

CORRUPTION PREVENTION

with any public servant as such, shall be guilty of a misdemeanour.

Punishment
for abet-
ment by
public
servant.

7. Every person who, being a public servant, in respect of whom either of the offences defined in sections 5 and 6 is committed, abets the offences, shall be guilty of a misdemeanour.

Penalty for
offences.

8. Any person on conviction for offending as aforesaid shall, at the discretion of the court before which he is convicted—

- (a) be liable to be imprisoned for any period not exceeding two years, with or without hard labour, or to pay a fine not exceeding one thousand dollars, or to both such imprisonment and such fine; and
- (b) in addition be liable to be ordered to pay to such body, and in such manner as the court directs, the amount or value of any gift, loan, fee, or reward received by him or any part thereof; and
- (c) be liable to be adjudged incapable of being elected or appointed to any public office for seven years from the date of his conviction, and to forfeit any such office held by him at the time of his conviction; and
- (d) in the event of a second conviction for a like offence he shall, in addition to the foregoing penalties, be liable to be adjudged to be for ever incapable of holding any public office, and to be incapable for seven years of being registered as an elector, or voting at an election either of members to serve in the House of Representatives or of members of any public body, and the enactments for preventing the voting and registration of persons declared by reason of corrupt practices to be in-

capable of voting shall apply to a person adjudged in pursuance of this section to be incapable of voting; and

- (e) if such person is an officer or servant in the employ of any public body upon such conviction he shall, at the discretion of the court, be liable to forfeit his right and claim to any compensation or pension to which he would otherwise have been entitled.

9.—(1) Where an offence under this Part is also punishable under any other enactment, or at common law, such offence may be prosecuted and punished either under this Part, or under the other enactment, or at common law, but so that no person shall be punished twice for the same offence. Savings.

(2) A person shall not be exempt from punishment under this Act by reason of the invalidity of the appointment or election of a person to a public office.

10. A prosecution for an offence under this Part shall not be instituted except by or with the consent of the Director of Public Prosecutions. Restriction on prosecution.

11. The expenses of the prosecution of an offence against this Part shall be defrayed out of the Consolidated Fund. Expenses of prosecution.

12. A Resident Magistrate's Court shall have jurisdiction to inquire of, hear, and determine a misdemeanour or offence under this Act and the procedure shall be in accordance with the provisions of any enactment for the time being in force regulating procedure before Resident Magistrates in the exercise of criminal jurisdiction. Jurisdiction.