

criminal mischief to property, or any threat or offer of that force, harm or mischief, or the carrying or use of any dangerous or offensive weapon so that terror is likely to be caused to any person, or conduct as is likely to cause in any person a reasonable apprehension of criminal force, harm or mischief, to him or to his property.

Attempts to
commit offences

236. A person who attempts to commit an offence under this Act shall be guilty of an offence and liable to be punished as though he had actually committed the offence.

Offence to warn
offender

237. (1) A person who, with intent to obstruct an officer in the execution of his duty, warns, or does any action for the purpose of warning, another person engaged in the commission of an offence under this Act, whether or not that other person is in a position to take advantage of the warning or act, shall be guilty of an offence and liable to imprisonment for a term not exceeding two years or to a fine not exceeding two hundred and fifty thousand Dalasis or to both.

(2) Where a person is charged with an offence under this Section, the burden of proving that anything done by him was not done with that intent shall be upon that person.

(3) A person may prevent another from giving any such warning and for that purpose may enter upon any land and shall not thereby be liable to legal proceedings.

Offence to
assume
character of
officer

238. A person not being an officer, who takes or assumes the name, designation, character or appearance of an officer for the purpose of-

- (a) obtaining admission to an aircraft, vessel, vehicle, premises or place; or
- (b) doing or procuring to be done an act which he would not be entitled to do or procure to be done on his own authority; or
- (c) doing any unlawful act,

shall be guilty of an offence and liable to imprisonment for a term not exceeding three years in addition to any other punishment to which he may be liable for the commission of the unlawful act.

Master of
vessel, etc.,
used for
smuggling or
evasion guilty of
an offence

239. A master of an aircraft or vessel, and a person in charge of a vehicle, which is within The Gambia and-

- (a) which has a secret or disguised place adapted for concealing goods, or a device adapted for smuggling goods; or
- (b) which has in it, or in any manner attached to it, or which is conveying, or has conveyed in any manner, goods imported, carried coastwise or intended for exportation contrary to this Act; or
- (c) from or in which any part of the cargo of the aircraft, vessel or vehicle has been thrown overboard, broken, rescued, destroyed or staved in order to prevent seizure,

shall be guilty of an offence and liable-

- (i) in the case of the master of a vessel of less than two hundred and fifty tons register, to a fine not exceeding one hundred and twenty thousand Dalasis; and any vessel and goods in respect of which the offence has been committed shall be liable to forfeiture;
- (ii) in the case of the master of an aircraft, or a vessel of two hundred and fifty tons register or more, to a fine of such amount as the court deems just; and the aircraft or vessel in respect of which the offence has been committed may be seized and detained until the fine is paid or security therefor given, and any goods in respect of which the offence has been committed shall be liable to forfeiture;
- (iii) in the case of the person in charge of a