



[ L.S. ]

I Assent,

**James B. Carlisle,**  
*Governor-General.*

22nd October, 2004.

**ANTIGUA AND BARBUDA**

**No. 14 of 2004**

**AN ACT** to amend the Criminal Procedure Act.

*[Published in the Official Gazette Vol. XXIV No. 79  
dated the 4th November, 2004 ]*

**ENACTED** by the Parliament of Antigua and Barbuda as follows:

1. (1) This Act may be cited as the Criminal Procedure (Amendment) Act, 2004.

**Short title and application.**

(2) This Act shall apply to legal proceedings pending on the commencement of this Act and legal proceedings instituted on or after the commencement of this Act.

2. The Criminal Procedure Act is amended by the insertion, immediately after section 50, of the following Part:

**Insertion of Part  
VIA  
Cap. 117.**

**"PART VIA  
APPEALS BY DIRECTOR OF PUBLIC PROSECUTIONS**

**Interpretation.**

**50A.** In this Part "judgment" includes an order, a ruling and a final decision of a Magistrate's court or of the High Court.

ANTIGUA AND BARBUDA 2 *The Criminal Procedure (Amendment) Act, 2004.* No. 14 of 2004.

Appeals by  
Director of  
Public  
Prosecutions.

**50B.** (1) The Director of Public Prosecutions may, subject to subsection (2), appeal to the Court of Appeal from a judgment of the court which made the judgment, in respect of —

- (a) an acquittal or a sentence passed by a Magistrate's court or the High Court; or
- (b) the dismissal of a charge against an accused person in committal proceedings.

(2) An appeal pursuant to subsection (1) may be made only on the following grounds:

- (a) in the case of an acquittal, on a point of law;
- (b) in the case of a sentence, on the nature or extent of the sentence, or both; and
- (c) in the case of the dismissal of a charge in committal proceedings, on a point of law.

Procedure, etc.  
for appeals by  
D.Y.P.

**50C.** The law applicable to appeals in criminal proceedings shall apply to the procedure and other matters in appeals by the Director of Public Prosecutions in the same manner as it applies to an appeal by any other person, except that the Director shall not be required to enter into a recognizance or to provide any other security."

No. 14 of 2004.      *The Criminal Procedure (Amendment)  
Act, 2004.*      3      **ANTIGUA  
AND  
BARBUDA**

Passed the House of Representatives this  
23rd day of September, 2004.

Passed the Senate this 7th day  
of October, 2004.

**D. Giselle Isaac-Arrindel,**  
*Speaker.*

**Edmond A. Mansoor,**  
*President.*

**Y. Henry,**  
*Acting Clerk to the House of Representatives.*

**Y. Henry,**  
*Acting Clerk to the Senate.*

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