2016 CHAPTER 18

PART 13

OFFENCES

Forgery, false statements etc

268.—(1) A person commits an offence if the person—

(a) makes, in a relevant document, an entry or statement which is false; and

(b) does so knowing that the entry or statement is false or being reckless as to whether it is false.

(2) A person commits an offence if—

(a) with intent to deceive, the person makes use of an entry or statement in a relevant document;

(b) the entry or statement is false; and

(c) the person knows it to be false.

(3) In this section "relevant document" means any of the following—

(a) a statement of incapacity for the purposes of section 13;

(b) a relevant certificate (as defined by section 18) for the purposes of section 16 or 17 (second opinions);

(c) a report under section 39 or any provision of Schedule 1, 2 or 3 (medical reports etc);

(d) an application under Schedule 1, an authorisation granted by a panel under that Schedule, or an extension by a panel of such an authorisation;

(e) an application under paragraph 4 of Schedule 4 (application for registration of lasting power of attorney);

(f) a report under any provision of Part 10 (criminal justice).

(4) A person guilty of an offence under this section is liable—

(a) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both;

(b) on conviction on indictment, to imprisonment for a term not exceeding 2 years or a fine or both.

(5) The Department may by regulations amend subsection (3).