

Draft Bill.

No. S. 264.—The following bill is published for general information :—

C.S.O. 3251/27.

[No. 18 :—31.7.31.—1.]

A BILL

INTITULED

An Ordinance to amend the Magistrates Ordinance, 1890.

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows :—

Short title. 1. This Ordinance may be cited as the Magistrates Amendment Ordinance, 1931.

Amendment of Ordinance No. 3 of 1890, s. 73. 2. Section 73 (1) of the Magistrates Ordinance, 1890, is amended by the insertion after the words “and shall” in the sixth line of the following words :—

“inform him that he has the right, if he so desires, to give evidence on his own behalf. If the accused desires to give evidence, his evidence shall be taken upon oath and shall be subject to cross-examination as in the case of the evidence of any other witness. If the accused does not desire to give evidence on his own behalf, the magistrate shall”.

Amendment of Ordinance No. 3 of 1890, s. 74. 3. Section 74 of the Magistrates Ordinance, 1890, is amended by the insertion after the word “accused” in the first line of the words “gives evidence or”.

Objects and Reasons.

The object of this Ordinance is to amend sections 73 and 74 of the principal Ordinance so as to make it clear that the accused shall be informed that he has the right, similar to the provision in section 12 (2) of the Criminal Justice Act, 1925, (15 & 16 Geo. 5, ch. 86), to give evidence on his own behalf, if he so desires.

C. G. ALABASTER,
Attorney General.

July, 1931.