

M O N T S E R R A T

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

No. 18 of 2012

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Montserrat

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

No. 18 of 2012

I ASSENT

Alric Taylor (Sgd.)
Governor (Ag.)

DATE: 13.11.12

M O N T S E R R A T

No. 18 of 2012

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.

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

No. 18 of 2012

2. Interpretation

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

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 8

Section 8 of the principal Act is amended by inserting the following as subsection (1A):

“(1A) In this section, “**serious arrestable offence**” means an indictable offence”.

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6. Amendment of section 9

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

7. 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.”

8. Amendment of section 22

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

Teresina Bodkin (Sgd.)

SPEAKER

Passed the Legislative Assembly this 31st day of October, 2012.

Judith Baker (Sgd.)

CLERK OF THE LEGISLATIVE ASSEMBLY