

57. Penalties

- (1) A person convicted of an offence against this Act is liable on summary conviction, where no penalty is expressly provided for the offence, —
 - (a) if he has not been previously convicted of any offence against this Act, to —
 - (i) a penalty of five hundred dollars;
 - (ii) imprisonment for 4 months; or
 - (iii) both such a fine and imprisonment; or
 - (b) if he has been previously convicted of any offence against this Act, to —
 - (i) a penalty of two thousand dollars;
 - (ii) imprisonment for twelve months; or
 - (iii) both such a fine and imprisonment;and
 - (c) in the case of a continuing offence, to a daily penalty of one hundred dollars for every day that the offence continues after the offender is convicted.
- (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 ss.4 and 147.]