

# Ordinance Summary

## The Kerala Epidemic Diseases (Amendment) Ordinance, 2020

- The Kerala Epidemic Diseases (Amendment) Ordinance, 2020 was promulgated on July 3, 2020. It amends the Kerala Epidemic Diseases Ordinance, 2020 (principal Ordinance) promulgated on March 26, 2020. The principal Ordinance provides for the unification and consolidation of laws related to regulation and prevention of epidemic diseases. The Amendment Ordinance provides for compounding of offences in the principal Ordinance under certain situations.
- **Composition of offences:** The principal Ordinance provides for all offences under its ambit to be cognisable and bailable. The amendment Ordinance permits offences under the principal Ordinance to be compounded either:
  - (i) on the application of the accused before the prosecuting institution, or (ii) with the permission of the concerned court, upon payment of a fee. The fee will be as notified by the state government. Further, when an offence has been compounded, the offender and vehicles seized (if any), shall be released. The amendment Ordinance is now also applicable to the Malabar area, as defined in the State Re-organisation Act, 1956.
- Compounding of an offence is a process (under the Criminal Procedure Code, 1973) where a matter is settled by a monetary payment, in lieu of other liability. The compounding authority may condone the offence and ask the defaulting party to deposit a compounding fee.

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