

No. 14 of 2022.

*Criminal Code (Amendment) Act 2022.*

Certified on : 16 MAY 2022



No. 14 of 2022.

*Criminal Code (Amendment) Act 2022.*

ARRANGEMENT OF SECTION.

New Division VII. 4.

*“Division 4. - Acting like or purporting to be a glasman or glasmeri.*

- 520A. INTERPRETATION.
- 520B. ACTING AS A GLASMAN OR GLASMERI.
- 520C. ATTEMPT TO USE A GLASMAN OR GLASMERI.
- 520D. USE OF A GLASMAN OR GLASMERI.
- 520E. ACCUSATION OF SORCERY.
- 520F. FORFEITURE OF PROFITS OF ACTING LIKE OR PURPORTING TO BE A GLASMAN OR GLASMERI.
- 520G. CORROBORATION NOT REQUIRED.”.



No. 14 of 2022.

AN ACT

entitled

***Criminal Code (Amendment) Act 2022,***

Being an Act to amend the *Criminal Code Act* (Chapter 262) and for related purposes,

MADE by the National Parliament.

**NEW DIVISION VII. 4.**

The Principal Act is amended in Part VII by inserting immediately after Section 520 the following new Division:

***“Division 4. - Acting like or purporting to be a glasman or glasmeri.***

**520A. INTERPRETATION.**

For the purposes of this Division -

“glasman” and “glasmeri” means a man or woman who holds themselves out as or purports to be a seer, or diviner of truth with the ability to identify sorcery activities, implements of sorcery and or persons who may have committed acts of sorcery;

“Sorcerer” means a person accused of being involved in sorcery activities, the use of implements of sorcery and or acts of sorcery;

“Sorcery” shall have the same meaning as the definition contained in Section 299A(2).

**520B. ACTING AS A GLASSMAN OR GLASMERI.**

A person who, directly or indirectly, pretends to be, holds themselves out to be, or professes to be a glasman or glasmeri, is guilty of a crime.

Penalty: A term of imprisonment not exceeding 20 years or a fine not exceeding K20,000.00, or both.

**520C. ATTEMPT TO USE A GLASSMAN OR GLASMERI.**

(1) A person who directly or indirectly, attempts to procure the services of a glasman or glasmeri, is guilty of a crime.

Penalty: A term of imprisonment not exceeding 10 years or a fine not exceeding K10,000.00, or both.

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(2) A person who attempts to influence the acts of another person by the use or threatened use of the powers or services of a glasman or glasmeri, is guilty of a crime.

Penalty: A term of imprisonment not exceeding 10 years or a fine not exceeding K10,000.00, or both.

**520D. USE OF A GLASMAN OR GLASMERI.**

(1) A person who, directly or indirectly, procures the services of a glasman or glasmeri, is guilty of a crime.

Penalty: A term of imprisonment not exceeding 10 years or a fine not exceeding K10,000.00, or both.

(2) A person who influences the acts of another person by the use or threatened use of the powers or services of a glasman or glasmeri, is guilty of a crime.

Penalty: A term of imprisonment not exceeding 10 years or a fine not exceeding K10,000.00, or both.

(3) An offender convicted under Subsection (1) and, or (2) above is liable to a term of imprisonment not exceeding 10 years or a fine not exceeding K10,000.00, or both, except in any of the following cases when he is liable, subject to Section 19, to imprisonment for life where the offence -

- (a) is made by a person or persons acting as or holding themselves out to be a glassman or glassmeri; and
- (b) involves accusing a person who is -
  - (i) a minor; and
  - (ii) a child under the age of 12 years; or
  - (iii) elderly, infirm or older the 60 years of age; or
  - (iv) physically or mentally impaired; or
  - (v) a woman who is or at the time was pregnant; or
- (c) results in further offences against or involving more than one person; or
- (d) results in a death; or
- (e) results in direct or indirect acts of physical violence, threats, harassment or intimidation towards any person by the offender or any other person; or
- (f) results in direct or indirect acts of destruction of property belonging to or communally owned by any person, by the offender or any other person.

**520E. ACCUSATION OF SORCERY.**

(1) A person who accuses or threatens to accuse another person of -

- (a) being or having been a sorcerer; or
- (b) performing or having performed an act of sorcery; or
- (c) having been concerned in or party to an act of sorcery,

is guilty of a crime.

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Penalty: A term of imprisonment not exceeding 10 years or a fine not exceeding K10,000.00, or both.

(2) A person who purports to have had a dream, vision, prediction or does any such acts which results in an accusation of sorcery under Subsection (1), whether by that person or any other person, is guilty of the same offence as if that person had made the accusation of sorcery.

Penalty: A term of imprisonment not exceeding 10 years or a fine not exceeding K10,000.00, or both.

(3) An offender convicted under Subsection (1) and, or (2) above is liable to a term of imprisonment not exceeding 10 years or a fine not exceeding K10,000.00, or both, except in any of the following cases when he is liable, subject to Section 19, to imprisonment for life where the offence -

- (a) is made by a person or persons acting as or holding themselves out to be a glassman or glassmeri; and
- (b) involves accusing a person who is -
  - (i) a minor; or
  - (ii) a child under the age of 12 years; or
  - (iii) elderly, infirm or older the 60 years of age; or
  - (iv) physically or mentally impaired; or
  - (v) a woman who is or at the time was pregnant; or
- (c) results in further offences against or involving more than one person; or
- (d) results in a death; or
- (e) results in direct or indirect acts of physical violence, threats, harassment or intimidation towards any person by the offender or any other person; or
- (f) results in direct or indirect acts of destruction of property belonging to or communally owned by any person, by the offender or any other person.

**520F. FORFEITURE OF PROFITS OF ACTING LIKE OR PURPORTING TO BE A GLASMAN OR GLASERI.**

(1) Where a person is convicted of an offence under this division, the Court may order that any money, property or value of any other thing that has been paid or given to him or her in consideration for the performance of any act of or purporting to be a glasman or glameri, he paid to -

- (a) any person who has suffered injury or loss or damage of property as a result of the acts or omissions of the glasman or glasmeri; or
- (b) if that person is in Subsection (1)(a) is deceased, then to that deceased person's next of kin or relatives.


(2) If the convicted person is no longer in possession of the money or thing, the amount of the money or value of the thing, as assessed by the Court, is a debt due to the person who has suffered as a result of the Acts or omissions in the same terms as in Subsection (1) above.

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**520G. CORROBORATION NOT REQUIRED.**

On a charge of any offence under any provision of this Division, a person may be convicted on the uncorroborated testimony of one witness, and a Judge shall not instruct himself that it is unsafe to find the accused guilty in the absence of corroboration.”


I hereby certify that the above is a fair print of the *Criminal Code (Amendment) Act 2022*, which has been made by the National Parliament.



Clerk of the National Parliament.

16 MAY 2022

I hereby certify that the *Criminal Code (Amendment) Act 2022*, was made by the National Parliament on 24 February 2022.



Speaker of the National Parliament.

16 MAY 2022