

THE OFFENCES AGAINST THE PERSON ACT

ARRANGEMENT OF SECTIONS

1. Short title.

*Homicide*

2. Murder.

3. Sentence for murder.

Sentence of death not to be passed on pregnant woman.

Procedure where woman convicted of capital offence alleges she is pregnant.

3A. Procedure regarding murder charge.

3B. [*Repealed by Act 1 of 2005.*]

3C. Provisions as to appeals in relation to repeated and multiple murders.

3D. Provisions as to procedure regarding two or more murders tried together.

4. Abolition of “constructive malice”.

5. Persons suffering from diminished responsibility.

6. Provocation.

7. Suicide pact.

8. Conspiring or soliciting to commit murder.

9. Manslaughter.

10. Excusable homicide.

11. Petit treason.

12. Provision for trial of certain cases of murder or manslaughter.

*Attempts to Murder*

13. Administering poison, or wounding with intent to murder.

14. Destroying or damaging building with intent to murder.

15. Setting fire to ship, etc., with intent to murder.

16. Attempting to administer poison, etc., with intent to murder.

17. By other means attempting to commit murder.

*Letters Threatening to Murder*

18. Letters threatening to murder.

*Use of Audio, Visual or Audiovisual Communication to Promote Criminal Activity*

18A. Use of audio, visual or audiovisual communication to promote criminal activity

*OFFENCES AGAINST THE PERSON*

*Acts Causing or Tending to Cause Danger to Life, or Bodily Harm*

19. Preventing person endeavouring to save his life in shipwreck.
20. Shooting or attempting to shoot or wounding with intent to do grievous bodily harm.
21. What shall be deemed loaded arms.
22. Unlawful wounding.
23. Attempting to choke, etc., in order to commit indictable offence.
24. Administering drug with intent to commit indictable offence.
25. Administering poison so as to endanger life or inflict grievous bodily harm.
26. Administering poison with intent to injure or annoy.
27. Jury may acquit of felony, and find guilty of misdemeanour.
28. Abandoning or exposing child whereby life endangered.
29. Causing bodily injury by explosion of gunpowder.
30. Causing gunpowder to explode, etc., with intent to do grievous bodily harm.
31. Placing wood on railway, etc., with intent to endanger safety of passengers.
32. Doing anything to endanger safety of passengers on railway.
33. Genocide.

*Assaults*

34. Obstructing clergyman in the performance of his duties.
35. Assaulting magistrate when preserving wreck.
36. Assault with intent to commit felony, or on constable, etc.
37. Hindering seaman from working at his trade, etc.
38. Using violence to deter person from buying or selling.
39. Summary jurisdiction to try common assaults.
40. Aggravated assaults on women or children.
41. Justices may dismiss complaint, certifying dismissal.
42. Certificate or conviction to be a bar to further proceedings.
43. Punishment for common and aggravated assaults.
44. {
45. {
46. { *[Repealed by Act 12 of 2009.]* }
47. }
48. }

- 49. {
- 50. {
- 51. { [Repealed by Act 12 of 2009.] }
- 52. {
- 53. }
- 54. {
- 55. {
- 56. { [Repealed by Act 12 of 2009.] }
- 57. {
- 58. }
- 59. {
- 60. {
- 61. { [Repealed by Act 12 of 2009.] }
- 62. {
- 63. }
- 64. {
- 65. {
- 66. { [Repealed by Act 12 of 2009.] }
- 67. }

*Suppression of Brothels*

- 68. Search warrants.

*Child Stealing*

- 69. Child stealing.
- 70. Kidnapping.

*Bigamy*

- 71. Bigamy.  
Provision as to evidence.

*Attempts to Procure Abortion*

- 72. Administering drugs or using instruments to procure abortion.
- 73. Procuring drugs, etc., to procure abortion.

*Concealing the Birth of a Child*

- 74. Concealment of birth.

*Infanticide*

- 75. Offence of infanticide.

*OFFENCES AGAINST THE PERSON**Unnatural Offences*

76. Unnatural crime.

77. Attempt.

*Proof of Carnal Knowledge*

78. Proof of carnal knowledge.

*Outrages on Decency*

79. Outrages on decency.

*Other Matters*

80. Apprehension without warrant.

81. Punishment of principals in second degree and accessories.

82. Fines and sureties for good behaviour.

83. Conviction not to be quashed for want of form, etc.

84. Costs on prosecution for assault.

85. Recovery of costs by distress.

THE OFFENCES AGAINST THE  
PERSON ACT

Cap. 268.	Sch.,
Laws	34 of 1973,
43 of 1958,	1 of 1979
15 of 1962	1st Sch.,
S. 35,	30 of 1988,
Sch.	14 of 1992,
Acts	31 of 1995
42 of 1963	S. 4,
[1864.] S. 2.	1 of 2005,
33 of 1967,	3 of 2006,
44 of 1968,	12 of 2009
42 of 1969	S. 42.
3rd Sch.,	18 of 2010,
9 of 1972	3 of 2014
	3rd. Sch.

1. This Act may be cited as the Offences against the Person Act. Short title.

*Homicide*

2.—(1) Subject to subsection (3), every person to whom section 3(1A) applies or who is convicted of murder committed in any of the following circumstances shall be sentenced in accordance with section 3(1)(a), that is to say— Murder.  
14/1992  
S. 2.  
1/2005  
S. 2(a)(b).

(a) any murder— 3/2006  
S. 2(a).

(i) committed by a person if, in the course or furtherance of, arising out of, or ancillary to, that murder, the person commits an offence referred to in subsection (1A); or

(ii) committed by a person in the course or furtherance of, arising out of, or ancillary to, an offence referred to in subsection (1A),

whether or not the individual murdered was an individual that the offender intended to murder in committing the offence;

(b) the murder of—

(i) a member of the security forces acting in the execution of his duties or of a person assisting a member so acting;