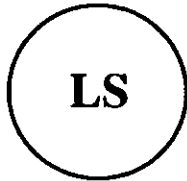


**COMMONWEALTH OF DOMINICA**

ACT No. 13 OF 1993

I assent

C.A. SORHAINDO  
*President.*

23rd November, 1993.

AN ACT TO FURTHER AMEND THE CRIMINAL LAW AND  
PROCEDURE ACT, CHAP. 12:01.

(Gazetted 2nd December, 1993.)

1. This Act may be cited as the –

Short title.

**CRIMINAL LAW AND  
PROCEDURE (AMENDMENT) ACT 1993.**2. In this Act the Criminal Law and Procedure Act is referred  
to as “the Act”. Interpretation.  
Ch. 12:01.

Repeal and  
replacement of  
section 24 of the  
Act.

3. Section 24 of the Act is repealed and the following is substituted therefor –

“The proper law  
officer, or barrister  
authorised by him,  
may present  
indictment.

24. (1) Any criminal case in which, after a preliminary inquiry under the provisions of the said Act, the accused has been committed for trial or has, after the charge against him was dismissed by a Magistrate, been committed to prison under the provisions of section 17, may be brought under the cognizance of the High Court by an indictment presented by the proper law officer, or by a barrister-at-law authorised by the law officer to present the indictment in the name and on behalf of the law officer.

(2) On receipt of the documents relating to the preliminary inquiry, the proper law officer shall, if he sees fit to do so, institute such criminal proceedings in the High Court against the accused person for any crime disclosed in the depositions as to him may seem proper.

(3) The proper law officer may charge the accused with the crime for which he has been committed for trial, and in addition thereto or in substitution therefor, with any other crime or crimes which may be supported by the evidence and facts disclosed in any examination or deposition taken before an examining Magistrate in his presence, being crimes that may be lawfully joined in the same indictment.

(4) A charge of a previous conviction of a crime may notwithstanding that it was not included in the committal, be included in any indictment.

(5) An indictment may include counts for crimes arising out of depositions taken at two or more preliminary inquiries; however, if the Judge at

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the trial of the accused on any such indictment considers that the inclusion of one or more of such crimes is likely to embarrass the accused person in his defence, he may direct that the count or counts for such crime or crimes be tried separately.

(6) When an indictment has been presented by a barrister-at-law in the name and on behalf of the proper law officer, he shall be presumed, until the contrary is shown, to have been authorised by the law officer to present the indictment.

(7) Any power to bring proceedings for an offence by criminal information is hereby abolished."

Passed in the House of Assembly this 15th day of November, 1993.

M. ALBERTHA JNO. BAPTISTE  
*Clerk of the House of Assembly.*

DOMINICA

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