of pages as the case may be under the Law Revision Act Cap.2 now repealed:

1998

CHAPTER 137

**MINOR OFFENCES
1998-1**

Arrangement of Sections

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**BARBADOS**

MINOR OFFENCES

1998-1

An Act to revise the law in relation to certain minor offences.

[Commencement: 5th February, 1998]

Short title

1. This Act may be cited as the *Minor Offences Act*.

Disorderly behaviour

- 2.(1) Any person who
 - (a) applies for relief to the Chief Welfare Officer or to any person or body acting on his behalf and at the time of the application is the owner of any money or property of which, on enquiry by the Chief Welfare Officer or the person or body acting on his behalf, he does not make correct and complete disclosure;
 - (b) being able, either by labour or by other lawful means, to maintain himself or herself or his wife or his or her child or children wilfully refuses or neglects to do so and thereby becomes burdensome or renders his wife or his or her child or children burdensome upon

national assistance or other public funds set apart for the relief of the poor;

- (c) wanders in the public streets or highways or in any place of public resort and behaves in a riotous or indecent manner;
- (d) in any street, highway or public place accosts a passenger and offers to take him to the house or residence of a prostitute;
- (e) loiters in any street or highway and importunes passengers for the purpose of prostitution;
- (f) in any street, highway or public place, including a beach, without lawful authority or excuse (the proof whereof shall lie on the person accused), accosts, molests, threatens or harasses any person or follows him about;
- (g) loitering in any highway, yard or other place, is unable to give a satisfactory account of himself or whom there is cause to suspect of being about to commit an offence; or
- (h) for the purpose of obtaining relief from national assistance, for himself or for any other person, wilfully gives a false name or makes or uses a false statement to the Chief Welfare Officer or any person or body acting on his behalf,

commits an offence and is liable on conviction before a magistrate to a penalty of \$2 500 or to imprisonment for 2 years or to both.

- (2) For the purposes of this section “harass” means to
- (a) use words, gestures and actions that annoy, alarm or abuse a person;
 - (b) insult, taunt or challenge a person in a manner likely to offend;
 - (c) use obscene and profane language to intimidate a person; or
 - (d) disturb or irritate especially by continued and repeated acts.

Offensive behaviour

- 3.(1) Any person who
- (a) commits an offence under section 2, having previously been convicted of an offence under that section;
 - (b) wilfully exposes or causes to be exposed to view in any street, road, highway or public place or in the window or other part of any shop or other building situate in any street, road, highway or public place or in any building or any place, whether opened or covered, which the public are permitted to enter any obscene print, picture or other indecent exhibition; or
 - (c) wilfully, openly, lewdly and obscenely exposes his person in any street, public road or highway or in the view thereof or in any place of public resort;
 - (d) endeavours to procure charitable contributions under any false or fraudulent pretence;
 - (e) has in his custody or possession any pick-lock, key, crowbar, jack, bit or other implement with intent to break into any dwelling-house, warehouse, store, shop or outbuilding;
 - (f) is armed with any gun, pistol, cutlass, bludgeon or other offensive weapon or has upon him any instrument with intent to commit an arrestable offence;
 - (g) is found in or upon any dwelling-house, warehouse, stable or outhouse or in any enclosed yard, garden or area and is there for purpose of committing an arrestable offence, either in that place or at some other place; or
 - (h) being a suspected person or reputed thief, frequents or loiters in or about any highway or any place, public or private, with intent to commit an arrestable offence,

commits an offence and is liable on conviction before a magistrate to a fine of \$3 500 or to imprisonment for 2 years or both.

(2) Every gun, pistol, cutlass, bludgeon or other offensive weapon referred to in paragraph (f) of subsection (1) shall on the conviction of the offender be forfeited.

(3) In proving the intent to commit an arrestable offence, referred to in paragraphs (e) and (f) of subsection (1), it shall not be necessary to show that the person suspected was guilty of any particular act or acts tending to show his purpose or intent, and he may be convicted if from the circumstances of the case and from his known character, as proved to the court, it appears to the court that his intent was to commit an arrestable offence.

Second or subsequent offender

4. Any person

- (a) who commits any offence under section 3, having previously been convicted of an offence under that section; or
- (b) who, having previously been convicted of an offence under section 3 is apprehended for the commission of a further offence under that section and violently resists any constable or other peace officer so apprehending him,

is guilty of an offence and is liable on conviction before a magistrate to a fine of \$5 000 or to imprisonment for 3 years or both.

Arrest of persons found committing offences

5. A police officer or parish constable may arrest any person who is found committing an offence under this Act and shall immediately take him before a magistrate to be dealt with in the manner prescribed by this Act.

Warrants for arrest of persons having committed or suspected of committing offences

6. Upon oath being made before a magistrate that a person has committed or is suspected to have committed any offence under this Act, the magistrate may issue a warrant to apprehend that person and bring that person before him or some other magistrate and the person so charged shall be dealt with in the manner prescribed by this Act.

Search warrants

7. Where it is alleged upon information on oath before a magistrate that a person who has been convicted of an offence under section 2, 3 or 4 is reasonably suspected to be harboured or concealed in any house or place, the magistrate may issue a warrant authorising any constable or other person to enter at any time into that house or place and arrest and bring before him or any other magistrate any person so convicted as is found there, and that person shall be dealt with in the manner prescribed by this Act.

Exemption of Pari-Mutuel

8. This Act shall not apply to the operations and transactions of the Pari-Mutuel conducted under the authority and control of the Barbados Turf Club at any race meeting which may be held in Barbados by the Barbados Turf Club nor to any person employed or authorised by the Barbados Turf Club or who assists in conducting the operations and transactions of the Pari-Mutuel so conducted.