

No. 531. ✓ THE CRIMINAL PROCEDURE LAW.
CAP. 14 AND LAWS 28 OF 1952 AND 6 OF 1953.

RULES OF COURT:

R. P. ARMITAGE,
Governor.

Cap. 14
6 of 1953.

Gazette :
Supplement
No. 3
16.5.53.

In exercise of the powers vested in me by section 173 of the Criminal Procedure Law, I, the Governor, with the advice and assistance of the Chief Justice, do hereby make the following Rules of Court :—

1. These Rules may be cited as the Criminal Procedure (Amendment) Rules, 1954, and shall be read as one with the Criminal Procedure Rules, 1953, (hereinafter referred to as "the principal Rules") and the principal Rules and these Rules may together be cited as the Criminal Procedure Rules, 1953 and 1954.

2. Rule 9 of the principal Rules is hereby revoked and the following Rule substituted therefor :—

"9.—(1) Subject to the provisions of these Rules and unless otherwise directed by the Court in any particular case, all service of criminal process shall be effected by a police officer through the Registrar.

(2) The Chief Justice may direct that the service of any class of criminal process shall be effected by such class of public officer or other persons as specified in the direction."

3. The following Rules shall be added immediately after Rule 9 :—

9A. In respect of criminal processes served by any officer or other persons pursuant to Rule 9 the following provisions shall apply :—

(a) if the accused is an individual, it shall be served either by delivering it to him personally or by leaving it with some adult person living with him or being in charge of the place in which he resides or of the place of his business or occupation ;

(b) if the person to be served is a firm or corporation, it shall be served by leaving the same at the principal place of business in the Colony of the firm or corporation or by delivering it—

(i) to one of the partners ;

(ii) to a director ;

(iii) to the secretary ;

(iv) to the main agent within the jurisdiction ; or

(v) to anyone having, at the time of service, control of the business of the firm or corporation.

(c) Service of every summons shall be proved either orally by the person who has effected the same or by the affidavit of such person.

9B.—(1) Service of a summons on a person who is absent when he is adjudged to pay a penalty (Form No. 30A) may be effected by sending it to him by ordinary post in a letter addressed to him at his last known or usual place of abode.

(2) The Registrar shall keep a register in which particulars of all summonses posted under sub-rule 1 shall be entered in the manner prescribed by form No. 51. The entries in the register for each day shall be signed by the Registrar, or by an officer deputed by him in writing to keep the register, and they shall be *prima facie* evidence of service.

9C. Where a private prosecutor or an accused person desires service of any document to be effected he shall apply to the Registrar for such service at the same time as he files or applies for the issue of the document of which, or a copy whereof, service is required, and shall thereupon pay to the Registrar in respect of the intended service a fee