

THE JUDICIAL PROVISIONS BILL
(No. XXXV of 2008)

Explanatory Memorandum

The object of this Bill is to amend a number of enactments –

- (a) to provide for heavier penalties for certain offences and increase the sentencing jurisdiction of the District Courts and the Intermediate Court; and
- (b) to abolish fixed sentences and other mandatory sentences and to restore to the Courts their sentencing discretion in respect of all offences.

J. VALAYDEN
Attorney-General

07 November 2008

THE JUDICIAL PROVISIONS BILL
(No. XXXV of 2008)

ARRANGEMENT OF CLAUSES

Clause

- | | | | |
|----|---|----|--|
| 1. | Short title | 6. | Dangerous Drugs Act amended |
| 2. | Courts Act amended | 7. | District and Intermediate Courts (Criminal Jurisdiction) Act amended |
| 3. | Criminal Code amended | 8. | Various enactments amended |
| 4. | Criminal Code (Supplementary) Act amended | | |
| 5. | Criminal Procedure Act amended | | |

A BILL

To make better provision in respect of sentencing

ENACTED by the Parliament of Mauritius, as follows –

1. Short title

This Act may be cited as the Judicial Provisions Act 2008.

2. Courts Act amended

The Courts Act is amended –

- (a) in section 113 –
 - (i) in subsection (2)(a), by deleting the words “8 years” and “5 years” and replacing them by the words “15 years” and “10 years” respectively;
 - (ii) in subsection (2)(b), by deleting the words “12 years” and replacing them by the words “20 years”; and
 - (iii) in subsection (3)(a)(ii), by deleting the words “5 years” and replacing them by the words “10 years”; and
- (b) in section 114(2), by deleting the words “2 years” and “10,000 rupees” and replacing them by the words “5 years” and “100,000 rupees” respectively.

3. Criminal Code amended

The Criminal Code is amended –

- (a) in section 5, by deleting subsection (2);
- (b) in section 11(2), by deleting the words “30 years” and replacing them by the words “40 years”;
- (c) in section 12, by deleting the words “5 years” and replacing them by the words “10 years”;
- (d) in sections 50, 51 and 62, by adding, after the words “for life”, the words “or, where the Court is satisfied that compelling reasons exist which justify the imposition of a lesser sentence and has specified the reasons on the record of the proceedings, for a term not exceeding 60 years”;

- (e) in sections 57 and 60 by deleting the words “shall be punished by penal servitude for life and forfeiture of property” and replacing them by the following words –

“shall be punished –

- (a) by penal servitude for life or, where the Court is satisfied that compelling reasons exist which justify the imposition of a lesser sentence and has specified the reasons on the record of the proceedings, for a term not exceeding 60 years; and

- (b) forfeiture of property”;

- (f) in section 234 (2), by adding, after the words “for life”, the words “or, where the Court is satisfied that compelling reasons exist which justify the imposition of a lesser sentence and has specified the reasons on the record of the proceedings, for a term not exceeding 60 years;”

- (g) in section 251 –

- (i) in subsection (1) –

- (A) in the first column, by deleting the words “qui ne pourra être inférieur à un an mais qui ne pourra excéder 5 ans” and replacing them by the words “qui n’excèdera pas 10 ans”; and

- (B) in the second column, by deleting the words “of not less than one year nor more than 5 years” and replacing them by the words “not exceeding 10 years”; and

- (ii) in subsection (2) –

- (A) in the first column, by deleting the words “qui ne pourra être inférieur à 2 ans mais qui n’excèdera pas 8 ans” and replacing them by the words “qui n’excèdera pas 15 ans”; and

- (B) in the second column, by deleting the words “of not less than 2 years nor more than 8 years” and replacing them by the words “ for a term not exceeding 15 years ”;

- (h) in section 253(4), by deleting the words “not less than 2 years nor more than 10 years” and “100, 000” and replacing them by the words “not more than 20 years” and “200,000” respectively;

- (i) in section 301A (1), by deleting the words “ which shall not be less than 5 years and not more than 15 years” and replacing them by the words “not exceeding 30 years”;
- (j) in section 323 –
 - (i) in the first column, by deleting the words “qui n’excèdera pas 6 mois, et à une amende qui n’excèdera pas 250 roupies et à 4 roupies par jour de dommages – intérêts envers le maître. L’amende sera appliqué moitié au Consolidated Fund et moitié au dénonciateur” and replacing them by the words “qui n’excèdera pas un an et à une amende qui n’excèdera pas 10,000 roupies”; and
 - (ii) in the second column, by deleting the words “not exceeding 6 months, and to a fine not exceeding 250 rupees and to damages of 4 rupees per day to the master. One half of the fine shall go to the Consolidated Fund and the other half to the informer.” and replacing them by the words “ not exceeding one year and to a fine not exceeding 10,000 rupees”; and
- (k) in section 347, by adding, after the words “for life” the words “or, where the Court is satisfied that compelling reasons exist which justify the imposition of a lesser sentence and has specified the reasons on the record of the proceedings, for a term not exceeding 60 years”.

4. Criminal Code (Supplementary) Act amended

The Criminal Code (Supplementary) Act is amended, in section 86(2)(a), by deleting the words “of not less than 3 months nor more than 2 years” and “25,000 rupees” and replacing them by the words “not exceeding 4 years” and “100,000 rupees” respectively.

5. Criminal Procedure Act amended

The Criminal Procedure Act is amended –

- (a) in section 135 –
 - (i) by deleting the words “ although the minimum of the term of imprisonment to which he is liable on conviction is limited,”; and
 - (ii) by inserting, after the words “ in passing sentence,”, the words “shall take into account the time spent by the accused in custody and”;

- (b) in section 140(2), by deleting the word “shall” and replacing it by the word “may”;
- (c) in section 151, by deleting the words “2 years” and replacing them by the words “5 years”; and
- (d) in section 152, by deleting the words “with or without hard labour” wherever they appear.

6. Dangerous Drugs Act amended

Section 41(2) of the Dangerous Drugs Act is amended by deleting the word “maximum”.

7. District and Intermediate Courts (Criminal Jurisdiction) Act amended

The District and Intermediate Courts (Criminal Jurisdiction) Act is amended in section 72 (5), by deleting the words “10,000 rupees” and “2 years” and replacing them by the words “100,000 rupees” and “5 years” respectively.

8. Various enactments amended

The enactments specified in the first column of the Schedule are amended in the sections specified in the second column –

- (a) by deleting the fines specified in the third column and replacing them by the corresponding fines specified in the fifth column; and
 - (b) by deleting the terms specified in the fourth column and replacing them by the corresponding terms specified in the sixth column.
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SCHEDULE
(section 8)

| Enactment | Section | | Fine (Rs) | Term of Penal Servitude/Imprisonment | Fine (Rs) | Term of Penal Servitude/Imprisonment |
|----------------------|----------------|--|------------------|---|------------------|---|
| Criminal Code | 58 | Causing risk of war | | 10 years 15 years | | 20 years 30 years |
| | 66(3) | Plundering public property with armed band | | 10 years | | 20 years |
| | 67 | Harbouring armed band | | 10 years | | 20 years |
| | 74 | Penalty for failing to reveal plot other than of high treason | 2,000 | 10 years | 25,000 | 20 years |
| | 76A (3) | Prohibition on the use of Arms of Mauritius | 100,000 | | 200,000 | |
| | 77 | Abuse of authority by public officer | 3,000 | | 25,000 | |
| | 78(1) | Torture by public official | 50,000 | 5 years | 150,000 | 10 years |
| | 80 | Arbitrary detention by public officer | 2,000 | | 25,000 | |
| | 83 | Public officer resigning with intent to paralyse public service | 10,000 | | 100,000 | |
| | 84 | Violation of domicile by public officer | 5,000 | 6 months 6 mois | 25,000 | one year un an |
| | 88 | Public officer ordering use of force to prevent operation of law | | 10 years | | 20 years |
| | 95(1) | Knowingly offering counterfeit gold or silver coin | | one year un an | | 5 years cinq ans |

| | | | | | | |
|--|----------------|--|--------|--------------------|---------|--------------------|
| | 96(1) | Knowingly uttering counterfeit gold or silver coin | | 3 years | | 10 years |
| | 98 (a) and (c) | Counterfeiting copper coin | | 7 years | | 15 years |
| | 98 (b) | Counterfeiting copper coin | | one year | | 5 years |
| | 103 | Counterfeiting mark of Government or trader | 10,000 | 10 years | 100,000 | 20 years |
| | 105 | Altering manufacturer's label | 10,000 | one year un an | 100,000 | 5 years 5 ans |
| | 109 | Making use of forged public writing | | 10 years | | 20 years |
| | 111 | Forgery of private writing | | 10 years | | 20 years |
| | 115 | Public officer delivering unauthorized passport | | one year un an | | 5 years 5 ans |
| | 117 | Forgery of medical certificate | | 5 years | | 10 years |
| | 118(1) | Medical officer issuing false certificate | | 5 years 5 ans | | 10 years 10 ans |
| | 118(2) | Medical officer issuing false certificate | | 10 years 10 ans | | 20 years 20 ans |
| | 121 | Fine for forgery | 25,000 | | 100,000 | |
| | 123(1) | Embezzlement and larceny of deed by public officer | | 10 years | | 20 years |
| | 124(1) | Extortion by public officer | | 10 years | | 20 years |
| | 124(2) | Extortion by public officer | 5,000 | | 25,000 | |
| | 137 | Public officer exercising functions without lawful authority | 10,000 | | 100,000 | |

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|--|---------|--|--------|--------------------|---------|-------------------|
| | 139(1) | Taking part in unlawful assembly | 10,000 | 2 years | 100,000 | 5 years |
| | 140(1) | Having offensive weapon at unlawful assembly | 25,000 | 5 years | 100,000 | 10 years |
| | 142 (2) | Remaining in unlawful assembly after warning | 10,000 | 2 years | 100,000 | 5 years |
| | 143(1) | Taking part in riot | 25,000 | 5 years | 100,000 | 10 years |
| | 146 | Rebellion by 3 but not more than 20 armed persons | | 10 years | | 20 years |
| | 147 | Rebellion by less than 3 armed persons | | 6 months 6 mois | | 5 years 5 ans |
| | 152 | Inciting rebellion | | 1 year | | 10 years |
| | 153 | Fine for rebellion | 10,000 | | 100,000 | |
| | 156(1) | Outrage against depository of public authority | 10,000 | | 100,000 | |
| | 156(2) | Outrage against depository of public authority | 8,000 | one year un an | 100,000 | 5 years 5 ans |
| | 156(3) | Outrage against depository of public authority | 5,000 | 6 months 6 mois | 25,000 | one year un an |
| | 157 | Outrage against commander of civil or military authorities | | 6 months 6 mois | | one year un an |
| | 158(1) | Assault against member of the Assembly or judicial officer | 10,000 | 3 years | 100,000 | 6 years |
| | 158(2) | Assault against member of the Assembly or judicial officer | 10,000 | 10 years | 100,000 | 20 years |

| | | | | | | |
|--|--------|---|--------|--|---------|---|
| | 159 | Assault against agent of civil or military authorities | 3,000 | one year | 25,000 | 2 years |
| | 162 | Witness giving false excuse | 10,000 | one year un an | 100,000 | 2 years 2 ans |
| | 164 | Aiding prisoner charged with misdemeanour | | 3 months 2 years | | one year 4 years |
| | 165 | Aiding prisoner charged with crime | | 6 months 5 years 6 mois 5 ans | | one year 10 years un an 10 ans |
| | 166 | Aiding prisoner to escape by violence | | 5 years | | 10 years |
| | 167 | Third party aiding prisoner to escape by violence | | 10 years | | 20 years |
| | 168(1) | Aiding prisoner to escape by supply of arms | | 10 years | | 20 years |
| | 169 | Supplying prisoner with instrument for escape | | one year un an | | 2 years 2 ans |
| | 173 | Failing to prevent breaking of Government seal | | 6 months 6 mois | | one year un an |
| | 175 | Breaking of seal relating to criminal proceedings | | 5 years 10 years | | 10 years 20 years |
| | 176 | Breaking of other seal | | 5 years | | 10 years |
| | 178 | Failing to prevent purloining of document entrusted to depository | 10,000 | one year un an | 100,000 | 2 years 2 ans |
| | 179(1) | Purloining of document from place of public deposit | | 10 years | | 20 years |

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|--|----------|---|--------|----------------------|---------|----------------------|
| | 180 | Breaking of seal, and purloining of document, by violence | | 10 years | | 20 years |
| | 181 (1) | Damaging monument | 10,000 | one year un an | 100,000 | 2 years 2 ans |
| | 181(3) | Damaging monument | 10,000 | one year un an | 100,000 | 2 years 2 ans |
| | 181(4) | Damaging monument | 15,000 | | 100,000 | |
| | 181A (1) | Protection of flag | 10,000 | 2 years | 100,000 | 5 years |
| | 182A (4) | Usurping wearing of uniform | 10,000 | 2 years | 100,000 | 4 years |
| | 183 | Interference with freedom of conscience | 10,000 | 2 months 2 mois | 100,000 | 2 years 2 ans |
| | 184 | Disturbing religious ceremony | 10,000 | 6 months 6 mois | 100,000 | 2 years 2 ans |
| | 185 | Outrage on religious worship | 10,000 | one year un an | 100,000 | 2 years 2 ans |
| | 186 | Assaulting and outraging minister of religion | 10,000 | | 100,000 | |
| | 191 | Forming part of, and aiding or harbouring, association of malefactors | | 10 years | | 20 years |
| | 196(1) | Begging | | one month un mois | | 6 months 6 mois |
| | 196(2) | Begging | | 15 days 15 jours | | one month un mois |
| | 196(3) | Begging | 1,000 | | 2,000 | |
| | 202 | Publishing matter without description of author | 10,000 | 6 months 6 mois | 100,000 | one year un an |
| | 204(2) | Publishing matter conducive to crime | | 3 months 3 mois | | one year un an |

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|--|-----------|---|--------|--------------------|---------|--------------------|
| | 206(1)(a) | Outrage against public and religious morality | 10,000 | one year | 100,000 | 2 years |
| | 209 | Penalty for assisting illegal publication | | 2 months 2 mois | | 3 years 3 ans |
| | 226 | Threatening verbally | | one year un an | | 2 years 2 ans |
| | 227 | Demanding by threat of false accusation | | 10 years | | 20 years |
| | 228(1) | Assault with aggravating circumstances | 10,000 | | 100,000 | |
| | 228(2) | Assault with aggravating circumstances | 10,000 | 10 years | 100,000 | 20 years |
| | 228(3) | Assault with aggravating circumstances | | 10 years 10 ans | | 20 years 20 ans |
| | 229 | Assault with premeditation | | 10 years | | 20 years |
| | 230(1) | Assault | 5,000 | one year un an | 50,000 | 2 years 2 ans |
| | 230(2) | Assault | 10,000 | | 100,000 | |
| | 233(1) | Dealing in offensive weapon | | 6 months 6 mois | | 5 years 5 ans |
| | 233(2) | Dealing in offensive weapon | 2,000 | | 25,000 | |
| | 233A(2) | Sale or offer for sale of offensive instrument in the open | 2,000 | one year | 25,000 | 10 years |
| | 233B(3) | Sale or offer for sale of offensive instrument to person under 12 | 2,000 | 2 years | 25,000 | 4 years |
| | 236(1) | Administering noxious substance | | 10 years | | 20 years |

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|--|---------------------|--|--------|--------------------|---------|-------------------|
| | 236(3) | Administering noxious substance | | 5 years | | 10 years |
| | 237 | Selling adulterated liquor | 10,000 | | 100,000 | |
| | 239(1) | Involuntary homicide and wounds and blows | 50,000 | | 150,000 | |
| | 239(2) | Involuntary homicide and wounds and blows | 10,000 | 2 months 2 mois | 100,000 | one year un an |
| | 244 | Penalty in case of excusable offence | | 6 months 6 mois | | one year un an |
| | 248 | Indecent act in public | 10,000 | 12 months | 100,000 | 2 years |
| | 249(1) | Rape, attempt upon chastity and illegal sexual intercourse | | 5 years | | 10 years |
| | 249(1A) (a) and (b) | Rape, attempt upon chastity and illegal sexual intercourse | | 20 years | | 40 years |
| | 249(2) | Rape, attempt upon chastity and illegal sexual intercourse | | 5 years | | 10 years |
| | 249(3) | Rape, attempt upon chastity and illegal sexual intercourse | | 5 years | | 10 years |
| | 249(4) | Rape, attempt upon chastity and illegal sexual intercourse | | 10 years | | 20 years |
| | 249(5)(b) | Rape, attempt upon chastity and illegal sexual intercourse | | 8 years | | 16 years |

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|--|-----------|--|---------|--------------------|---------|--------------------|
| | 254(1) | Sexual harassment | 100,000 | 2 years 2 ans | 200,000 | 10 years 10 ans |
| | 254(2)(a) | Sexual harassment | 100,000 | | 200,000 | |
| | 257(1) | Bigamy | | 10 years | | 20 years |
| | 258(1) | Unlawful arrest, detention and sequestration | 10,000 | 10 years | 100,000 | 20 years |
| | 259 | Penalty for unlawful arrest in certain cases | | 10 years | | 20 years |
| | 260(5) | Family abandonment | 10,000 | 2 years | 100,000 | 5 years |
| | 261(1) | Failure to pay alimony | 5,000 | one year un an | 50,000 | 2 years 2 ans |
| | 262 | Change of domicile | 5,000 | 6 months 6 mois | 50,000 | one year un an |
| | 272 | Burying corpse without lawful authority | 10,000 | | 100,000 | |
| | 273 | Concealing corpse | 10,000 | | 100,000 | |
| | 274(2) | Declaration in case of sudden or violent death | 5,000 | | 50,000 | |
| | 275 | Violating tomb | 5,000 | one year un an | 50,000 | 2 years 2 ans |
| | 276(1) | Giving false evidence in case of crime | | 10 years | | 20 years |
| | 277 | Giving false evidence in case of misdemeanour | 10,000 | 10 years | 100,000 | 20 years |
| | 278 | Giving false evidence in civil matter | 10,000 | 10 years | 100,000 | 20 years |
| | 279(1) | Giving false evidence for reward | 10,000 | | 100,000 | |
| | 281 | Giving false evidence on decisory oath | 20,000 | 10 years 10 ans | 100,000 | 20 years 20 ans |
| | 282(1) | Stirring up racial hatred | 25,000 | 10 years | 100,000 | 20 years |
| | 282(2) | Stirring up racial hatred | 25,000 | 2 years | 100,000 | 4 years |
| | 283(1) | Sedition | 20,000 | one year | 100,000 | 2 years |
| | 284 | Inciting to | 2,000 | one year | 25,000 | 2 years |

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|--|----------|--|---------|-------------------|---------|--------------------|
| | | disobedience or resistance to law | | | | |
| | 287B | Penalty for seditious publication | 10,000 | one year | 100,000 | 2 years |
| | 288(3) | Interpretation of “defamation” | 5,000 | one year | 50,000 | 5 years |
| | 289(2) | Publication of reply by newspaper | 10,000 | | 100,000 | |
| | 291 | Criminal intimidation | 10,000 | one year | 100,000 | 5 years |
| | 296(a) | Insult | 5,000 | | 50,000 | |
| | 296(b) | Insult | 10,000 | | 100,000 | |
| | 296(c) | Insult | 10,000 | 3 months | 100,000 | 2 years |
| | 297 | False and malicious denunciation in writing | 10,000 | one year | 100,000 | 5 years |
| | 298 | Effecting public mischief | 10,000 | one year | 100,000 | 2 years |
| | 299(a) | Publishing false news | 10,000 | one year un an | 100,000 | 2 years 2 ans |
| | 300 | Disclosing professional secret | 10,000 | 6 months | 100,000 | 2 years |
| | 300A (5) | Data protection and security | 100,000 | 10 years | 200,000 | 20 years |
| | 301(1) | Larceny | 10,000 | | 100,000 | |
| | 302(1) | Larceny of produce of soil | 5,000 | | 50,000 | |
| | 308(2) | Looting | 50,000 | 10 years | 150,000 | 20 years |
| | 309(1) | Larceny with breaking and larceny by servant | | 6 years 6 ans | | 12 years 12 ans |
| | 321(1) | Counterfeiting key | 2,000 | one year un an | 25,000 | 2 years 2 ans |
| | 321(2) | Counterfeiting key | | 10 years | | 20 years |
| | 322(1) | Larceny of obligatory writing and purloining seizure | | 10 years | | 20 years |
| | 322(3) | Larceny of obligatory writing and | | one year un an | | 2 years 2 ans |

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|--|----------|---|--------|--------------------|---------|--------------------|
| | | purloining seizure | | | | |
| | 323A(1) | Falsely obtaining credit | 10,000 | one year un an | 100,000 | 2 years 2 ans |
| | 330(1) | Swindling | 50,000 | 10 years 10 ans | 150,000 | 20 years 20 ans |
| | 330A (2) | Dealing unlawfully in lottery ticket | 10,000 | | 100,000 | |
| | 330B (1) | Issuing cheque without provision | 10,000 | | 100,000 | |
| | 331 | Breach of trust of minor | 10,000 | | 100,000 | |
| | 332 | Fraudulently using unsigned document | 10,000 | 5 years 5 ans | 100,000 | 10 years 10 ans |
| | 333(1) | Embezzlement | 10,000 | | 100,000 | |
| | 333(2) | Embezzlement | | 10 years | | 20 years |
| | 333A | Embezzlement of security or charge | 10,000 | 2 years | 100,000 | 4 years |
| | 334 | Removing document produced in Court | 10,000 | | 100,000 | |
| | 336 | Pawnbroking and money lending without lawful authority | 5,000 | 3 months 3 mois | 50,000 | one year un an |
| | 337(1) | Hindering judicial sale | 10,000 | 3 months 3 mois | 100,000 | one year un an |
| | 338 | Speculating fraudulently | 10,000 | | 100,000 | |
| | 343(1) | Deceiving purchaser | 10,000 | one year un an | 100,000 | 2 years 2 ans |
| | 344 | Failing to honour public contract | 10,000 | 10 years | 100,000 | 20 years |
| | 345 | Public officer assisting defaulting contractor | | 10 years 10 ans | | 20 years 20 ans |
| | 346 | Arson | | 10 years | | 20 years |
| | 349(1) | Damaging public property, private enterprise or vehicle | 3,000 | 10 years | 25,000 | 20 years |

| | | | | | | |
|--|-----------|---|--------|--------------------|---------|--------------------|
| | 349(2) | Damaging public property, private enterprise or vehicle | 25,000 | 10 years | 100,000 | 20 years |
| | 350(1) | Hindering public works by force | 10,000 | | 100,000 | |
| | 351 | Destroying document | 10,000 | 10 years | 100,000 | 20 years |
| | 352(1) | Damaging property by band | 25,000 | 10 years 10 ans | 100,000 | 20 years 20 ans |
| | 352(2) | Damaging property by band | 50,000 | 10 years | 150,000 | 20 years |
| | 353 | Damaging goods used for manufacture | 10,000 | | 100,000 | |
| | 354 | Damaging crop | 10,000 | | 100,000 | |
| | 355(1) | Damaging tree | 10,000 | one year un an | 100,000 | 5 years 5 ans |
| | 356 | Damaging agricultural product | 10,000 | 6 months 6 mois | 100,000 | 2 years 2 ans |
| | 357 | Damaging agricultural instrument | 10,000 | one year un an | 100,000 | 2 years 2 ans |
| | 358 | Poisoning animal | 10,000 | 10 years 10 ans | 100,000 | 20 years 20 ans |
| | 359(1)(a) | Killing animal | 10,000 | | 100,000 | |
| | 359(1)(b) | Killing animal | | one year un an | | 2 years 2 ans |
| | 360(1) | Injuring animal | 10,000 | 6 months 6 mois | 100,000 | one year un an |
| | 360(2) | Injuring animal | | 3 months 3 mois | | one year un an |
| | 361 | Penalty for offence by keeper of animal | | 10 years | | 20 years |
| | 362 | Damaging enclosure | 10,000 | one year un an | 100,000 | 2 years 2 ans |
| | 363 | Damaging building | 10,000 | one year un an | 100,000 | 2 years 2 ans |
| | 364 | Flooding road or property | 10,000 | | 100,000 | |
| | 365 | Damaging property by fire | 10,000 | | 100,000 | |

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|--|---------------|---|---------|-----------------------|---------|----------------------|
| | 366 | Failing to notify of infected animal | 10,000 | | 100,000 | |
| | 367 | Allowing infected animal to communicate with others | 5,000 | 2 months 2 mois | 50,000 | one year un an |
| | 368 | Permitting contagion of disease | 5,000 | one year un an | 50,000 | 2 years 2 ans |
| | 369 | Damaging goods and chattels | 10,000 | 12 months 12 mois | 100,000 | 2 years 2 ans |
| Criminal Code (Supplementary) Act | 4(2)(a) | Defacing road or building | 10,000 | 12 months | 100,000 | 2 years |
| | 5(3) | Absent minor | 10,000 | 2 years | 100,000 | 4 years |
| | 11(3) | Recruiting for service outside Mauritius | 5,000 | 7 years | 50,000 | 14 years |
| | 16(1) | Impairing coin | | 14 years | | 28 years |
| | 16(2) | Impairing coin | | one year | | 2 years |
| | 16(3) | Impairing coin | 10,000 | | 100,000 | |
| | 26(3) | Idle and disorderly person | 5,000 | one month 3 months | 50,000 | one year one year |
| | 28(2) | Rogue and Vagabond | 5,000 | one year | 50,000 | 2 years |
| | 29(1) | Offensive weapon | 10,000 | one year | 100,000 | 2 years |
| | 31(1) | Damaging electric line | 5,000 | | 50,000 | |
| | 36(1) and (4) | Protection of defence works | 10,000 | | 100,000 | |
| | 36(2) | Protection of defence works | | 2 years | | 4 years |
| | 36(3) and (5) | Protection of defence works | 10,000 | 6 months | 100,000 | one year |
| | 64 | Damaging uninhabited ship or building | | 10 years | | 20 years |
| | 86(1) | Dealing in obscene matter | 10,000 | 3 months | 100,000 | one year |
| | 88(3) | Exhibiting slide and video tape in public | 10,000 | 2 years | 100,000 | 4 years |
| | 90(1) | Brothel keeping | 100,000 | 5 years | 200,000 | 10 years |

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|--|---------------|---|--------|-----------|---------|----------|
| | 91A | Importuning | 5,000 | 12 months | 50,000 | 2 years |
| | 97 | Fencing well | 5,000 | | 50,000 | |
| | 101(1) | Raising false alarm of fire | 10,000 | | 100,000 | |
| | 102(3) | Bomb hoaxes | 10,000 | 5 years | 100,000 | 10 years |
| | 103 | Impersonating living or dead individual | | 5 years | | 10 years |
| | 104 | Making false acknowledgment | | 5 years | | 10 years |
| | 105 | Impersonating individual named in certificate | | 5 years | | 10 years |
| | 106 | Impersonating individual named in testimonial | | one year | | 5 years |
| | 106A (1) | Impersonating individual in examination | 5,000 | one year | 50,000 | 5 years |
| | 106B (1) | Impersonating individual at interview | 5,000 | one year | 50,000 | 5 years |
| | 107 (1) & (2) | Impersonating prisoner | | 5 years | | 10 years |
| | 109 | Conspiracy | 10,000 | 5 years | 100,000 | 10 years |
| | 110 | Obstructing passage of pedestrian on seashore | 10,000 | | 100,000 | |
| | 111 | Disclosure of examination papers | 10,000 | 2 years | 100,000 | 4 years |
| | 112 | Prohibition of water skiing etc | 5,000 | 6 months | 50,000 | one year |

| | | | | | | |
|-----------------------------|--------------------------------|--------------------------------|---------|----------|---------|----------|
| Child Protection Act | 13A(1), (2), (3), (4)(a), 4(b) | Child trafficking | | 15 years | | 30 years |
| | 13A(5)(b) | Child trafficking | 100,000 | one year | 200,000 | 2 years |
| | 13B(1) | Abandonment of child | | 8 years | | 20 years |
| | 13B(2) | Abandonment of child | 500,000 | 15 years | 700,000 | 30 years |
| | 13B(3) | Abandonment of child | 250,000 | 5 years | 500,000 | 10 years |
| | 13B(5) | Abandonment of child | 100,000 | 2 years | 200,000 | 5 years |
| | 13C(1) | Abducting child | | 12 years | | 25 years |
| | 13C(2) | Abducting child | 100,000 | 2 years | 200,000 | 5 years |
| | 13C(3) | Abducting child | | 8 years | | 20 years |
| | 18(4) | Offences and penalties | 10,000 | 2 years | 25,000 | 5 years |
| | 18(5)(a) | Offences and penalties | | 15 years | | 30 years |
| | 18(5)(b) | Offences and penalties | 50,000 | 10 years | 100,000 | 20 years |
| | 18(6) | Offences and penalties | 5,000 | one year | 25,000 | 2 years |
| Public Gathering Act | 9 | Possession of offensive weapon | 10,000 | 5 years | 100,000 | 10 years |
| | 18 | Penalty | 2,000 | 2 years | 25,000 | 4 years |