



An Bille um Mionnú Éithigh agus Cionta Gaolmhara, 2018
Perjury and Related Offences Bill 2018

Mar a tionscnaíodh

As initiated



AN BILLE UM MIONNÚ ÉITHIGH AGUS CIONTA GAOLMHARA, 2018
PERJURY AND RELATED OFFENCES BILL 2018

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Companies (Auditing and Accounting) Act 2003 (No. 44)
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Criminal Evidence Act 1992 (No. 12)
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Explosive Substances Act 1883 (46 & 47 Vict., c. 3)
Extradition (Amendment) Act 1994 (No. 6)
Extradition (European Union Conventions) Act 2001 (No. 49)
Extradition Act 1965 (No. 17)
Finance (Local Property Tax) Act 2012 (No. 52)
Financial Services and Pensions Ombudsman Act 2017 (No. 22)
Fines Act (Ireland) 1851 (14 & 15 Vict.) c. 90
Fishery Harbour Centres Act 1968 (No. 18)
Foreign Marriage Act 1892 (55 & 56 Vict.) c. 23
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Friendly Societies Act 1896 (59 & 60 Vict., c. 25)
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General Prisons (Ireland) Act 1877 (40 & 41 Vict.) c. 49
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Harbours, Docks, and Piers Clauses Act 1847 (10 & 11 Vict.) c. 27
Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013 (No. 33)
Industrial Alcohol Act 1938 (No. 23)
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Law of Distress Amendment Act 1908 (8 Edw. 7) c. 53
Limerick Harbour Act 1926 (No. 2P)
Limited Partnerships Act 1907 (7 Edw. 7) c. 24
Local Elections (Petitions and Disqualifications) Act 1974 (No. 8)
Maintenance and Embracery Act 1540 (32 Hen. 8) c. 9
Maintenance and Embracery Act 1634 (10 Chas. 1) c. 15
Markets and Fairs Clauses Act 1847 (10 & 11 Vict.) c. 14
Marriage With Foreigners Act 1906 (6 Edw. 7) c. 40
Matrimonial Causes and Marriage Law (Ireland) Amendment Act 1870 (33 & 34 Vict.) c. 110
Matrimonial Causes and Marriage Law (Ireland) Amendment Act 1871 (34 & 35 Vict.) c. 49
Medical Act 1858 (21 & 22 Vict.) c. 90
Mental Health Act 2001 (No. 25)
Oaths Act 1838 (1 & 2 Vict.) c. 105
Oaths Act 1888 (51 & 52 Vict.) c. 46
Patents Act 1992 (No. 1)
Pensions Commutation Act 1871 (34 & 35 Vict.) c. 36
Perjury Act 1586 (28 Eliz.) c. 1
Perjury Act 1729 (3 Geo. 2) c. 4
Perjury Act 1791 (31 Geo. 3) c. 18
Perpetuation of Testimony Act 1842 (5 & 6 Vict.) c. 69
Petty Sessions (Ireland) Act 1851 (14 & 15 Vict.) c. 93
Piracy Act 1850 (13 & 14 Vict.) c. 26
Probate Duty (Ireland) Act 1816 (56 Geo. 3) c. 56
Proceeds of Crime (Amendment) Act 2005 (No. 1)
Proceeds of Crime Act 1996 (No. 30)
Public Health (Ireland) Act 1878 (41 & 42 Vict.) c. 52
Public Works (Ireland) Act 1831 (1 & 2 Will. 4) c. 33
Public Works Loans Act 1875 (38 & 39 Vict.) c. 89
Quakers and Moravians Act 1833 (1 & 2 Vict.) c. 77
Quakers and Moravians Act 1833 (3 & 4 Will. 4) c. 49
Railway Regulation Act 1840 (3 & 4 Vict.) c. 97
Railways Clauses Consolidation Act 1845 (8 & 9 Vict.) c. 20
Redundancy Payments Act 1967 (No. 21)
Referendum Act 1994 (No. 12)

Regulation of Railways Act 1868 (31 & 32 Vict.) c. 119
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Residential Institutions Redress Act 2002 (No. 13)
River Owenmore Drainage Act 1926 (No. 3)
Shops (Hours of Trading) Act 1938 (No. 3)
Slave Trade Act 1873 (36 & 37 Vict.) c. 88
Social Welfare Consolidation Act 2005 (No. 26)
Solicitors (Amendment) Act 1960 (No. 37)
Statute Law Revision Act 2007 (No. 28)
Statute Law Revision Act 2009 (No. 46)
Statutory Declarations Act 1835 (5 & 6 Will. 4) c. 52
Statutory Declarations Act 1938 (No. 37)
Taxes Consolidation Act 1997 (No. 39)
Town Police Clauses Act 1847 (10 & 11 Vict.) c. 89
Tumultuous Risings Act 1775 (15 & 16 Geo. 3.) c. 21
Turf Development Act 1946 (No. 10)
Valuation Act 2001 (No. 13)
Vexatious Indictments Act 1859 (22 & 23 Vict.) c. 17



AN BILLE UM MIONNÚ ÉITHIGH AGUS CIONTA GAOLMHARA, 2018
PERJURY AND RELATED OFFENCES BILL 2018

Bill

entitled

An Act to consolidate and simplify the law relating to perjury and related offences and for that purpose to update certain penalties, and to provide for related matters. 5

Be it enacted by the Oireachtas as follows:

Definitions

1. In this Act—

“affidavit”, in the case of a person for the time being allowed by law to declare instead of swearing, includes declaration; 10

“judicial or other proceeding” means a proceeding relating to the administration of justice before any court and includes a proceeding before any tribunal, other body or person having by law power to hear, receive and examine evidence on oath;

“oath”, in the case of a person for the time being allowed by law to affirm or declare instead of swearing, includes affirmation or declaration; 15

“relevant Act” does not include—

(a) a private Act, or

(b) a local and personal Act,

to which the Statute Law Revision Act 2007 or the Statute Law Revision Act 2009 relates; 20

“statutory declaration” means a declaration made under the Statutory Declarations Act 1938;

“swear”, in the case of a person for the time being allowed by law to affirm or declare instead of swearing, includes affirm and declare. 25

Perjury

2. (1) If any person lawfully sworn as a witness or as an interpreter in a judicial or other proceeding gives or dishonestly causes to be given, or adduces or dishonestly causes to be adduced, a statement material in those proceedings that—

(a) is false or misleading in any material respect, and 30

- (b) he or she knows to be false or misleading,
then he or she commits the offence of perjury and, without prejudice to any other penalty to which that person may be liable, is liable—
- (i) on summary conviction, to a class B fine or to imprisonment for a term not exceeding 12 months or to both, 5
- (ii) on conviction on indictment, to a fine or imprisonment for a term not exceeding 7 years or to both.
- (2) Where a statement made for the purposes of a judicial or other proceeding is not made before the court, tribunal, other body or person concerned but is made on oath before a person authorised by law to administer an oath to the person who makes the statement, and to record or authenticate the statement, then for the purposes of this section it shall be treated as having been made in such a proceeding. 10
- (3) Where pursuant to an enactment a statement (by whatever name referred to) is made by a person lawfully sworn and is made either—
- (a) within the State for the purposes of a proceeding outside the State and such proceeding corresponds to a judicial or other proceeding in the State, or 15
- (b) outside the State for the purposes of a judicial or other proceeding within the State,
- then, the statement shall, unless otherwise provided by any enactment, be treated for the purposes of this Act as a statement made for the purposes of a judicial or other proceeding in the State. 20
- (4) The question whether a statement on which the offence of perjury is assigned was material is a question of law to be determined by the court of trial.
- (5) Without prejudice to section 7 of the Criminal Law Act 1997, a person commits an offence who suborns another to commit perjury and on being found guilty shall be liable to be dealt with as if he or she had been guilty of perjury to be indicted, tried and punished as a principal offender. 25
- (6) This section is without prejudice to the Criminal Justice (Mutual Assistance) Act 2008.

References to perjury or subornation of perjury 30

3. (1) Except where the context otherwise requires—
- (a) a reference to perjury in any law or enactment shall be read as a reference to perjury as provided for by *section 2*, and
- (b) a reference to subornation of perjury in any law or enactment shall be read as suborning another to commit perjury as provided for by *section 2*. 35
- (2) For the purposes of *subsection (1)* and for convenience of reference there is set out—
- (a) in *Part 1 of Schedule 1* a list of provisions in relevant Acts that contain references to perjury or subordination of perjury, and
- (b) in *Part 2 of Schedule 1* a list of provisions in instruments made under relevant

Acts that contain references to perjury.

False statements on oath made otherwise than in a proceedings to which *section 2(1)(a)* relates

4. (1) Any person required or authorised by law to make any statement on oath for any purpose, and being lawfully sworn (otherwise than in judicial or other proceedings) who gives or dishonestly causes to be given, or adduces or dishonestly causes to be adduced, a statement material in those proceedings that— 5
- (a) is false or misleading in any material respect, and
 - (b) he or she knows to be false or misleading,
- commits an offence. 10
- (2) A person commits an offence if he or she gives or dishonestly causes to be given, or adduces or dishonestly causes to be adduced, any false affidavit for the purposes of the Bills of Sale (Ireland) Acts 1879 to 1883.
- (3) Without prejudice to any other penalty to which a person may be liable, a person who commits an offence under this section is liable— 15
- (a) on summary conviction, to a class B fine or to imprisonment for a term not exceeding 12 months or to both,
 - (b) on conviction on indictment, to a fine or imprisonment for a term not exceeding 7 years or to both.
- (4) Notwithstanding the provisions of section 10(4) of the Petty Sessions (Ireland) Act 1851, summary proceedings in relation to an offence under this section may be commenced— 20
- (a) at any time within 12 months from the date on which the offence was committed, or
 - (b) at any time within 6 months from the date on which evidence that, in the opinion of the person by whom such proceedings are brought, is sufficient to justify the bringing of proceedings, comes to such person's knowledge, 25
- whichever is the later, but no such proceedings shall be commenced later than 3 years from the date on which the offence concerned was committed.

False statutory declarations and other false statements without oath 30

5. (1) A person commits an offence if he or she, otherwise than on oath, gives or dishonestly causes to be given, or adduces or dishonestly causes to be adduced, a statement material in those proceedings that is false or misleading in any material respect, and he or she knows to be false or misleading and the statement is made in any of the following: 35
- (a) a statutory declaration;
 - (b) an abstract, account, balance sheet, book, certificate, declaration, entry, estimate, inventory, notice, report, return, or other document which the person is authorised or required to make, attest, or verify, by or under any relevant Act;

- (c) any oral declaration or oral answer which the person is required to make by, under, or in pursuance of any relevant Act.
- (2) Without prejudice to any other penalty to which a person may be liable, a person who commits an offence under this section is liable—
 - (a) on summary conviction, to a class B fine or to imprisonment for a term not exceeding 12 months or to both, 5
 - (b) on conviction on indictment, to a fine or imprisonment for a term not exceeding 7 years or to both.
- (3) Notwithstanding the provisions of section 10(4) of the Petty Sessions (Ireland) Act 1851, summary proceedings in relation to an offence under this section may be commenced— 10
 - (a) at any time within 12 months from the date on which the offence was committed, or
 - (b) at any time within 6 months from the date on which evidence that, in the opinion of the person by whom such proceedings are brought, is sufficient to justify the bringing of proceedings, comes to such person's knowledge, 15

whichever is the later, but no such proceedings shall be commenced later than 3 years from the date on which the offence concerned was committed.
- (4) This section does not apply in respect of an offence to which section 69 of the Civil Registration Act 2004 applies. 20

False declarations, etc., to obtain registration, etc., for carrying on a vocation or profession

6. (1) A person commits an offence if he or she—
- (a) procures or attempts to procure himself or herself to be registered on any register or roll, by whatever name called, kept under or in pursuance of any relevant Act of persons qualified by law to practise any vocation, profession or other calling, or 25
 - (b) procures or attempts to procure a certificate of the registration, by whatever name called, of any person on any such register or roll, gives or dishonestly causes to be given, or adduces or dishonestly causes to be adduced verbally or in writing, any declaration, certificate, or representation which is false or misleading in any material respect, and he or she knows to be false or misleading. 30
- (2) Without prejudice to any other penalty to which a person may be liable, a person who commits an offence under this section is liable—
 - (a) on summary conviction, to a class B fine or to imprisonment for a term not exceeding 12 months or to both, 35
 - (b) on conviction on indictment, to a fine or imprisonment for a term not exceeding 7 years or to both.
 - (3) Notwithstanding the provisions of section 10(4) of the Petty Sessions (Ireland) Act 1851, summary proceedings in relation to an offence under this section may be 40

commenced—

- (a) at any time within 12 months from the date on which the offence was committed,
or
- (b) at any time within 6 months from the date on which evidence that, in the opinion
of the person by whom such proceedings are brought, is sufficient to justify the
bringing of proceedings, comes to such person's knowledge, 5

whichever is the later, but no such proceedings shall be commenced later than 3 years
from the date on which the offence concerned was committed.

Incitement to commit offence

- 7. (1) A person commits an offence if he or she incites another person to commit an offence 10
against this Act.
 - (2) Without prejudice to any other penalty to which a person may be liable, a person who
commits an offence under this section is liable—
 - (a) on summary conviction, to a class B fine or to imprisonment for a term not
exceeding 12 months or to both, 15
 - (b) on conviction on indictment, to a fine or imprisonment for a term not exceeding 7
years or to both.
 - (3) Notwithstanding the provisions of section 10(4) of the Petty Sessions (Ireland) Act
1851, summary proceedings in relation to an offence under this section may be
commenced— 20
 - (a) at any time within 12 months from the date on which the offence was committed,
or
 - (b) at any time within 6 months from the date on which evidence that, in the opinion
of the person by whom such proceedings are brought, is sufficient to justify the
bringing of proceedings, comes to such person's knowledge, 25
- whichever is the later, but no such proceedings shall be commenced later than 3 years
from the date on which the offence concerned was committed.

Corroboration

- 8. A person shall not be liable to be convicted of any offence against this Act, or of any
offence declared by any other Act to be perjury or subornation of perjury, or to be 30
punishable as perjury or subornation of perjury, solely upon the evidence of one witness
as to the falsity of any statement alleged to be false.

Proof of certain proceedings on which perjury is assigned

- 9. On a prosecution—
 - (a) for perjury alleged to have been committed on the trial of an indictment, or 35
 - (b) for procuring or suborning the commission of perjury on any such trial,
- the fact of the former trial shall be sufficiently proved by the production of a certificate

containing the substance and effect (omitting the formal parts) of the indictment and trial purporting to be signed by the registrar of the court concerned, or other person having the custody of the records of the court where the indictment was tried, or by the deputy of that registrar or such other person, without proof of the signature or official character of the person appearing to have signed the certificate.

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Form of oath and perjury, etc.

10. For the purposes of this Act, the forms and ceremonies used in administering an oath are immaterial, if—

- (a) the court or person before whom the oath is taken has power to administer an oath for the purpose of verifying the statement in question, and
- (b) if the oath has been administered in a form and with ceremonies which the person taking the oath has accepted without objection or has declared to be binding on him or her.

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Savings

11. (1) Where the making of a false statement is not only an offence under this Act but also by virtue of some other enactment is a corrupt practice or subjects the offender to any forfeiture or disqualification or to any penalty other than imprisonment or fine, then the liability of the offender under this Act shall be in addition to and not in substitution for his or her liability under that other enactment.

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(2) Nothing in this Act shall apply to a statement made without oath by a child under Part III of the Children Act 1997.

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(3) (a) Subject to *paragraph (b)*, where the making of a false statement is by any other Act, whether passed before or after the commencement of this Act, made punishable on summary conviction, then those proceedings may be taken either under that other Act or under this Act.

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(b) Where the making of a false statement under a provision of any Act passed before the commencement of this Act is not punishable as an indictable offence but as a summary offence only, then *paragraph (a)* does not apply to such provision.

Repeals and amendments

12. (1) The Perjury Act 1586 and the Perjury Act 1729 are repealed.

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(2) The provisions of the Acts referred to in column (2) of *Schedule 2* are amended in the manner referred to in column (4) of that Schedule opposite the reference in column (3) to the provision concerned.

Short title and commencement

13. (1) This Act may be cited as the Perjury and Related Offences Act 2018.

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(2) This Act comes into operation on such day or days as the Minister may by order appoint, either generally or with reference to any particular purpose or provision, and different days may be so fixed for different purposes and different provisions.

SCHEDULE 1

Section 3

REFERENCES IN RELEVANT ACTS AND OTHER ENACTMENTS TO PERJURY

Part 1

REFERENCES IN ACTS

	5
1. Tumultuous Risings Act 1775, section 16	
2. Dublin Police Magistrates Act 1808, sections 57 and 124	
3. Evidence (Ireland) Act, 1815 section 8	
4. Evidence on Commission Act 1831, section 7	
5. Church Temporalities Act 1833, section 123	10
6. Civil Procedure Act 1833, section 23	
7. Debtors (Ireland) Act 1840 , section 78	
8. Perpetuation of Testimony Act 1842, section 1	
9. Lands Clauses Consolidation Act 1845, section 149	
10. Railways Clauses Consolidation Act 1845, section 160	15
11. Markets and Fairs Clauses Act 1847, section 57	
12. Gasworks Clauses Act 1847, section 44	
13. Harbours, Docks, and Piers Clauses Act 1847, section 96	
14. Cemeteries Clauses Act 1847, section 65	
15. Town Police Clauses Act 1847, section 76	20
16. Attachment of Goods (Ireland) Act 1850, section 10	
17. Civil Bill Courts (Ireland) Act 1851, section 104	
18. Fines Act (Ireland) 1851, section 6	
19. Dublin Carriage Act 1853, sections 66 and 68	
20. Convict Prisons (Ireland) Act 1854, section 21	25
21. Foreign Tribunals Evidence Act 1856, section 3	
22. Chancery and Common Law Offices (Ireland) Act 1867, section 17	
23. Commissioners For Oaths (Ireland) Act 1872, sections 5 and 9	
24. Slave Trade Act 1873, section 22	
25. Public Works Loans Act 1875, section 44	30
26. General Prisons (Ireland) Act 1877, section 11	
27. Public Health (Ireland) Act 1878, section 262	
28. Explosive Substances Act 1883, section 6	

29. Commissioners For Oaths Act 1889, section 7
30. Foreign Marriage Act 1892, section 15
31. Dundalk Harbour and Port Act 1925 (Private), section 73
32. Arterial Drainage Act 1925, section 28
33. Limerick Harbour Act 1926 (Private), section 24 5
34. River Owenmore Drainage Act 1926, section 19
35. Barrow Drainage Act 1927, section 30
36. Electricity (Supply) Act 1927, section 88
37. Cork Harbour Act 1933 (Private), section 7
38. Galway Harbour Act 1935 (Private), section 58 10
39. Shops (Hours of Trading) Act 1938, section 5
40. Industrial Alcohol Act 1938, section 29
41. Central Bank Act 1942, section 57CE(7)(a) (inserted by Central Bank and Financial Services Authority of Ireland Act 2004, section 16) and section 33BA(8) (inserted by Central Bank (Supervision and Enforcement) Act 2013, section 70) 15
42. Turf Development Act 1946, section 42
43. Criminal Justice Act 1951, Schedule 1
44. Solicitors (Amendment) Act 1960, section 29
45. Coast Protection Act 1963, section 27
46. Extradition Act 1965, section 3 (as amended by Extradition (Amendment) Act 1994, section 3, and by Extradition (European Union Conventions) Act 2001, section 13) 20
47. Redundancy Payments Act 1967, section 39
48. Fishery Harbour Centres Act 1968, section 2
49. Local Elections (Petitions and Disqualifications) Act 1974, section 20
50. Court of Justice of the European Communities (Perjury) Act 1975, sections 1 and 3 25
51. Criminal Law (Jurisdiction) Act 1976, section 12
52. Gas Act 1976, Second Schedule, Article 7
53. Bankruptcy Act 1988, section 21
54. Child Abduction and Enforcement of Custody Orders Act 1991, section 36
55. Patents Act 1992, section 130 30
56. Criminal Evidence Act 1992, sections 27 and 29
57. Electoral Act 1992, Third Schedule, Rule 15
58. Diplomatic and Consular Officers (Provision of Services) Act 1993, section 6
59. Referendum Act 1994, section 52

60. Ethics in Public Office Act 1995, section 32	
61. Proceeds of Crime Act 1996, section 9(2) (substituted by Proceeds of Crime (Amendment) Act 2005, section 11) and section 16B(6)(b) (inserted by Proceeds of Crime (Amendment) Act 2005, section 12)	
62. European Parliament Elections Act 1997, Schedule 2, Rule 142	5
63. Committees of the Houses of the Oireachtas (Compellability, Privileges and Immunities of Witnesses) Act 1997, section 3(10)	
64. Taxes Consolidation Act 1997, section 1066 (substituted by Finance (Local Property Tax) Act 2012, section 148) and Schedule 27	
65. Children Act 1997, sections 21 and 28	10
66. Commission To Inquire Into Child Abuse Act 2000, section 14(7)	
67. Valuation Act 2001, Schedule 2, scheduleparagraph 4(10)	
68. Children Act 2001, section 255(5)	
69. Mental Health Act 2001, section 49(5)	
70. Residential Institutions Redress Act 2002, section 7(6)	15
71. Social Welfare Consolidation Act 2005, section 333(1)	
72. Criminal Law (Insanity) Act 2006, section 12(5)	
73. Employment Permits Act 2006, section 35(4)	
74. Criminal Justice (Mutual Assistance) Act 2008, section 2	
75. Criminal Procedure Act 2010, section 7	20
76. Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013, sections 29, 75, 81 and 90	
77. Companies Act 2014, sections 671(7), 881(1)(b), (3), 934(13), section 935B(10) (inserted by Regulation 24 of European Union (Statutory Audits) (Directive 2006/43/EC, as amended by Directive 2014/56/EU, and Regulation (EU) No 537/2014) Regulations 2016 (S.I. No. 312 of 2016))	25
78. Financial Services and Pensions Ombudsman Act 2017, section 47	

Part 2

REFERENCES IN CERTAIN INSTRUMENTS

1. Rules of Procedure (Defence Forces) 2008 (S.I. No. 204 of 2008), Rule 63	30
2. Companies (Auditing and Accounting) Act 2003 (Procedures Governing the Conduct of Section 24 Investigations) Regulations 2012 (S.I. No. 97/2012), Regulation 7(8)	

SCHEDULE 2

Section 12

AMENDMENTS TO RELEVANT ACTS

Regnal year and number or year and number (1)	Short title (2)	Provision (3)	Amendment (4)	
32 Hen. 8 c. 9	Maintenance and Embracery Act 1540	Section 3	Delete “or surborne any witnes by letters, rewaredis, promises, or by any other sinister labour or meanes,” and delete “or to the procurement or occasion of any manner of perjury by false verdict or otherwise”.	5 10 15
10 Chas. 1 Sess 3, c. 15 (Ir.)	Maintenance and Embracery Act 1634	Section 3	Delete “or surborne any witness by letters, rewards, promises, or by any other sinister labour or means,” and delete “or to the procurement or occasion of any manner of perjury by false verdict or otherwise”.	20
31 Geo. 3, c. 18 (Ir.)	Perjury Act 1791	Section 2	Delete section.	25
42 Geo. 3, c. 85	Criminal Jurisdiction Act 1802	Section 5	Delete section.	
53 Geo. 3, c. 107	Endowed Schools (Ireland) Act 1813	Section 30	Delete section.	
54 Geo. 3, c. 157	Evidence (Ireland) Act 1815	Section 9	Delete section.	30
56 Geo. 3, c. 56	Probate Duty (Ireland) Act 1816	Section 131	Delete the words from “and if any person or persons making any such affidavit” down to the end of that section.	35
1 & 2 Geo. 4 c. 53	Common Law Procedure (Ireland) Act 1821	Section 70	Delete section.	
1 & 2 Will. 4, c. 33	Public Works (Ireland) Act 1831	Section 93	Delete section.	40
3 & 4 Will. 4, c. 49	Quakers and Moravians Act 1833	Section 1	Delete the words from “and if any such person” down to “notwithstanding”.	
5 & 6 Will. 4 c.52	Statutory Declarations Act 1835	Section 5 Section 21	Delete section. Delete section.	45
1 & 2 Vict. c. 77	Quakers and Moravians	Section 1	Delete the words from “and	

	Act 1838		if any such person making such solemn affirmation or declaration” down to “every such offender shall be subject”.	5
1 & 2 Vict. c. 105	Oaths Act 1838	Section 1	Delete “either” and “or a witness, or a deponent” and delete the words from “; and every such person in case of wilful false swearing” down to the end of that section.	10
3 & 4 Vict. c. 97	Railway Regulation Act 1840	Section 4	Delete section.	
8 & 9 Vict. c. 18	Lands Clauses Consolidation Act 1845	Section 149	Substitute “the provisions of the special Act” for “the provisions of this or the special Act”.	15
8 & 9 Vict. c. 20	Railways Clauses Consolidation Act 1845	Section 160	Substitute “the provisions of the special Act” for “the provisions of this or the special Act”.	20
8 & 9 Vict. c. 115	Chancery Taxing Master (Ireland) Act 1845	Section 5	Delete section.	
10 & 11 Vict. c. 14	Markets and Fairs Clauses Act 1847	Section 57	Substitute “the provisions of the special Act” for “the provisions of this or the special Act”.	25
10 & 11 Vict. c. 15	Gasworks Clauses Act 1847	Section 44	Substitute “the provisions of the special Act” for “the provisions of this or the special Act”.	30
10 & 11 Vict. c. 27	Harbours, Docks, and Piers Clauses Act 1847	Section 96	Substitute “the provisions of the special Act” for “the provisions of this or the special Act”.	35
10 & 11 Vict. c. 65	Cemeteries Clauses Act 1847	Section 65	Substitute “the provisions of the special Act” for “the provisions of this or the special Act”.	
10 & 11 Vict. c. 89	Town Police Clauses Act 1847	Section 76	Substitute “the provisions of the special Act” for “the provisions of this or the special Act”.	40
13 & 14 Vict. c. 26	Piracy Act 1850	Section 6	Delete section.	45
14 & 15 Vict. c. 57	Civil Bill Courts (Ireland) Act 1851	Section 157	Delete section.	
14 & 15 Vict. c.	Criminal Procedure Act	Sections 19 to	Delete sections.	

100	1851	22		
16 & 17 Vict. c. 45	Government Annuities Act 1853	Section 32	Delete section.	
19 & 20 Vict. c. 113	Foreign Tribunals Evidence Act 1856	Section 3	Delete “; and if upon such oath or affirmation any person making the same wilfully and corruptly give any false evidence, every person so offending shall be deemed and taken to be guilty of perjury”.	5 10
19 & 20 Vict. c. 102	Common Law Procedure Amendment Act (Ireland) 1856	Section 92	Delete section.	
21 & 22 Vict. c. 90	Medical Act 1858	Section 39	Delete section.	15
22 Vict. c. 20	Evidence By Commission Act 1859	Section 2	Delete section.	
22 & 23 Vict. c. 17	Vexatious Indictments Act 1859	Section 1	Delete “perjury” and “subordination of perjury”.	20
31 & 32 Vict. c. 119	Regulation of Railways Act 1868	Section 8	Delete “Any person who, when so examined on oath, makes any false statement, knowing the same to be false, shall be guilty of perjury.”.	25
33 & 34 Vict. c. 110	Matrimonial Causes and Marriage Law (Ireland) Amendment Act 1870	Section 25	Delete section.	
34 & 35 Vict. c. 36	Pensions Commutation Act 1871	Section 9	Delete “shall be deemed to be guilty of a misdemeanor, and” and “, and to be imprisoned for any term not exceeding two years, with or without hard labour”.	30
34 & 35 Vict. c. 49	Matrimonial Causes and Marriage Law (Ireland) Amendment Act 1871	Section 19	Delete section.	35
34 & 35 Vict. c. 78	Regulation of Railways Act 1871	Section 10	Delete section.	
35 & 36 Vict. c. 75	Commissioners For Oaths (Ireland) Act 1872	Section 5	Delete “; and any person swearing falsely in any such affidavit shall be liable to the penalties of perjury, and may be indicted and tried for perjury in the same manner to all intents and purposes as he might be if such affidavit had been sworn in the county of the city of Dublin”.	40 45

42 & 43 Vict. c. 50	Bills of Sale (Ireland) Act 1879	Section 17	Delete “Whoever wilfully makes or uses any false affidavit for the purposes of this Act shall be deemed guilty of wilful and corrupt perjury.”.	5
45 & 46 Vict. c. 51	Government Annuities Act 1882	Section 11	Delete subsection (3).	
51 & 52 Vict. c. 46	Oaths Act 1888	Section 1	Delete the words from “; and if any person making such affirmation” down to the end of that section.	10
52 & 53 Vict. c. 10	Commissioners For Oaths Act 1889	Section 7	Delete section.	
55 & 56 Vict. c. 23	Foreign Marriage Act 1892	Section 15	Delete section.	15
56 & 57 Vict. c. 39	Industrial and Provident Societies Act 1893	Section 61	In paragraph (c) to delete “; and any person knowingly making a false or fraudulent declaration in the matter shall be guilty of a misdemeanour”.	20
59 & 60 Vict. c. 25	Friendly Societies Act 1896	Section 87	In subsection (2), delete “false or”.	
62 & 63 Vict. c. 23	Anchors and Chain Cables Act 1899	Section 13	In subsection (1), delete “or” at the end of paragraph (ii) and delete paragraph (iii).	25
6 Edw. 7 c. 40	Marriage With Foreigners Act 1906	Section 1	Delete subsection (2).	
7 Edw. 7 c. 24	Limited Partnerships Act 1907	Section 12	Delete section.	30
8 Edw. 7 c. 53	Law of Distress Amendment Act 1908	Section 1	Delete “and, if any under tenant, lodger, or other person aforesaid, shall make or subscribe such declaration and inventory knowing the same or either of them to be untrue in any material particular, he shall be deemed guilty of a misdemeanour”.	35 40
9 Edw. 7 c. 49	Assurance Companies Act 1909	Section 24	Substitute “that person commits an offence under <i>section 5 of the Perjury and Related Offences Act 2018</i> ” for “that person shall be guilty of a misdemeanour and shall be liable on conviction on indictment to fine and imprisonment, or on	45 50

			summary conviction to a fine not exceeding fifty pounds for that section”.	
9 & 10 Geo. 5 c. 51	Checkweighing in Various Industries Act 1919	Section 3	In subsection (4) substitute “that person commits an offence under <i>section 5</i> of the <i>Perjury and Related Offences Act 2018</i> .” for “he shall be guilty of a misdemeanour and liable to imprisonment, with or without hard labour, for a term not exceeding two years, or to a fine, or to both such imprisonment and fine.”.	5 10 15
No. 37 of 1938	Statutory Declarations Act 1938	Section 6	Substitute for section: “Penalty for false declaration 6. Every person who makes a statutory declaration which to his or her knowledge is false or misleading in any material respect commits an offence under <i>section 6</i> of the <i>Perjury and Related Offences Act 2018</i> .”.	20 25
No. 9 of 1985	Dentists Act 1985	Section 67	Substitute for subsection (2): “(2) A person who contravenes subsection (1) is liable for the penalties provided for under <i>section 6</i> of the <i>Perjury and Related Offences Act 2018</i> .”. In subsection (3) substitute “summary proceedings for an offence” for “proceedings for an offence”.	30 35 40

An Bille um Mionnú Éithigh agus Cionta
Gaolmhara, 2018

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht do chomhdhlúthú agus do shimpliú an dlí a bhaineann le mionnú éithigh agus cionta gaolmhara agus, chun na críche sin, d'uasdátú pionóis áirithe, agus do dhéanamh socrú i dtaobh nithe gaolmhara.

*Na Seanadóirí Pádraig Ó Céidigh, Victor Boyhan,
Ian Marshall agus Micheál Mac Dubhghaill a thug
isteach,*

17 Deireadh Fómhair, 2018

Perjury and Related Offences Bill 2018

BILL

(as initiated)

entitled

An Act to consolidate and simplify the law relating to perjury and related offences and for that purpose to update certain penalties, and to provide for related matters.

*Introduced by Senators Pádraig Ó Céidigh, Victor
Boyhan, Ian Marshall and Michael McDowell,*

17th October, 2018

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