

REPUBLIC OF KIRIBATI
(No. 4 of 2003)

Assented to by
the Beretitenti
on 30/12/2003

AN ACT TO AMEND THE COURT OF APPEAL ACT (No 11 of 1980)

Commencement:
2003

MADE by the Maneaba ni Maungatabu and assented to by the Beretitenti.

Short title

1. This Act may be cited as the Court of Appeal (Amendment) Act 2003.

Insertion of new sections

2. The Court of Appeal Act (No 11 of 1980) is amended by inserting immediately after section 19, the following new sections -

“Appeal by Attorney General against sentence

19A. The Attorney General may appeal to the Court against any decision of the High Court, whether on appeal or sitting as a court of first instance, as to sentence, and the High Court may, in its discretion, vary the sentence and impose such sentence as it thinks proper.

Appeal against acquittal

19B. Where the High Court has given judgment acquitting a person or confirmed the acquittal of a person by a magistrates’ court (whether in respect of the whole or part of any charge) the Attorney General may appeal to the court against the judgment, and the Court of Appeal may –

- (a) determine the appeal; and
- (b) if the appeal is sustained make such order for the prosecution of the trial as it thinks necessary or desirable.”

COURT OF APPEAL (AMENDMENT) ACT 2003

EXPLANATORY MEMORANDUM

This short Act gives the Republic the right to appeal against conviction and sentence.

Titabu Tabane
Attorney General
31 July 2003