

CRIMINAL AND OTHER OFFENCES (PROCEDURE) ACT - 1960 (ACT 30)

Section - 1 - Procedure For Criminal And Other Offences

All offences under the Criminal Code and, subject to the provisions of any enactment, all other offences shall be enquired into, tried and otherwise dealt with according to this Code.

Section - 2 - Mode Of Trial

(1) An offence shall be tried summarily if-

(a) the enactment creating the offence provides that it is to be punishable on summary conviction, and provides for no other mode of trial; or

(b) the enactment creating the offence makes no provision for mode of trial and the maximum penalty for the offence on first conviction is a term of imprisonment not exceeding six months, whether with or without a fine.

(2) An offence shall be tried on indictment if-

(a) it is punishable by death or it is an offence declared by any enactment to be a first degree felony; or

(b) the enactment creating the offence provides that it shall be triable on indictment, and provides for no other mode of trial.

(3) Every other offence shall be triable on indictment or summarily.

(4) Subject to any limitations on the jurisdiction of the Court-

(a) a trial on indictment shall be by the High Court or a Circuit Court;

(b) a summary trial shall be by a court of summary jurisdiction, or by the High Court or a Circuit Court.



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