

**MINOR OFFENCES (FIXED PENALTIES) (AMENDMENT)
ACT, 2021**

(Act 50 of 2021)

ARRANGEMENT OF SECTIONS

SECTIONS

1. Short title and amendment of Cap. 132
2. Amendment of section 2
3. Amendment of section 4
4. Amendment of section 6
5. Insertion of a new section 8



**MINOR OFFENCES (FIXED PENALTIES) (AMENDMENT)
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I assent

A handwritten signature in black ink, appearing to read "Wavel".

Wavel Ramkalawan
President

8th November, 2021

AN ACT TO AMEND THE MINOR OFFENCES (FIXED PENALTIES) DECREE (CAP. 132).

ENACTED by the President and the National Assembly.

Short title and amendment of Cap. 132

1. This Act may be cited as the Minor Offences (Fixed Penalties) (Amendment) Act, 2021, and shall be read and construed as one with the Minor Offences (Fixed Penalties) Decree, Cap.132, which is hereinafter referred to as the “principal Act”.

Amendment of section 2

2. Section 2 of the principal Act is amended as follows —

(a) in subsection (1) —

(i) in the definition of “commissioner”, by inserting after the words “Commissioner of Police” the words “or the Director General of Land Transport, as the case may be”;

(ii) in the definition of “appropriate period”, by repealing the words “3 days” and substituting therefor the words “14 days”;

(iii) by inserting in the alphabetical order the following definitions

““Minister” means the Minister responsible for land transport;

“police officer” includes a traffic warden appointed under 24A (2) of the Road Transport Act (Cap. 206);

“Registrar of the Supreme Court” includes a Deputy Registrar, Assistant Registrar or any other officer of the Registry of the Supreme Court or Magistrates' Court.”

(b) by repealing subsection (5) and substituting therefor the following —

“(5) A notice may be served on a person —

(a) by delivering or tendering it to the person;

(b) by delivering or tendering it at the person's residence, workplace or any other proper address of the person to a person who is more

than 16 years old and who is a member of the person's household or employee, agent or manager of the person, as the case may be;

- (c) by delivering or tendering it to the driver of the vehicle or the person in charge or in control of the vehicle that the person is in;
- (d) by affixing it to a vehicle which the person is occupying or which is in his possession;
- (e) by affixing it in a conspicuous place at the residence or workplace of the person or at the premises of the proper address of the person.”

- (c) by repealing subsection (6) and substituting therefor the following —

“(6) For the purpose of subsection (5), the proper address of a person on whom a fixed penalty notice is to be served shall, in the case of a body corporate, be the registered or principal office or principal place of business of that body, and, in any other case, shall be the last known address of the person to be served.”

- (d) by inserting after subsection (6) the following subsection —

“(7) The delivery, tendering or affixing of the notice under subsection (5) shall be sufficient service on the person liable for the offence.”

Amendment of section 4

- 3. Section 4 of the principal Act is amended as follows —

- (a) in subsection (3) —

- (i) by repealing the words “14 days” and substituting therefor the words “30 days”;

- (ii) by inserting after the words “Commissioner of Police” the words “ or the Director General of Land Transport, as the case may be”;
- (b) in subsection (7), in the longline, by repealing the words “R.1000” and substituting therefor the words “SCR2000”.

Amendment of section 6

4. Section 6 of the principal Act is amended in subsection (2), by repealing the words “3 months” and substituting therefor the words “6 months”.

Insertion of a new section 8

5. The principal Act is amended by inserting immediately after section 7 the following as section 8 —

“Offences and penalties

8.(1) A person commits an offence if, at the time of issuance or service of a fixed penalty notice or on delivery, tendering or affixing of a notice, as the case may be, that person

- (a) refuses to receive the notice from the officer;
- (b) refuses to give his or her name or address to the officer issuing, tendering or serving the notice;
- (c) gives a false name or address to the officer issuing, tendering or serving the notice; or
- (d) not being the person referred to in the notice, removes or interferes with a notice affixed to a vehicle or premises on which a notice has been affixed.

(2) A person who commits an offence under this Act is liable on conviction to a fine of SCR20,000 or imprisonment for 3 months or to both.”

I certify that this is a correct copy of the Bill which was passed by the National Assembly on 2nd November, 2021.



Mrs. Tania Isaac
Clerk to the National Assembly