

Bill No. 9 of 1962

PUBLISHED 26TH MARCH, 1962.

Legislature,
Public Buildings,
Georgetown.
24th March, 1962.

The following Bill which will be introduced in the Legislative Assembly is published for general information.

I. CRUM EWING,
Clerk of the Legislature.

L.A. Bill No. 9 of 1962.

CRIMINAL LAW (PROCEDURE) (AMENDMENT) BILL, 1962.

ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Amendment of section 113 of Chapter 11.
3. Amendment of section 115 of Chapter 11.

A BILL

Intituled

AN ORDINANCE TO AMEND THE CRIMINAL LAW
(PROCEDURE) ORDINANCE.

Enacted by the Legislature of British Guiana:—

1. This Ordinance may be cited as the Criminal Law (Procedure) (Amendment) Ordinance, 1962, and shall be construed and read with the Criminal Law (Procedure) Ordinance, hereinafter referred to as the Principal Ordinance, and any Ordinance amending the same. Short title.
Cap. 11.
2. Section 113 of the Principal Ordinance is hereby amended — Amendment of
section 113 of
Chapter 11.
 - (a) by the insertion after the word "shall" in subsection (1), of the words "at any time";
 - (b) by the insertion of the following subsection as subsection (3) —

“(3) No objection to any indictment presented against an accused person (whether before or after the commencement of this subsection) shall be allowed on the ground that the indictment has been filed after the end of that sitting of the Court to which he was committed for trial.”
3. Subsection (2) of section 115 of the Principal Ordinance is hereby amended by the substitution for the word "four" in the first line thereof, of the word "two". Amendment of
section 115 of
Chapter 11.

OBJECTS AND REASONS

In a recent decision the trial judge expressed the view that the scheme of the Criminal Law (Procedure) Ordinance, Chapter 11, indicated that an indictment should ordinarily be filed before the termination of the sessions to which the accused was committed for trial by the magistrate. Clause 2 of the Bill seeks to make it clear that an indictment against an accused person may be filed at any time after he has been committed for trial before the Supreme Court.

2. Clause 3 of the Bill seeks to amend section 115 of the Criminal Law (Procedure) Ordinance, Chapter 11, so as to remove the conflict which now exists between the two subsections of that section.

(Sgd.) F. H. W. RAMSAHOYE,
Attorney General.

(M.P. L 94/55).
(L.A. Bill 9/1962).