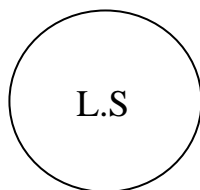


**Legal Notice No. 19 of 2025**

**ST HELENA**



**CRIMINAL JUSTICE (FIXED PENALTIES) ORDINANCE, 2020**

***CRIMINAL JUSTICE (FIXED PENALTIES) REGULATIONS, 2025***

In exercise of the powers conferred by section 9 of the Criminal Justice (Fixed Penalties) Ordinance, 2020, the Governor on the advice of the Executive Council makes the following Regulations:

**Citation and commencement**

- 1.** (1) These Regulations may be cited as the Criminal Justice (Fixed Penalties) Regulations, 2025.
- (2) These Regulations come into force on 1 October 2025.

**Offences and penalties**

- 2.** (1) An offence for which a fixed penalty notice may be issued is specified in Schedule I.
- (2) Schedule I may be amended by Order made by the Governor on the advice of the Executive Council.

**Form of notice and offences**

- 3.** A fixed penalty notice must be issued in accordance with section 6 and in the form specified by the Director of Police and published by Notice in the Gazette.

**Payment dates and early payment**

- 4.** (1) The penalty in respect of a fixed penalty notice is due to be paid within 60 days of the date of the fixed penalty notice.
- (2) Payment of the penalty in respect of a fixed penalty notice before the expiration of 30 days after the date of the fixed penalty notice is satisfied by payment of 50 percent of the penalty specified in respect of the fixed penalty notice.

(3) If payment of a penalty in respect of a fixed penalty notice is not made on the date specified in sub-regulation (2) the penalty in respect of the fixed penalty notice must be paid in full and within the period specified in sub-regulation (1).

### **Place of payment**

5. (1) Payment of a penalty specified in a fixed penalty notice may be made at the St Helena Post Office and at any branch of the Bank of St Helena during the period that the St Helena Post Office and any branch of the Bank of St Helena are open for business transactions.

(2) An additional location may be specified for payment of a penalty in a fixed penalty notice by Order made by the Governor on the advice of the Executive Council.

### **Criteria for the issue of a fixed penalty notice**

6. (1) The Director of Police must cause any further criteria to be applied to the use of fixed penalty notices, after consultation with and approval from the Attorney General, to be published by Notice.

(2) Where a fixed penalty notice is issued in relation to a matter which does not fall under the responsibility of the Director of Police but which falls under the responsibility of any department of Government, the Director of the department of Government must, subject to sub-regulation (3), after consultation with the Director of Police, cause a Notice to be published in the Gazette specifying the criteria to be applied to the use of fixed penalty notices.

(3) A Notice specifying the criteria to be applied to the use of fixed penalty notices pursuant to sub-regulation (2) must be approved by the Attorney General prior to the publication of the Notice.

### **Officers to be appointed**

7. A person specified in Schedule II must be appointed by Order made by the Governor to be an officer for the purpose of the Ordinance.

### **Revocation**

8. The Criminal Justice (Fixed Penalties) Regulations 2022 are revoked.

## **SCHEDULE I**

### ***Offences and penalties***

A fixed penalty notice may be issued in respect of an offence pursuant to—

- (a) section 3(1) of the Criminal Damage Ordinance, 1979 – penalty £100;
- (b) section 1(1) of the Theft Act, 1968 – penalty £100;
- (c) section 7(1) of the Public Order Ordinance, 1997 – penalty £100;
- (d) section 6(2) of the Summary Offences Ordinance, 1975 – penalty £100;

- (e) section 12(2) of the Summary Offences Ordinance, 1975 – penalty £50;
- (f) section 76(3) of the Environmental Protection Ordinance, 2016 – penalty £50; or
- (g) regulation 6 of the Local Traffic Regulations, 1985 – penalty £50.
- (h) section 71(1) of the Fisheries Ordinance, 2021 – penalty £200.
- (i) section 73(1) of the Fisheries Ordinance, 2021 – penalty £200.
- (j) section 20(1) of the Environmental Protection Ordinance, 2016 – penalty £200.
- (k) section 109(2) of the Environmental Protection Ordinance, 2016 – penalty £200.
- (l) section 109 (3) of the Environmental Protection Ordinance, 2016 – penalty £200.
- (m) section 71(3) of the Fisheries Ordinance, 2021 – penalty £100.
- (n) section 72(2) of the Fisheries Ordinance, 2021 – penalty £100.
- (o) section 72(4) of the Fisheries Ordinance, 2021 – penalty £100.
- (p) section 74(1) of the Fisheries Ordinance, 2021 – penalty £100.
- (q) section 75 of the Fisheries Ordinance, 2021 – penalty £100.
- (r) section 81(6) of the Environmental Protection Ordinance, 2016 – penalty £100.
- (s) section 4(1) of the Protection of Wrecks and Marine Archaeological Heritage Ordinance, 2014 – penalty £100.

## **SCHEDULE II**

(section 9(e))

### ***Officers to be appointed***

- (a) The Chief Fisheries Officer (section 5(1) of the Fisheries Ordinance, 2021);
- (b) A Fisheries Protection Officer (section 5(2) of the Fisheries Ordinance 2021); and
- (c) The Chief Environmental Officer (section 7(1) of the Environmental Protection Ordinance, 2016).

Made by the Governor on the advice of the Executive Council this 3<sup>rd</sup> day of July 2025.

Nigel Phillips CBE

Governor

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

The Criminal Justice (Fixed Penalties) Regulations, 2025, specify the form in which a fixed penalty notice is to be issued, the manner in which a penalty is to be paid and the offences for which a fixed penalty notice may be issued.

Regulation 8 revokes the Criminal Justice (Fixed Penalties) Regulations 2022, which were approved by the Executive Council, but have not yet been made. The 2022 Regulations have now been superseded by these Regulations and a revocation has been included for the avoidance of doubt.