



Criminal Justice Act 1925

1925 CHAPTER 86

PART III

AMENDMENTS AS TO OFFENCES

35 Amendment of ss. 1 and 18 of Forgery Act, 1913

- (1) For the purpose of removing doubts, it is hereby declared that a document may be a false document for the purposes of the Forgery Act, 1913, notwithstanding that it is not false in any such manner as is described in subsection (2) of section one of that Act.
- (2) The Forgery Act, 1913, shall have effect as though in the definition of "valuable security" in section eighteen thereof there were inserted after the words "security for the payment of money" the words "or any authority or" request for the payment of money or for the delivery or "transfer of goods or chattels."

36 Forgery of passport

- (1) The forgery of any passport, or the making by any person of a statement which is to his knowledge untrue for the purpose of procuring a passport, whether for himself or any other person, shall be a misdemeanour punishable with imprisonment not exceeding two years or a fine not exceeding one hundred pounds or both such imprisonment and fine.
- (2) In this section the expression "forgery" has the same meaning as in the Forgery Act, 1913.

37 Unlawful possession of pension documents

- (1) If any person receives, detains or has in his possession any document to which this section applies as a pledge or a security for a debt or with a view to obtaining payment from the person entitled thereto of a debt due either to himself or to any other person, he shall be liable, on summary conviction, to a fine not exceeding twenty pounds,

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or to imprisonment for a term not exceeding six months, or to both such fine and imprisonment.

- (2) This section applies to certificates or official documents evidencing or issued in connection with the right of persons to pensions or allowances payable out of any grant which may be made out of the Consolidated Fund of the United Kingdom in pursuance of any Act for civil non-effective services.

38 Imitation, &c, of currency or bank notes

- (1) If any person makes, or causes to be made, or uses for any purpose whatsoever, or utters, any document purporting to be, or in any way resembling, or so nearly resembling as to be calculated to deceive, any currency or bank note, or any part thereof, he shall be guilty of an offence against this section and shall be liable on summary conviction to a fine not exceeding five pounds, and it shall be lawful for the court dealing with the case to order the document in respect of which the offence was committed, and any copies of that document, or any plates, blocks, dies or other instruments used for, or capable of being used for, printing or reproducing any such document which are in the possession of the offender to be destroyed.
- (2) If any person whose name appears on any document the making of which is an offence under this section refuses, without lawful excuse, to disclose to a police officer on being so required the name and address of the person by whom it was printed or otherwise made, he shall be liable on summary conviction to a fine not exceeding ten pounds.
- (3) Where the name of any person appears on any document in respect of which any person is charged with an offence under subsection (1) of this section, or on any other document used or distributed in connection with that document, it shall be prima facie evidence that that person caused the document to be made.
- (4) In this section the expression "currency note" means a currency note issued under the Currency and Bank Notes Act, 1914, and includes any note of a similar character, by whatever name called, issued by or on behalf of the government of any foreign state or any part of His Majesty's Dominions outside the United Kingdom, and the expression "bank note" has the same meaning as in the Forgery Act, 1913.

39 Amendment of ss. 42 and 43 of Offences against the Person Act, 1861

- (1) Where a person has been convicted by a court of summary jurisdiction of an offence under section forty-two of the Offences against the Person Act, 1861 (which imposes a penalty on persons committing any common assault or battery) he shall instead of being liable to a fine not exceeding, together with costs, the sum of five pounds, be liable to a fine not exceeding five pounds in addition to any costs which the court may order him to pay.
- (2) The fine to which a person shall be liable on conviction by a court of summary jurisdiction for an offence under section forty-three of the Offences against the Person Act, 1861 (which imposes a penalty on persons committing an aggravated assault), shall, instead of being a fine not exceeding together with costs the sum of twenty pounds, be a fine not exceeding the sum of fifty pounds, and the offender shall in addition be liable to pay any costs which the court may order him to pay.

- (3) A court of summary jurisdiction by which any person is convicted of an offence under either of the enactments mentioned in this section may, in addition to imposing any penalty, order the offender to enter into a recognizance, with or without sureties, to keep the peace or to be of good behaviour for a period not exceeding twelve months.

40 Penalty for drunkenness while in charge of motor car

- (1) Any person who is drunk while in charge on any highway or other public place of any mechanically-propelled vehicle shall, on summary conviction, be liable in respect of each offence to imprisonment for a period not exceeding four months or to a fine not exceeding fifty pounds, or to both such imprisonment and fine.
- (2) A person convicted under the preceding subsection shall (without prejudice to the power of the court under section four of the Motor Car Act, 1903, to order a longer period of disqualification) be disqualified for holding a licence for a period of twelve months from the date of the conviction, and any licence held by him shall, so long as the disqualification continues, be of no effect.

The court shall cause particulars of any such conviction and of the resulting disqualification to be endorsed upon any licence held by the person convicted, and shall send notice of the conviction to the council by whom the licence was granted.

- (3) If a person who under this section is disqualified for holding a licence applies for or obtains a licence while he is so disqualified, he shall be guilty of an offence under the Motor Car Act, 1903, and any licence so obtained shall be of no effect.
- (4) A person who by virtue of a conviction under this section is disqualified for holding a licence, or who, by virtue of an order made under section four of the Motor Car Act, 1903, on his being convicted of an offence, is disqualified for obtaining a licence or whose licence is suspended may, at any time after the expiration of three months from the date of the conviction, apply from time to time to the court before which he was convicted to remove the disqualification or suspension, and on any such application the court may by order, as it thinks proper, having regard to the character of the person convicted and his conduct subsequent to conviction, the nature of the offence, and the other circumstances of the case, either remove the disqualification or suspension as from such date as may be specified in the order or refuse the application, and, if the court order a disqualification or suspension to be removed, the court shall cause particulars of the order to be endorsed on the licence, if any, held by the applicant.
- (5) In this section the expression " licence " means a licence granted under section three of the Motor Car Act, 1903.

41 Prohibition on taking photographs, &c, in court

- (1) No person shall—
- (a) take or attempt to take in any court any photograph, or with a view to publication make or attempt to make in any court any portrait or sketch, of any person, being a judge of the court or a juror or a witness in or a party to any proceedings before the court, whether civil or criminal; or
 - (b) publish any photograph, portrait or sketch taken or made in contravention of the foregoing provisions of this section or any reproduction thereof;
- and if any person acts in contravention of this section he shall, on summary conviction, be liable in respect of each offence to a fine not exceeding fifty pounds.

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(2) For the purposes of this section—

- (a) the expression " court" means any court of justice, including the court of a coroner :
- (b) the expression "judge" includes recorder, registrar, magistrate, justice and coroner :
- (c) a photograph, portrait or sketch shall be deemed to be a photograph, portrait or sketch taken or made in court if it is taken or made in the court-room or in the building or in the precincts of the building in which the court is held, or if it is a photograph, portrait or sketch taken or made of the person while he is entering or leaving the court-room or any such building or precincts as aforesaid.

42 Amendment of s. 4 of Vagrancy Act, 1824

The words "in any street, road, or public high-" way, "in the view thereof, or in any place of public " resort," in section four of the Vagrancy Act, 1824, are hereby repealed.

43 Amendment of s. 15 of Theatres Act, 1843

So much of section fifteen of the Theatres Act, 1843 (which enacts a penalty for acting plays before they have been allowed or after they have been disallowed by the Lord Chamberlain) as provides that the licence (if any) of a theatre in which an offence under that section is committed shall become absolutely void shall cease to have effect, but the court dealing with any such case may, in their discretion, in addition to imposing a pecuniary penalty under that section, order that the licence, if any, of the theatre in which the offence was committed shall become void or shall be suspended for any specified period.