

THE CRIMINAL CODE (AMENDMENT) BILL
(No. 1 of 2010)

Explanatory Memorandum

The object of this Bill is to empower –

- (a) the Court to impose a minimum term of 3 years penal servitude on a person convicted of assaulting a ministerial officer, an agent of the civil or military authorities or any person entrusted with a public duty, where there has been wounding or premeditation;
- (b) the police to arrest, without warrant, a person on reasonable suspicion of his having committed such an offence.

DR. N. RAMGOOLAM.

*Prime Minister, Minister of Defence
& Home Affairs*

19 March 2010

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ARRANGEMENT OF CLAUSES

Clause

- 1. Short title
 - 2. Interpretation
 - 3. Section 159 of principal Act amended
 - 4. Section 160 of principal Act amended
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A BILL

To amend the Criminal Code

ENACTED by the Parliament of Mauritius, as follows –

1. Short title

This Act may be cited as the Criminal Code (Amendment) Act 2010.

2. Interpretation

In this Act –

“principal Act” means the Criminal Code.

3. Section 159 of principal Act amended

Section 159 of the principal Act is amended –

- (a) by numbering the existing provision as subsection (1);
- (b) in the newly numbered subsection (1), by deleting the figure “25,000” and replacing it by the figure “100,000”;
- (c) by adding, after the newly numbered subsection (1), the following new subsection –

(2) Notwithstanding section 22 of the District and Intermediate Courts (Criminal Jurisdiction) Act, a police officer may arrest, without warrant, any person on reasonable suspicion that that person has committed an offence under section 158, 159 or 160.

4. Section 160 of principal Act amended

Section 160 of the principal Act is amended –

- (a) by numbering the existing provision as subsection (1);
- (b) by adding, after the newly numbered subsection (1), the following new subsection –

(2) Sections 151 and 197 of the Criminal Procedure Act, the Community Service Order Act, sections 50 and 51 of the Reform Institutions Act and the Probation of Offenders Act shall not apply to a conviction under this section.