

57. Penalties

- (1) A person who commits an offence against this Act for which no penalty is specifically provided is liable, on summary conviction —
 - (a) in the case of an individual, to —
 - (i) for a first offence, \$20 000 and imprisonment for 9 months; and
 - (ii) for a second or subsequent offence, \$40 000 and imprisonment for 2 years, and in any case, to a daily penalty of \$400; and
 - (b) in the case of a body corporate, to —
 - (i) for a first offence, \$50 000; and
 - (ii) for a second or subsequent offence, \$100 000, and in any case, to a daily penalty of \$1 000.
- (2) Where an offence under this Act which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he as well as the body corporate shall be deemed to have committed that offence and is liable to be proceeded against and punished accordingly.
- (3) If a person is convicted of an offence against this Act in relation to any object, place or thing, the object, place or thing is to be taken as being the property of the Minister for the purposes of making a reparation order under Part 16 of the *Sentencing Act 1995*.
- (4) If under Part 16 of the *Sentencing Act 1995* a compensation order is made in favour of the Minister, any money received by the Minister under the order is to be credited to the Consolidated Fund.

[Section 57 amended by No. 78 of 1995 s. 4 and 147; No. 50 of 2003 s. 35(2).]