

**CHAPTER 43  
BROTHELS**

Ordinances AN ORDINANCE TO PROVIDE FOR THE SUPPRESSION OF BROTHELS.  
Nos. 5 of 1889,  
21 of 1919,  
42 of 1943.

[28th June, 1889.]

Short title. 1. This Ordinance may be cited as the Brothels Ordinance.

Offences. 2. Any person who—  
(a) keeps or manages or acts or assists in the management of a brothel; or  
(b) being the tenant, lessee, occupier or owner of any premises, knowingly permits such premises or any part thereof to be used as a brothel, or for the purpose 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, or is wilfully a party to the continued use of such premises or any part thereof as a brothel,

shall be guilty of an offence, and shall on conviction be liable—

Penalties. (i) to a penalty not exceeding five hundred rupees, or, in the discretion of the court, to simple or rigorous imprisonment for a term not exceeding six months, or to both such fine and imprisonment;  
(ii) on a second or subsequent conviction, to a penalty not exceeding one thousand rupees, or, in the discretion of the court, to simple or rigorous imprisonment for a term not exceeding one year, or to both such fine and imprisonment,

and in the case of any conviction under this section, such person may, in addition to any such penalty or imprisonment as may be

imposed by the court, be required by the court to enter into a recognizance, with or without sureties as to the court seems meet, to be of good behaviour for any period not exceeding twelve months ; and in default of entering into such a recognizance, with or without sureties (as the case may be), such person may be sentenced to simple or rigorous imprisonment for any period not exceeding three months, in addition to any such term of imprisonment as aforesaid.

3. Any person who shall appear, act, or behave as master or mistress, or as the person having the care, government, or management of any brothel, shall be deemed and taken to be the keeper or manager thereof, and shall be liable to be prosecuted and punished as such, notwithstanding that he or she shall not in fact be the real keeper or manager thereof.

Who shall be deemed keeper or manager of a brothel.

4. (1) Upon the conviction of the tenant, lessee, or occupier of any premises of any offence under this Ordinance, it shall be lawful for the court, on the application either of the prosecuting party, or of the owner, or lessor, or, if it so thinks fit, of its own motion, to declare that the tenancy or occupation of the said premises under the lease or agreement under which the same are held or occupied shall be terminated from such date and subject to such conditions as may be defined in the order of the court, and may by the same or a further order direct that the possession of the said premises shall be delivered to any person entitled to the possession thereof as from any date specified in the order.

Power of court terminate tenancy.

(2) In the event of any owner or lessor of any premises failing to exercise his right of application to the court under this section, and of the tenant, lessee, or occupier so

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convicted being subsequently convicted of an offence under this Ordinance in respect of the same premises, such owner or lessor shall be deemed to have knowingly abetted the said offence, and shall be liable to be prosecuted and punished accordingly, unless he proves that he had taken all reasonable steps to prevent the recurrence of the offence.

5. All offences under this Ordinance shall be " non-cognizable " and " bailable " within the meaning of those terms as defined in the Code of Criminal Procedure Act and shall be tried in the Magistrate's Court, which is hereby empowered to award all or any of the punishments hereinbefore provided, anything in section 14 of the said Act to the contrary notwithstanding.

Offences  
triable by  
Magistrates  
court and to  
be non-  
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bailable