

THE CRIMINAL PROCEDURE AMENDMENT
ORDINANCE OF 1909.⁽¹⁾

No. 10 of 1909.

An Ordinance to amend the Criminal Procedure
Ordinance.

BE it enacted by the Lieutenant-Governor of the Territory of Papua with the advice and consent of the Legislative Council thereof as follows:—

Crown
Prosecutor
may be
appointed.

1. It shall be lawful for the Lieutenant-Governor⁽²⁾ to appoint a Crown Prosecutor whose duty it shall be to prosecute crimes and offences cognizable in the Central Court.⁽²⁾ It shall also be the duty of a Crown Prosecutor if so requested by the Lieutenant-Governor⁽²⁾ or the Chief Judicial Officer⁽³⁾ to conduct any prosecution before a Magistrate. A Crown Prosecutor shall have the right of audience in all courts.

Prosecutions
may be in the
name of the
Crown
Prosecutor.

2. All crimes and offences cognizable in the Central Court⁽²⁾ may be prosecuted by indictment in the name of the Crown Prosecutor in the form or to the effect set out in "*Criminal Code*"⁽⁴⁾ (Queensland adopted); it shall not be necessary in an indictment to allege with particularity the place at which the offence was committed but it shall be sufficient if the offence is alleged to have been committed "in the Territory of Papua."

Crown
Prosecutor
may be either
permanent or
temporary.

3. A Crown Prosecutor may be appointed either permanently or temporarily and from time to time as occasion requires and may be appointed if appointed temporarily either for a fixed period or for the purposes of a particular case or otherwise as the Lieutenant-Governor⁽²⁾ may think fit.

Short title.

4. This Ordinance may be cited as "*The Criminal Procedure Amendment Ordinance of 1909.*"⁽¹⁾

(1) Particulars of this Ordinance are as follows:—

Date of assent by Lieut.-Gov.	Date notified in Papua Govt. Gaz. as not disallowed by Gov.-Gen. in Council.	Date on which came into operation.
1. 6. 1909	1. 12. 1909	1. 6. 1909 (<i>Statute Law of Papua, 1888 to 1916 Vol. II, p. 201</i>)

(2) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940.*

(3) See Section 4 of the *Central Court Ordinance, 1925.*

(4) For forms of indictment under the *Criminal Code*, see the *Criminal Forms Rules, 1922*, printed on p. 1303, and *The Schedule to the Criminal Practice Rules of 1900* (Queensland, adopted), printed on p. 1304.