Commencement: 24 January 1972

CHAPTER 67

SUSPENSION OF SENTENCES

JR 24 of 1971

ARRANGEMENT OF SECTIONS

1. Provision for suspension of sentences
2. Power to impose substituted or alternative penalty of imprisonment
3. Power to impose substituted or alternative penalty of fine

SUSPENSION OF SENTENCES

To provide for the suspension of sentences and the imposition of alternative penalties.

1. Provision for suspension of sentences

The execution of any sentence imposed for an offence against any Act, regulation, rule or order may, by decision of the court having jurisdiction in the matter, be suspended subject to the following conditions:

(a) when the court which has convicted a person of an offence considers that, in view of the circumstances and in particular the nature of the crime and the character of the offender, it is not appropriate to make him suffer a penalty it may in its discretion order the suspension of the execution of any sentence it has imposed upon him, on the condition that the person sentenced commits no further offence against any Act, regulation, rule or order within a period which shall be fixed by the court, not exceeding 3 years;

(b) if, at the end of such period, the person the execution of whose sentence has been suspended in accordance with this section shall not have been convicted of any further offence against any Act, regulation, rule or order, the sentence shall be deemed to be annulled;

(c) if, before the end of such period, the person the execution of whose sentence has been suspended in accordance with this section is further convicted of any offence against any Act, regulation, rule or order, the original sentence shall be immediately executed, in no case concurrently with any subsequent sentence;

(d) the court shall, when ordering the suspension of the execution of the sentence, explain clearly to the person sentenced the nature of the order and shall ascertain that he has understood its meaning.

2. Power to impose substituted or alternative penalty of imprisonment

Where in any Act, regulation, rule or order a penalty of a fine is provided for any offence without any alternative penalty the court may in its discretion impose a sentence of imprisonment either in lieu thereof or as an alternative penalty, which sentence shall not exceed a term calculated at the rate of 16 days' imprisonment for every VT 2,000 of the maximum fine provided.

3. Power to impose substituted or alternative penalty of fine

Where in any Act, regulation, rule or order a penalty of imprisonment is provided for any offence without any alternative penalty, the court may in its discretion impose a fine either in lieu thereof or as an alternative penalty, which fine shall not exceed a sum calculated at the rate of VT 1,000 for every week of the maximum term of imprisonment provided.