

Criminal Procedure Code (Amendment) Act, 2001.



THE GAMBIA

NO. 2 OF 2002.

Assented to by The President.

this 1st day of February, 2002.

 President.

AN ACT to amend the Criminal Procedure Code and for matters connected therewith.

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ENACTED by the President and the National Assembly.

ort title

1. This Act may be cited as the Criminal Procedure Code (Amendment) Act, 2001.

2. The Criminal Procedure Code is amended as set out in the Schedule to this Act.

 Amendment of the
 Criminal Procedure
 Code
 p 12:01

SCHEDULE**Section 2****AMENDMENTS TO THE CRIMINAL PROCEDURE CODE****General Amendment**

Substitute for the words "Supreme Court", wherever they occur, the words "High Court".

Section 2 – Interpretation

(a) Substitute for the definition of "court", the following new definition -

"court" means the Supreme Court, Court of Appeal, High Court, Court Martial, subordinate court and all courts established by law in The Gambia but does not include a District Tribunal;"

(b) Insert in the proper alphabetical sequence, the following new definitions -

"Court of Appeal" means the Court of Appeal The Gambia;

"Supreme Court" means the Supreme Court The Gambia;"

Section 3 – Trial of offences under the Criminal Code

(a) In the side note to this section, insert immediately after the word "Code", the words "and other laws";

(b) In subsection (1), insert immediately after the word "contained", the words "and any other law".

Section 4 – Powers of Supreme Court

Substitute for this section, the following new section -

- "Powers of High Court 4. Except where a law provides for the trial of an offence in a particular court, the High Court may -
- (a) try any offence under any law; and
 - (b) pass any sentence authorised by law."

Section 6 – Confirmation by Supreme Court

Delete this section

Section 99 – The grant of bail by courts

- (a) In subsection (1), insert immediately after the words "punishable with death", the words "or life imprisonment";
- (b) Delete subsection (3).

New section 161A – Objections to charge to be taken at once

Insert immediately after section 161, the following new section -

- "Objections
to charge
to be taken
at once
- 161A. Every objection to any charge for any formal defect on the face thereof shall be taken immediately after the charge has been read over to the accused person and not later."

Section 271 – Appeal to Supreme Court

Substitute for subsection (1), the following new subsection –

"(1) An appeal shall lie from any decision of a subordinate court to the High Court."

Sections 273 and 281

Delete these sections.

PASSED in the National Assembly this
in the year of Our Lord Two Thousand and One

day of

Ag. Clerk of the National Assembly

THIS PRINTED IMPRESSION has been carefully compared by me with the Bill which has passed in the National Assembly, and found by me to be a true and correct copy of the said Bill.

Ag. Clerk of the National Assembly