

2. The Second Schedule to the Order is hereby amended as follows:—

Amendment of Second Schedule to the Order.

The expression

“Materials intended for use in rendering cement or concrete waterproof .. .. £15”

shall be inserted in its appropriate alphabetical place therein.

3. The Third Schedule to the Order is hereby amended by the insertion therein of the following as item 75:—

Amendment of Third Schedule to the Order.

“75. Motor cars imported by or for the use of the Governor from and after the 31st October, 1932.”

*This Law came into operation on 25th August, 1933.*

### No. 37 OF 1933.

A LAW TO AMEND THE CRIMINAL EVIDENCE AND PROCEDURE LAW, 1929.

A.D. 1933.  
37 of 1933.

R. E. STUBBS,]

[25th September, 1933.

Governor.

BE it enacted:—

1. This Law may be cited as the Criminal Evidence and Procedure (Amendment) Law, 1933, and shall be read as one with the Criminal Evidence and Procedure Law, 1929, (hereinafter called “the Principal Law”), and the Principal Law and this Law may together be cited as the Criminal Evidence and Procedure Laws, 1929 and 1933.

Short title.  
12 of 1929.

2. Section 3 of the Principal Law is hereby repealed and the following substituted therefor:—

Repeal of section 3 of Law 12 of 1929 and substitution of new section.

“Power to Police officers to examine persons having knowledge about an offence.

3.—(1) A Local Commandant of Police or any competent and trustworthy person having experience in criminal investigation whom the Governor has by writing under his hand authorized to hold inquiries into the commission of offences, may require any person whom he has reason to suppose to be acquainted with the facts or circumstances of any offence into which he is inquiring, to attend at such reasonable time and place as he may direct for the purpose of examining him in relation to such offence.

Statement  
may be  
reduced to  
writing.

(2) The Local Commandant of Police or other authorized person may reduce into writing any statement made by a person examined under this section.

Obligation  
to answer  
questions  
truly.

(3) The person so examined shall be bound to answer truly all questions put to him other than questions the answers to which would have a tendency to expose him to a criminal charge.

Penalty.

(4) Any person who without reasonable cause refuses to attend at such time and place as he may be directed or refuses to answer any question or answers any question untruly shall be guilty of a misdemeanour and shall, on conviction, be liable to imprisonment for a term not exceeding one year or to a fine not exceeding fifty pounds."

New sections  
5A and 5B  
inserted  
in Law 12  
of 1929.

**3.** The Principal Law is hereby amended by the insertion immediately after section 5 of the following sections:—

"Order to  
attend and  
produce  
documents.

5A.—(1) Whenever a Local Commandant of Police or any competent and trustworthy person having experience in criminal investigation whom the Governor has by writing under his hand authorized to hold inquiries into the commission of offences considers that the production of any document is necessary or desirable for the purpose of such inquiry, such Local Commandant or other authorized person may issue a written order to the person in whose possession or under whose control such document is believed to be, requiring him to produce it at any time and place stated in the order.

Where  
attendance  
unnecessary.

(2) Any person required by written order under this section only to produce a document shall be deemed to have complied with the order if he causes the document to be produced instead of attending personally to produce the same.

Saving.

(3) Nothing in this section shall apply to any document for the production of which a warrant or order of the Governor is required by this or any other Law.

Penalty.

(4) Any person who, without reasonable cause, refuses to produce any document when ordered to do so under this section shall be

guilty of a misdemeanour and shall be liable on conviction to imprisonment for a term not exceeding one year or to a fine not exceeding fifty pounds.

Report of  
Government  
Analyst or  
Government  
Bacterio-  
logist to be  
evidence in  
certain  
cases.

" 5B. Whenever a preliminary inquiry on a charge brought against any person for an offence not triable summarily is being held before a Magisterial Court, any document purporting to be a report under the hand of the Government Analyst or the Government Bacteriologist upon any matter or thing relating to such offence and duly submitted to him by the Police for examination or analysis and report, shall be receivable in evidence when tendered by the prosecution and shall be evidence of all that is stated therein both at such preliminary inquiry and at the Assize Court if such person is committed for trial:

Provided—

- (a) that, notwithstanding anything in any enactment contained, the prosecution may, without notice to the accused, call the Government Analyst or the Government Bacteriologist who has signed such report, as the case may be, to give evidence at the trial of the offence before the Assize Court, and
- (b) that, at the request of the Assize Court or at a written request by or on behalf of the accused notified to the prosecution not less than seven days before the trial in the Assize Court, the prosecution shall call the Government Analyst or the Government Bacteriologist, as the case may be, to give evidence before the Assize Court."

4. The Principal Law is hereby amended by the insertion immediately after section 8 of the following sections:—

"Remand  
in Police  
custody.

8A. Where it shall appear that the inquiry into the commission of an offence for which a person has been arrested has not been completed or that for any other reasonable cause it is necessary or advisable to defer the examination or further examination of witnesses it shall be lawful for a Magisterial Court whether or not

New sections  
8A, 8B and  
8C inserted  
in Law 12  
of 1929.

R. & R. by  
Law 18/34