

No. 22.] *Prevention of Prostitution Ordinance, 1915.* [1915.

Every male person who—
 (a) habitually lives wholly or in part on the earnings of prostitution or
 (b) in any public place habitually solicits or attempts to solicit for prostitution or
 (c) for any purpose connected with prostitution or attempts to do so, shall be liable on summary conviction to imprisonment with hard labour for six months.

(2) Any complaint upon which a conviction is made under this Ordinance shall be made in a house or any part of a house or in a room or any part of a room used for the purpose of prostitution, and that any male person who habitually lives wholly or in part on the earnings of prostitution or who habitually solicits or attempts to solicit for prostitution in any public place or in any room or any part of a room used for the purpose of prostitution shall be liable on summary conviction to imprisonment with hard labour for six months.

(3) Where a male person is proved to live with or to be habitually in the company of a prostitute, or is proved to have exercised control, direction or influence over the movements of a prostitute in such a manner as to show that he is aiding, abetting or procuring her prostitution with any person or persons, he shall, unless he can satisfy the Court to the contrary, be deemed to be habitually living on the earnings of prostitution.



I assent.
G. B. HADDON-SMITH,
 Governor.
 29th November, 1915.

SAINT LUCIA. No. 22 of 1915.

AN ORDINANCE to Suppress Prostitution in this Colony.
 [9th December, 1915.]

BE it enacted by the Governor, with the advice and consent of the Legislative Council of Saint Lucia, as follows:—

1. This Ordinance may be cited as the Prevention of Prostitution Ordinance, 1915. Short title.

Persons trading in prostitution.

2. (1) Every male person who—

(a) knowingly lives wholly or in part on the earnings of prostitution, or

(b) in any public place persistently solicits or importunes for immoral purposes,

shall be liable, on summary conviction, to imprisonment with hard labour for six months.

(2) Any Magistrate, on complaint upon oath that there is reason to suspect that any house or any part of a house is used by a female for purposes of prostitution, and that any male person residing in or frequenting the house is living wholly or in part on the earnings of the prostitute, may by warrant under his hand authorise any Police or other Constable to enter the house at any time and to apprehend and bring that male person before him, to be dealt with according to law.

(3) Where a male person is proved to live with or to be habitually in the company of a prostitute, or is proved to have exercised control, direction or influence over the movements of a prostitute in such a manner as to show that he is aiding, abetting or compelling her prostitution with any person or generally, he shall, unless he can satisfy the Court to the contrary, be deemed to be knowingly living on the earnings of prostitution.

(4) Every female who is proved to have, for the purpose of gain, exercised control, direction or influence over the movements of a prostitute in such a manner as to show that she is aiding, abetting or compelling her prostitution with any person or generally, shall be liable on summary conviction to imprisonment with hard labour for six months.

(5) A person charged with an offence against this section may, instead of being proceeded against summarily, be proceeded against on indictment, and on conviction on indictment shall be liable to imprisonment for two years and in the case of a second or subsequent conviction, such second or subsequent conviction being a conviction on indictment, the Court may in addition to any term of imprisonment awarded, sentence the offender, if a male, to be once privately flogged or whipped.

(6) Notwithstanding anything contained in section 220 of the Code of Criminal Procedure, the wife or husband of a person charged with an offence against this section may be called as a witness, either for the prosecution or defence without the consent of the person charged.

3. (1) Any person who—

Proceeding against
keepers of brothels.

- (a) keeps or manages or acts or assists in the management of a brothel, or
- (b) being the tenant, lessee, or occupier or person in charge of any premises, knowingly permits such premises or any part thereof to be used as a brothel or for the purposes of habitual prostitution, or
- (c) being the lessor or landlord of any premises, or the agent of such lessor or landlord, lets the same or any part thereof with the knowledge that such premises or some part thereof are or is to be used as a brothel, and if it be brought to the notice of the lessor or landlord, or the agent of such lessor or landlord, by a notice in writing signed by the Chief of Police that such premises are being used as a brothel, such lessor or landlord or agent shall be deemed to have had such knowledge or is wilfully a party to the continued use of such premises or any part thereof as a brothel;

shall be liable on summary conviction to

- (i) a penalty of thirty pounds, and
- (ii) on a second or subsequent conviction to a penalty of sixty pounds, and
- (iii) on a third or subsequent conviction such person shall be liable to a penalty of one hundred pounds or, in the discretion of the Court, to imprisonment for twelve months, and, in addition to any such penalty or imprisonment, may be required by the Court to enter into a recognizance with or without sureties to be of good behaviour for any period not exceeding twelve months, and, in default of entering into such recognizance, such person may be imprisoned for a period not exceeding three months in addition to any term of imprisonment awarded in respect of the said offence.

(2) Upon the conviction of the tenant, lessee or occupier of any premises of an offence against this section, the landlord or lessor shall be entitled to require the person so convicted to assign the lease or other contract under which the said premises are held by him to some person approved by the landlord or lessor, which approval shall not be unreasonably withheld, and, in the event of the person so convicted failing within three months to assign the lease or contract as aforesaid, the landlord or lessor shall be entitled to determine the lease or other contract but without prejudice to the rights or remedies of any party to such lease or contract accrued before the date of such

determination. If the landlord or lessor should so determine the lease or other contract of tenancy, the Court which has convicted the tenant, lessee or occupier shall have power to make a summary order for delivery of possession to the landlord or lessor.

(3) If the landlord or lessor after such conviction has been brought to his notice fails to exercise his rights under the foregoing provisions of this section and subsequently during the subsistence of the lease or contract any such offence is again committed in respect of the premises, the landlord or lessor shall be deemed to have knowingly aided or abetted the commission of that offence, unless he proves that he had taken all reasonable steps to prevent the recurrence of the offence.

(4) Where a landlord or lessor determines a lease or other contract under the powers conferred by this section and subsequently grants another lease or enters into another contract of tenancy to, with, or for the benefit of the same person without causing to be inserted in such lease or contract all reasonable provisions for the prevention of a recurrence of any such offence as aforesaid, he shall be deemed to have failed to exercise his rights under the foregoing provisions of this section, and any such offence as aforesaid committed during the subsistence of the subsequent lease or contract shall be deemed, for the purposes of this section, to have been committed during the subsistence of the previous lease or contract.

Penalty for letting house or room to girl under sixteen.

4. Any landlord or lessor, or any agent of such landlord or lessor, who shall, after the passing of this Ordinance, lease any house or room or part of a house or room to any unmarried girl under the age of sixteen years, shall be liable, on summary conviction, to a penalty of Thirty pounds :

Provided that if it shall appear that such landlord or lessor, or agent had reasonable cause to believe that the girl was above the age of sixteen years, he shall not be convicted under this section.

Restriction of application of Ordinance.

5. This Ordinance shall not apply to proceedings pending at the commencement of this Ordinance.

Passed the Legislative Council this 16th day of November, 1915.

B. P. E. BULSTRODE,
Clerk of Councils.

1915-840.