

**FIRST SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 2,341 of 19th FEBRUARY, 1987.

I ASSENT,

PETER TERRY,
GOVERNOR.

19th February, 1987.



GIBRALTAR

No. 7 of 1987.

AN ORDINANCE to amend the Criminal Offences Ordinance to make provision for penalties for offences contrary to sections 159(1), 160 and 161 and to make the obtaining of supplementary or other pecuniary benefits from Government by means of any false representation, an offence.

ENACTED by the Legislature of Gibraltar.

Title.

1. This Ordinance may be cited as the Criminal Offences (Amendment) Ordinance, 1987.

Replacement of Section 163.

2. The Criminal Offences Ordinance (hereinafter called "the Ordinance") is amended by repealing section 163 and substituting therefor the following new section-

“Penalties.

163.(1) A person guilty of arson under section 159(1) or of an offence under section 159(2) (whether arson or not) is liable on conviction on indictment to imprisonment for life.

(2) A person guilty of any offence under section 159(1) (other than arson) or an offence under section 160 or section 161, is liable on conviction on indictment to imprisonment for ten years."

Insertion of new Section 196A.

3. The principal Ordinance is further amended by inserting immediately after section 196 the following new section -

“Obtaining supplementary benefit by false representation.

196A.(1) If any person, for the purposes of obtaining supplementary benefit, or any other pecuniary benefit from the Government, whether for himself or another person-

(a) makes any statement or representation which he knows to be false; or

(b) produces or furnishes, or causes or knowingly allows to be produced or furnished, any document or information which he knows to be false in a material particular,

he is guilty of an offence and is liable on summary conviction to imprisonment for three months and to a fine of £400.

(2) For the purposes of this section-

(a) the offence is committed when there is a false representation made which the person making such representation knows to be false;

Criminal Offences (Amendment) (No. 2) Ordinance, 1987.

(b) the absence of an intention to defraud the Government shall not afford a defence to a person charged under this section;

(c) "obtaining" means securing ownership, possession or control, and includes enabling another to so obtain ;

(d) "pecuniary benefit" includes any payment under any non-statutory scheme or system operated by Government for the relief of hardship want or destitution, such benefit being paid in addition to any benefit or allowance under the provisions of any legislation for the time being in force relating to social security payments".

Passed by the Gibraltar House of Assembly on the 11th day of February, 1987,

P. A. GARBARINO,
Clerk to the Assembly.