

he is guilty of another offence under a section of this Code or other Act referred to in Column 2 of the Schedule, he may be convicted of that other offence although he was not charged with it.

Restriction on proceedings for offences under common law

369. (1) Where any act or omission constitutes an offence under this Code and also under common law, proceedings in respect of that offence shall be brought under the relevant provision of this Code and not under common law, and the common law offence in any such case shall in respect of its application to Anguilla, be deemed to have been abolished.

(2) Where any act or omission constitutes an offence under this Code and also under some other enactment, proceedings in respect of that offence shall not be brought under that other enactment except by, or with the consent of, the Attorney General.

Abolition of distinctions between felony and misdemeanour

370. (1) All distinctions between felony and misdemeanour are abolished.

(2) Subject to the provisions of this Code and of the Criminal Procedure Act, on all matters on which a distinction has previously been made between felony and misdemeanour the law and practice in relation thereto shall be the same as the law and practice applicable in relation to misdemeanours immediately before the coming into force of this Code.

Abolition of certain common law offences

371. (1) The following offences under common law are abolished—

- (a) larceny;
- (b) robbery;
- (c) burglary;
- (d) receiving stolen property;
- (e) obtaining property by threats;
- (f) extortion by colour of office or franchise;
- (g) false accounting by public officers;
- (h) concealment of treasure trove;
- (i) except as regards offences relating to the public revenue, cheating;
- (j) any distinct offence, under the common law, of maintenance (including champerty and embracery);
- (k) challenging to fight;
- (l) eavesdropping;
- (m) being a common barrator, a common scold or a common nightwalker.