

M O N T S E R R A T

**CRIMINAL JUSTICE (INTERNATIONAL CO-  
OPERATION) (AMENDMENT) BILL**

No.      of 2012

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Criminal Justice (International Co-operation) (Amendment) Bill,  
2012

No.      of 2012

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**I ASSENT**

**Governor**

DATE:

M O N T S E R R A T

No.      of 2012

**A BILL FOR**

AN ACT TO AMEND THE CRIMINAL JUSTICE (INTERNATIONAL CO-OPERATION) ACT (CAP. 4.06).

BE IT ENACTED by the Queen’s Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Montserrat, and by the Authority of the same as follows:—

**1. Short title**

This Act may be cited as the Criminal Justice (International Co-operation) (Amendment) Act, 2012.

**2. Interpretation**

In this Act “**principal Act**” means the Criminal Justice (International Co-operation) Act (Cap. 4.06).

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**3. Section 3A inserted**

The principal Act is amended by inserting the following immediately after the heading Mutual Provisions of Evidence, as section 3A:

**“3A. Appointment of prosecuting authority**

The Governor may by Order appoint a prosecuting authority for the purposes of section 4.”

**4. Amendment of section 4**

Section 4 of the principal Act is amended by deleting subsection (3) and inserting the following:

**(3)** The prosecuting authority may issue a letter of request if—

(a) it is satisfied as to the matters mentioned in subsection (1)(a); and

(b) the offence in question is being investigated or the authority has instituted proceedings in respect of it.

**5. Amendment of section 9**

Section 9 of the principal Act is amended by deleting subsection (6).

**6. Amendment of section 19**

Section 19 of the principal Act is amended by deleting subsection (2) and substituting the following:

**“(2)** No such proceedings shall be instituted except by or with the consent of the Director of Public Prosecutions.”

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**7. Amendment of section 22**

Section 22 of the principal Act is amended by deleting subsection (2).

**SPEAKER**

Passed the Legislative Assembly this      day of      , 2012.

**CLERK OF THE LEGISLATIVE ASSEMBLY**