



ST. HELENA

**(Chapter No. not allocated yet)**

## **CRIMINAL JUSTICE (SENTENCING) ORDINANCE**

### **Non-authoritative Consolidated Text**

This is not an authoritative 'revised edition' for the purposes of the Revised Edition of the Laws Ordinance; it has been prepared under the supervision of the Attorney General for the purpose of enabling ready access to the current law, and specifically for the purpose of being made accessible via the internet.

Whilst it is intended that this version accurately reflects the current law, users should refer to the authoritative texts in case of doubt. Enquiries may be addressed to the Attorney General at Essex House, Jamestown [Telephone (+290) 2270; Fax (+290) 2454; email [pa.lawofficers@legalandlands.gov.sh](mailto:pa.lawofficers@legalandlands.gov.sh)]<sup>1</sup>

Visit our [LAWS page](#) to understand the St. Helena legal system and the legal status of this version of the Ordinance.

This version contains a consolidation of the following laws—

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<sup>1</sup> These contact details may change during 2011 or early in 2012. In case of difficulty, email [shgwebsite@sainthelena.gov.sh](mailto:shgwebsite@sainthelena.gov.sh) or telephone (+290) 2470.

**CRIMINAL JUSTICE (SENTENCING) ORDINANCE***(Ordinance 9 of 2012)*

AN ORDINANCE TO AMEND ALL ORDINANCES, AND ALL ENGLISH LAWS APPLIED TO ST HELENA, TO REGULATE THE MANNER IN WHICH CRIMINAL PENALTIES MAY BE IMPOSED; AND TO AMEND THE DRUGS (PREVENTION OF MISUSE) ORDINANCE TO FURTHER REGULATE CERTAIN PENALTIES.

**Commencement***[16 July 2012]***Citation**

1. This Ordinance may be cited as the Criminal Justice (Sentencing) Ordinance, 2012.

**Penalties on conviction**

2. Where an Ordinance, or any English Law applied to St Helena by or pursuant to the English Law (Application) Ordinance, 2005, provides for different penalties for an offence according to whether conviction for such offence is summary or on indictment, or according to any other difference of circumstance, such Ordinance or Law shall be read as providing that the maximum penalty that a Court may impose on conviction shall be (subject to any rule of law limiting the powers of courts subordinate to the Supreme Court) the higher or the highest of the penalties so provided.

**Restriction on cultivation of plant of the genus cannabis**

3. Schedule 2 of the Drugs (Prevention of Misuse) Ordinance, 2003, is amended by revoking the line dealing with the offence under section 9(2) and substituting the following therefor:

9	Cultivation of cannabis plant, or allowing use of property for cultivation	(a) Summary				2 years and £10,000
		(b) On indictment				14 years and a fine