



TRINIDAD AND TOBAGO

No. 11—1961

[L.S.]

I ASSENT,

SOLOMON HOCHOY

Governor.

19th April, 1961.

AN ORDINANCE to effect certain changes in the Criminal Law of the Territory by amendment to the Criminal Procedure Ordinance, the Indictable Offences (Preliminary Enquiry) Ordinance, and the Summary Courts Ordinance.

ENACTED by the Governor of Trinidad and Tobago with the Enactment. advice and consent of the Legislative Council thereof.

[27th April, 1961]

Commence-
ment.

1. This Ordinance may be cited as the Criminal Law Short title. (Amendment) Ordinance, 1961.

Section 5 of
Ch. 4. No. 3
repealed.

Section 82 of
Ch. 4. No. 3
repealed.

Section 27 of
Ch. 4. No. 1
amended.

2. Section 5 of the Criminal Procedure Ordinance is repealed.

3. Section 82 of the Criminal Procedure Ordinance is repealed.

4. Section 27 of the Indictable Offences (Preliminary Enquiry) Ordinance is amended by repealing subsection (1) thereof and by substituting therefor the following:—

“(1) With respect to bail, the following provisions shall have effect:

- (a) the Magistrate shall not admit to bail any person charged with treason, murder or piracy or with any offence for which death is the penalty fixed by law;
- (b) a Magistrate may, in his discretion, admit to bail any person charged with an offence that is not specified or referred to in paragraph (a) of this subsection;
- (c) the discretion of the Magistrate under paragraph (b) of this subsection, or of the court or a judge under section 32 of this Ordinance, shall be exercised in accordance with the principles for the time being in force in England with respect to the discretion of the High Court of Justice when dealing with applications for bail: Provided that where a person who has been committed for trial is in custody awaiting such trial in respect of an offence not specified or referred to in paragraph (a) of this subsection and is not brought to trial within six months after his commitment it shall be lawful for the court or judge on the application of such person, to admit such person to bail with a surety or sureties or upon his own recognizance to secure his appearance at his trial;
- (d) where a Magistrate when committing a person for trial of an offence other than treason or murder or piracy or any other offence for which death is the penalty fixed by law, does not admit such person to bail, he shall inform such person of his right to apply for bail to a Judge of the Supreme Court.”

5. (1) The Summary Courts Ordinance, in this section referred to as the "said Ordinance" is amended by adding after subsection (1) of section 39 the following subsection:

Section 39 of
Ch. 3. No. 4
amended.

"(1A) A single summons may be issued against a person in respect of several complaints; but the summons shall state the matter of each complaint separately and shall have effect as several summonses each issued in respect of one complaint."

(2) Section 56 of the said Ordinance is amended by inserting after the word "solicitor" the words "and in the case of a police complainant by any police officer,".

Section 56 of
Ch. 3. No. 4
amended.

(3) Section 73 of the said Ordinance is amended—

Section 73 of
Ch. 3. No. 4
amended.

(a) as to subsection (4) thereof by deleting the words and figures "against section 36 or section 37" and by substituting the words and figures "under section 36, 37, 44 or 45";

(b) as to subsection (5) thereof by deleting the words and figures "against section 36 or section 37" and by substituting the words and figures "under section 36, 37, 44 or 45".

(4) Paragraph 7 of the Second Schedule to the said Ordinance is amended by deleting the words and figures "referred to in the said sections 6 and 7" and by substituting therefor the words "the forgery of which is an offence triable summarily by virtue of this paragraph".

Second
Schedule of
Ch. 3. No. 4
amended.
Ord. No. 18
of 1957.

Passed in Council this twenty-fourth day of March in the year of Our Lord one thousand nine hundred and sixty-one.

G. R. LATOUR

Clerk of the Council