

*EXTRAORDINARY*

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**THE BAHAMAS**

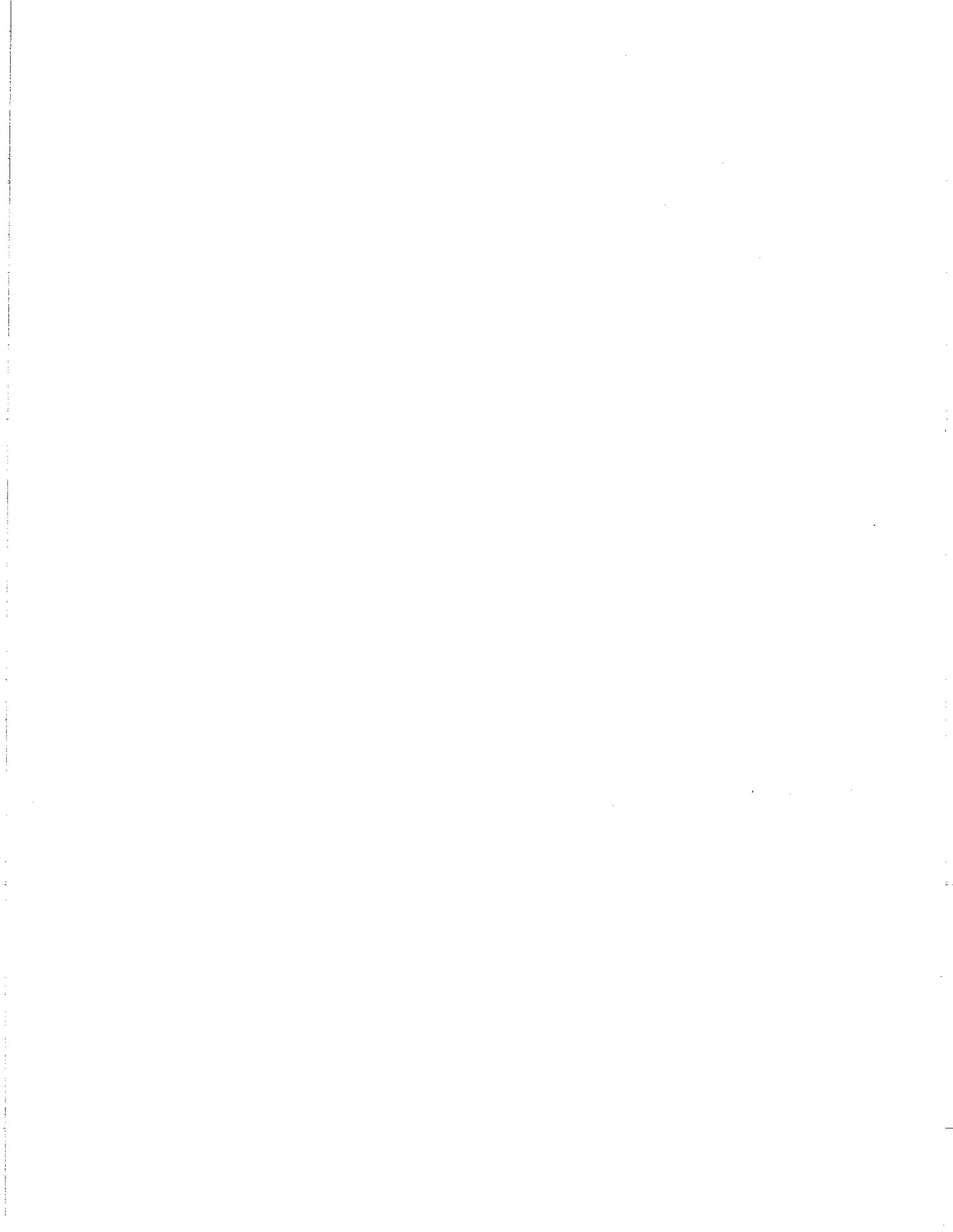
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NASSAU

25<sup>th</sup> September, 2013

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**CRIMINAL PROCEDURE CODE (AMENDMENT)  
ACT, 2013**

**Arrangement of Sections**

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No. 30 of 2013

## CRIMINAL PROCEDURE CODE (AMENDMENT) ACT, 2013

AN ACT TO AMEND THE CRIMINAL PROCEDURE CODE ACT TO  
PROVIDE FOR THE USE OF LIVE TELEVISION LINK IN CRIMINAL  
PROCEEDINGS AND TO ABOLISH THE USE OF UNSWORN  
STATEMENTS FROM THE DOCK BY ACCUSED PERSONS IN THE  
MAGISTRATE'S COURT

[Date of Assent - 25<sup>th</sup> September, 2013]

Enacted by the Parliament of The Bahamas

**1. Short title and commencement.**

- (1) This Act, which amends the Criminal Procedure Code Act (*Ch. 91*), may be cited as the Criminal Procedure Code (Amendment) Act, 2013.
- (2) This Act shall come into force on a day to be appointed by the Minister by Notice published in the *Gazette*.

**2. Amendment of section 2 of the principal Act.**

Section 2 of the principal Act is amended by the insertion in the appropriate alphabetical position of the following definitions—

“**live television link**” means a live television link or other arrangement whereby an accused person, while absent from the courtroom or other place where the proceedings are being held, is able to see and hear a person there and to be seen by—

- (a) the magistrate or judge;
- (b) legal representatives acting in the proceedings; and
- (c) any interpreter or other persons appointed by the court to assist the accused.”



**3. Amendment of section 148 of the principal Act.**

Section 148 of the principal Act is amended as follows—

- (a) in subsection (1), by the the deletion of the words “section 140” and the substitution therefor of the words “section 143”;
- (b) by the insertion of the following as a new subsection (2)—  
“(2) Notwithstanding subsection (1) an accused person to be tried before the Supreme Court under subsection (1) may appear by way of live television link provided that a judge may in any case require the accused to appear in person.”;
- (c) by renumbering subsection (2) as subsection (3).

**4. Amendment of section 204 of the principal Act.**

Subsection (1) of section 204 of the principal Act is amended by the deletion of the words “or to make a statement not on oath from the dock, in which case he will not be liable to cross-examination;”.

**5. Amendment of section 258 of the principal Act.**

Subsection (8) of section 258 of the principal Act is amended as follows—

- (a) by the insertion of the words “in person or by live television link” immediately after the words “of an accused person”; and
- (b) by the deletion of the word “against” and the substitution therefor of the words “in respect of”.

