

for two years, or shall, if the crime is a misdemeanour, be liable to imprisonment for six months.

DEFINITIONS AND SPECIAL PROVISIONS

385. A person is guilty of perjury if, in any written or verbal statement made or verified by him upon oath before any Court or public officer, he states anything which he knows to be false, or which he has not reason to believe to be true.

Definition of perjury

386. A person can be guilty of perjury by swearing that he believes a thing which he does not in fact believe.

Special explanation as to perjury

387. A person fabricates evidence if he causes any circumstance to exist, or makes any false entry in any book, account or record, or makes any document containing a false statement, or forges any document with intent to mislead any public officer, judge, magistrate or juror acting in any judicial proceeding.

Definition of fabrication

388. A person compounds a crime if he offers or agrees to forbear from prosecuting or giving evidence against a person on a criminal charge, in consideration of money, or of any other valuable thing, or of any advantage whatsoever to himself or to any other person.

Definition of compounding

TITLE XXVII

OFFENCES RELATING TO PUBLIC OFFICES AND TO PUBLIC ELECTIONS

389. Whoever without lawful excuse refuses to serve in any public office in which he is bound to serve, and for the refusal to serve in which no penalty or punishment is provided by any statute, is guilty of a misdemeanour.

Refusal to serve in public office

390. Whoever pretends to be or acts as a public officer or juror, not being lawfully authorized to act as such officer or juror, and in or under colour of that assumed character does or attempts to do, or procures or attempts to procure, any person to do or abstain from doing, any act whatsoever, is guilty of a misdemeanour, unless he shows either—

Falsely pretending to be public officer or juror, &c. (see s. 161)

- (a) that he so pretended or acted under a mistake of law or of fact; or
- (b) in the case of a person acting as a public officer, that he so acted in good faith for the public benefit.

Making false declaration, &c. for office or voting

391. Whoever, in order that he may obtain or be qualified to act in any public office or to vote at any public election, makes, signs, publishes, or uses any declaration, statement, or oath required by law in such case, or any certificate or testimonial as to his conduct or services, or as to any other matter which is material for the obtaining by him of the office, or for his qualification to act in the office or to vote at the election, shall, if he does so, knowing that the declaration, statement, oath, certificate, or testimonial is false in any material particular, be liable to imprisonment for two years.

Corruption &c., by public officer or juror

392. Every public officer or juror who is guilty of corruption, or of wilful oppression, or of extortion, in respect of the duties of his office, shall be liable to imprisonment for two years.

Giving of false certificate by public officer

393. Every public officer who, being bound or authorized as such officer, to attest or certify, by writing or otherwise, any document or matter, or that an event has or has not happened, attests or certifies the document or matter knowing the same to be false in any material particular, or attests or certifies that the event has happened or has not happened, as the case may be, without knowing or having reason to believe that the same has happened or has not happened, as the case may be, according to his attestation or certificate, shall be liable to imprisonment for two years.

Destruction &c., of document by public officer (see s. 362)

394. Every public officer who intentionally and unlawfully destroys, injures, falsifies, or conceals any document which is in his possession, custody, or control, or to which he has access, by virtue of his office, shall be liable to imprisonment for two years.

Oppression by officer of prison

395. Every officer of a prison who uses any kind of torture to a prisoner, or who is guilty of cruelty to a prisoner, or who intentionally and unlawfully causes any harm to a prisoner, shall be liable to imprisonment for two years.

396. Whoever respects of any duty to imprisonment

397. Whoever valuable consideration influenced, or person in respect guilty of a misde

398. Whoever duties as a judiciary agreement with a he will or will not ing or future pro

399. Whoever advantage or dising, procures hi impanelled, or sours to prevent a elled, or sworn a meanour.

400. Whoever chase of any pu corrupt bargain a public office, shall be liable to

401. Whoever public election l any act which i liable to impriso

402. Whoever ation in respect ment for six mo of his convictio and of holding t was held, or any

396. Whoever corrupts or attempts to corrupt any person in respect of any duties as a public officer or juror shall be liable to imprisonment for two years.

Corrupting public officer or juror

397. Whoever accepts, or agrees or offers to accept, any valuable consideration under pretence or colour of having unduly influenced, or of agreeing or being able so to influence, any person in respect of his duties as a public officer or juror is guilty of a misdemeanour.

Accepting bribe to influence public officer or juror

398. Whoever, otherwise than in the due execution of his duties as a judicial officer or juror, makes or offers to make any agreement with any person as to the judgment or verdict which he will or will not give as a judicial officer or juror in any pending or future proceeding, is guilty of a misdemeanour.

Corrupt promise by judicial officer or juror

399. Whoever, with a purpose of procuring any undue advantage or disadvantage to any party to any judicial proceeding, procures himself or any other person to be summoned, impanelled, or sworn as a juror in the proceeding, or endeavours to prevent any other person from being summoned, impanelled, or sworn as a juror in the proceeding, is guilty of a misdemeanour.

Corrupt selection of juror

400. Whoever is a party to or abets the unlawful sale or purchase of any public office, or the making of any unlawful and corrupt bargain or transaction with respect to an appointment to a public office, or with respect to the profits of a public office, shall be liable to imprisonment for two years.

Unlawful sale or purchase of office

401. Whoever attempts to prevent, obstruct, or disturb any public election by any kind of force, violence or threats, or by any act which is a crime punishable under this Code, shall be liable to imprisonment for two years.

Prevention, &c., of election by force, &c.

402. Whoever is guilty of corruption, intimidation or personation in respect of a public election, shall be liable to imprisonment for six months, and shall, during seven years from the date of his conviction, be incapable of voting at any public election and of holding the public office in respect of which the election was held, or any public office of the same nature.

Corruption, intimidation, and personation in respect of election

forging, &c.,
voting paper,
&c.

403. Whoever forges or falsifies, or intentionally and awfully injures or destroys, any voting paper or other similar thing, or intentionally and unlawfully injures or destroys any ballot box, polling booth, or other apparatus or thing used for the purposes of a public election, shall be liable to imprisonment for two years.

Falsification
of return at
election

404. Whoever, being a public officer, charged with the counting of votes or the making of a return at any public election, wilfully falsifies the account of such votes or makes a false return shall be liable to imprisonment for five years.

Public bodies,
corrupt
practices

405. Any person who, by himself or in conjunction with any other person—

- (a) corruptly solicits or receives or agrees to receive for himself or any other person any gift, loan, fee, reward, or advantage as an inducement to any member or servant of a public body doing or forbearing to do anything in respect of any matter or transaction whatsoever, actual or proposed, in which such body is concerned; or
- (b) corruptly gives, promises, or offers to any person, whether for the benefit of that person or any other person, any gift, loan, fee, reward or advantage as an inducement to or reward for or otherwise on account of any member, officer, or servant of a public body doing or forbearing to do anything in respect of any matter in which the public body is concerned shall be liable to imprisonment for two years or to a fine not exceeding two thousand four hundred dollars, or both. Where the matter or transaction in relation to which the offence is committed is a contract or proposal for a contract with Her Majesty or any Government department or any public body, or is a subcontract to execute any work comprised in such a contract the offender shall be liable to imprisonment for a term not exceeding seven nor less than three years.

In this section the expression “public body” includes the Senate and House of Representatives, District Boards, and in addition, local and public boards and authorities of all descriptions.

A person acts cor he directly or indir with respect to the gift, loan, fee, rewa or by any other pe endeavours directly other person with gift, loan, fee, rewa

Where in any p under this section i sideration has bee who is a member c Majesty or any Gc from a person or l tract or other ben shall be deemed to ruptly unless the c

406. Any perso accepts a bribe, w Minister to do, or duty, or to show fa shall be liable to j years or to a fine r

DEFI

407. (1) The p hibiting the sale corrupt bargains extend to every c of is not authoriz tions lawfully ma ing authority to r

Provided that i the said section transaction whic Governor-Genera or the sale, purch son from, to, wifl

A person acts corruptly within the meaning of this section if he directly or indirectly agrees or offers to permit his conduct with respect to the matter or transaction to be influenced by the gift, loan, fee, reward or other advantage to be received by him or by any other person from any person whomsoever, or if he endeavours directly or indirectly to influence the conduct of any other person with respect to the matter or transaction by any gift, loan, fee, reward or other advantage.

Where in any proceedings against a person for an offence under this section it is proved that any money, gift or other consideration has been paid or given to or received by a person who is a member of a public body or in the employment of Her Majesty or any Government department or a public body by or from a person or his agent holding or seeking to obtain a contract or other benefit the money, gift, or other consideration shall be deemed to have been paid or given and received corruptly unless the contrary is proved.

406. Any person who bribes a Minister, or being a Minister, accepts a bribe, where the object of the bribe is to induce such Minister to do, or to omit to do, any act contrary to his official duty, or to show favour or partiality in the discharge of his duty, shall be liable to imprisonment for a term not exceeding seven years or to a fine not exceeding three thousand dollars, or both.

Bribery of, or by, Minister

DEFINITIONS AND SPECIAL PROVISIONS

407. (1) The provisions of the section of this Title for prohibiting the sale or purchase of a public office, or relating to corrupt bargains or transactions in respect of public offices, extend to every civil public office the sale and purchase whereof is not authorized by any statute, or by any order or regulations lawfully made respecting such office by some person having authority to make the same:

Special provision as to sale and purchase of office

Provided that no person shall be liable to punishment under the said section in respect of any sale, purchase, bargain, or transaction which is made by him with the sanction of the Governor-General, in case the person is the Governor-General, or the sale, purchase, bargain, or transaction is made by the person from, to, with, or on behalf of the Governor-General, which

is made with the sanction of Her Majesty or the Secretary of State.

(2) For the purposes of the said section, "corrupt bargain or transaction" includes any agreement, not made with such sanction as aforesaid, for the giving or receipt by any person of any valuable consideration for nominating or appointing a person to an office, or for procuring, soliciting, or recommending the nomination or appointment of a person to an office, or for resigning or procuring the resignation of an office, or for any promise, offer, or endeavour to do any such act as hereinbefore in this section mentioned, and includes any agreement, not made with such sanction as aforesaid, for paying to any person, or permitting any person to retain or receive, the whole or any part of the salary, fees, or other remuneration or benefits of an office.

Explanation as to corruption of public officer, &c.

408. A person is guilty of corrupting a public officer, juror, or voter in respect of the duties of his office or in respect of his vote, if he endeavours directly or indirectly to influence the conduct of the public officer, juror, or voter in respect of the duties of his office or in respect of his vote, by the gift, promise, or prospect of any valuable consideration to be received by the public officer, juror, or voter, or by any other person, from any person whomsoever.

Explanation as to corruption by public officer, &c.

409. A public officer, juror, or voter is guilty of corruption in respect of the duties of his office or vote, if he directly or indirectly agrees or offers to permit his conduct as such officer, juror, or voter to be influenced by the gift, promise, or prospect of any valuable consideration to be received by him, or by any other person, from any person whomsoever.

Special explanation as to corruption of and by public officer, &c.

410. It is immaterial, for the purposes of either of the two last preceding sections, that the person respecting whose conduct the endeavour, agreement, or offer therein mentioned is made is not yet, at the time of the making of the endeavour, agreement, or offer, such a public officer, juror, or voter, if the endeavour, agreement, or offer is made in the expectation that he will or may become or act as such officer, juror, or voter.

411. It is immaterial, for the purposes of the last preceding sections, that the consideration or prospect, agreement or offer, in any such manner criminal or otherwise, is made in violation of any provisions of the said sections.

412. If, after a public officer, juror, or voter, he has accepted for himself any valuable consideration on account of his office or vote, and it is shown to the contrary that no such meaning of this T is intended, the act is not an offence thereof.

413. If, after a public officer, juror, or voter, he has accepted for himself any valuable consideration on account of his office or vote, and it is shown to the contrary that no such meaning of this T is intended, the act is not an offence thereof.

414. In this section, "valuable consideration" means money, money's worth, or any other thing of value, and any for which a person is bound to give or any valuable thing of any kind.

415. A person is guilty of corrupting a public officer, juror, or voter if he endeavours to influence the conduct of the election by the gift, promise, or offer to him, or to any other person, from any person whomsoever.

416. A public officer, juror, or voter is guilty of corruption in respect of the duties of his office or vote, if he directly or indirectly agrees or offers to permit his conduct as such officer, juror, or voter to be influenced by the gift, promise, or prospect of any valuable consideration to be received by him, or by any other person, from any person whomsoever.

411. It is immaterial, for the purposes of any of the three last preceding sections, whether the act to be done by a person in consideration or in pursuance of any such gift, promise, prospect, agreement, or offer as therein mentioned be in any manner criminal or wrongful otherwise than by reason of the provisions of the said sections.

Corrupt agreement for lawful act

412. If, after a person has done any act as a public officer, juror, or voter, he secretly accepts, or agrees or offers secretly to accept for himself or for any other person, any valuable consideration on account of such act, he shall be presumed, until the contrary is shown, to have been guilty of corruption, within the meaning of this Title, in respect of such act before the doing thereof.

Acceptance of bribe by public officer &c., after doing act

413. If, after a public officer, juror, or voter has done any act as such officer, juror, or voter, any other person secretly agrees or offers to give to or procure for him or for any other person any valuable consideration on account of such act, the person so agreeing or offering shall be presumed, until the contrary is shown, to have been guilty of having, before the doing of the act, corrupted such public officer, juror, or voter in respect of the act.

Promise of bribe to public officer, &c., after act done

414. In this Title "valuable consideration" includes any money, money's worth, or valuable thing, and any office or dignity, and any forbearance to demand money, or money's worth, or any valuable thing, and any private advantage of whatsoever kind.

Definition of valuable consideration

415. A person is guilty of intimidation at a public election if he endeavours to influence the conduct of any voter in respect of the election by a threat of any evil consequence to be caused to him, or to any other person, on account of his conduct as such voter.

Definition of intimidation

416. A public officer or juror is guilty of wilful oppression in respect of the duties of his office if he wilfully commits any excess or abuse of his authority, to the injury of the public or of any person.

Explanation as to oppression

Explanation as to extortion

417. A public officer is guilty of extortion who, under cover of his office, demands or obtains from any person, whether for public purposes or for himself or any other person, any money or valuable consideration which he knows that he is not lawfully authorized to demand or obtain, or at a time at which he knows that he is not lawfully authorized to demand the same.

Explanation as to an election

418. No person shall be relieved from any liability to punishment under this Title by reason of any irregularity or informality in the proceedings at or preliminary or subsequent to an election.

TITLE XXVIII

BIGAMY AND SIMILAR OFFENCES

Bigamy

419. Whoever is guilty of bigamy shall be liable to imprisonment for seven years.

Marriage with a person previously married

420. Whoever, being unmarried, goes through the ceremony of marriage with a person whom he or she knows to be married to another person, is guilty of a misdemeanour, whether the other party to the ceremony has or has not such guilty knowledge as to be guilty of bigamy.

Fictitious marriage

421. Whoever goes through the ceremony of marriage, or any ceremony which he or she represents to be a ceremony of marriage, knowing that the marriage is void on any ground, and that the other person believes it to be valid, shall be liable to imprisonment for seven years.

Personation in marriage

422. Whoever personates any other person in marriage, or marries under a false name or description, with intent to deceive the other party to the marriage, shall be liable to imprisonment for seven years.

Unlawfully performing marriage ceremony

423. Whoever performs or witnesses as a marriage officer the ceremony of marriage, knowing that he is not duly qualified so to do, or that any of the matters required by law for the validity of the marriage has not happened or been performed, so that

the marriage is void to imprisonment for

424. Whoever in any statement, or statement of opinion, or statement of fact, or statement of intention, or statement of purpose, or statement of material matter which is being taken reasonable notice of in the matter, be liable to imprisonment for five years

425. Whoever enters into a contract that his consent to the contract whose consent is required for any legal impediment if he does so knowing there is no reason to believe that the contract is void for two years.

426. Whoever is guilty of an offence against the law with respect to the law with respect to defraud or injure another person whether living or dead, whether living or another child, whether living or shall be liable to imprisonment for seven years.

DEFINITIONS

427. (1) A person is said to be married through the ceremony of marriage if

Provided, that a person shall be deemed to be married if at the time of the ceremony his former husband has been dead for seven years, and he has been alive within that time or she informs the court that far as they are known