

THE GILBERT ISLANDS

(No. 6 of 1979)

I assent.

R. J. WALLACE
Governor

14th May, 1979

AN ORDINANCE

TO MAKE FURTHER PROVISION FOR THE INSTITUTION BY THE ATTORNEY GENERAL OF CRIMINAL PROCEEDINGS BEFORE THE HIGH COURT IN THE EXERCISE OF ITS SUMMARY JURISDICTION: AND TO AMEND THE CRIMINAL PROCEDURE CODE FOR PURPOSES CONNECTED THEREWITH.

Commencement: 14th May, 1979

ENACTED by the Governor with the advice and consent of the House of Assembly:-

Short title 1. This Ordinance may be cited as the Criminal Procedure Code (Amendment) Ordinance 1979).

Amendment of s.70 of CAP 7 2. Section 70 of the Criminal Procedure Code is amended by inserting after subsection (2) the following subsection:-

"3. This section shall not affect in any way the power of the Attorney General to institute proceedings before the High Court in the exercise of its summary jurisdiction in any case by signing and presenting a formal charge".

Amendment of s.76 of CAP 7 3. Section 76 of the Criminal Procedure Code is amended (a) in subsection (1) by inserting the words "before the High Court or" between the words "bringing" and "before";

(b) in subsection (5) by inserting the words "before the High Court or" between the words "brought" and "before".

Amendment of s.77 of CAP 7 4. Section 77 of the Criminal procedure Code is amended by repealing subsection (1) (other than the proviso there-to) and substituting the following subsection:

"(1) Upon receiving a complaint or having signed the charge in accordance with the provisions of section 76, the High Court or a Magistrates' Court may in its discretion issue either a summons or a warrant to compel the attendance of the accused person before the High Court, if the proceedings have been commenced there, or before a Magistrates' Court having jurisdiction to inquire into or try the offence alleged to have been committed".