

PREVENTION OF CRIMES ACT

CHAPTER 10:01

Act

1 of 1870

Amended by

14 of 1939

45 of 1947

45 of 1979

Current Authorised Pages

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Note on Subsidiary Legislation

This Chapter contains no subsidiary legislation.

Note on Adaptation

Under paragraph 6 of the Second Schedule to the Law Revision Act (Ch. 3:03) the Commission amended certain references to public officers in this Chapter. The Minister's approval of the amendments was signified by LN 52/1980, but no marginal reference is made to this Notice where any such amendment is made in the text.

CHAPTER 10:01

PREVENTION OF CRIMES ACT

ARRANGEMENT OF SECTIONS

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CHAPTER 10:01

PREVENTION OF CRIMES ACT

An Act for the more effectual Prevention of Crime.

1950 Ed.
Ch. 11 No. 5.
1 of 1870.
Commencement.

[10TH FEBRUARY 1870]

Short title.

1. This Act may be cited as the Prevention of Crimes Act.

Interpretation.
[45 of 1979].

2. (1) In this Act “Commissioner” means the Commissioner of Police.

(2) For the purpose of this Act, the expression “crime” means any indictable offence not punishable with death, or the offence of uttering false or counterfeit coin, or of possessing counterfeit gold or silver coin, or the offence of obtaining goods or money by false pretences, or the offence of conspiracy to defraud, or any offence under section 30 of the Larceny Act.

Ch. 11:12.

Register of
criminals.

3. For the better supervision of criminals, a register of all persons convicted of crime in Trinidad and Tobago shall be kept under the management of the Commissioner or of such other person as the Minister may from time to time appoint, in such form, with such evidence of identity, and containing such particulars, and subject to such regulations, as may from time to time be prescribed by the Minister.

Returns for
purposes of
register.

4. In order to make the register complete, and to make the supervision over criminals effectual, the police officer in charge of every police district shall from time to time make returns to the Commissioner in such manner and at such times, and containing such evidence of identity and other information with respect to persons convicted of crime, as the Commissioner may from time to time direct.

Persons twice
convicted on
indictment to be
subject to police
supervision.

5. Where any person is convicted on indictment of any crime, and he is proved to have been previously convicted of any crime, then, in addition to any other punishment which may be awarded

to him, it shall be deemed to be part of the sentence passed on him, unless otherwise declared by the Court, that he is to be subject to police supervision as mentioned below for a period of three years, or such less period as the Court may direct, commencing from the time at which he is convicted and exclusive of the time during which he is undergoing his punishment.

6. (1) Every person subject to police supervision who, unless prevented by illness or other unavoidable cause, fails to report himself personally immediately on his discharge from prison and thereafter once in every month to such person as the Commissioner shall appoint, or who changes his place of residence without having previously notified his intention to remove and the place to which he is about to remove to such person as the Commissioner shall appoint, is liable on summary conviction to imprisonment for three months.

Person subject to supervision to report himself and to notify change of residence.

(2) Every person required under this section to notify any change of his place of residence shall comply with the requirement by personally presenting himself and declaring his intended place of residence to the person appointed as mentioned above by the Commissioner.

(3) Any appointment, direction or authority purporting to be signed by the Commissioner, and to have been made or given for the purposes of this Act, shall be evidence, until the contrary is proved, that the appointment, direction or authority thereby made or given was duly made or given by the Commissioner; and evidence that it appears from the records kept by authority of the Commissioner that a person required as aforesaid to notify his residence or change of residence, or to make a report, has failed to comply with the requirement, shall be *prima facie* evidence that the person has not complied with the requirement, but if the person charged alleges that he has made such notification or report to any particular person or at any particular time, the Court shall require the attendance of such persons as may be necessary to prove the truth or falsehood of the allegation.

Offences by person subject to police supervision.

7. (1) Where any person is subject, in pursuance of this Act, to police supervision, he is liable on summary conviction to imprisonment for one year, under the following circumstances, or any of them:

- (a) if, on his being charged by a constable with getting his livelihood by dishonest means, he fails to make it appear to the Magistrate before whom he is brought that he is not getting his livelihood by dishonest means;
- (b) if he is found by any constable in any place, whether public or private, under such circumstances as to satisfy the Magistrate before whom he is brought that he was about to commit, or to aid in the commission of, any crime punishable on summary conviction or indictment, or was waiting for an opportunity to commit, or aid in the commission of, any such crime;
- (c) if he is found by any person in or upon any dwelling house, or any building, yard, or premises being parcel of or attached to such dwelling house, or in or upon any shop, warehouse, counting house, or other place of business, or in any garden, orchard, pleasure ground, or nursery ground, without being able to account to the satisfaction of the Magistrate before whom he is brought for his being found on such premises.

Power of arrest without warrant.

(2) Any person charged with an offence under this section may be taken into custody by any constable without warrant, or may, if charged with being guilty of an offence committed under the circumstances mentioned in subsection (1)(c), or any of them, be apprehended by the owner or occupier of the property on which he is found, or by the servants of the owner or occupier, or by any other person authorised by the owner or occupier, and may be detained until he can be delivered into the custody of a constable for the purpose of being brought before a Magistrate; but no person shall be so taken into custody on the ground that he is suspected of getting his livelihood by dishonest means except under a written authority from the Commissioner or a Superintendent of Police.

(3) Where a person is convicted under this section of an offence which subjects him to police supervision the record of his conviction shall contain a statement to the effect that he is subject to police supervision for the period of three years, or such less period as the Court may direct, commencing from the date of his conviction, and exclusive of the time during which he is undergoing his punishment, or words to the like effect; but the omission of such statement shall not exempt any person from the operation of this section.
