

No. 36.—1884.

An Ordinance to further provide for the trial of certain offences subsequent to the time at which "The Criminal Procedure Code, 1883," shall come into operation.

ARTHUR GORDON.

Preamble.

WHEREAS it is expedient to make further provision for the trial of certain offences subsequent to the time at which "The Criminal Procedure Code, 1883," hereinafter called "The Principal Ordinance," shall come into operation: Be it therefore enacted by the Governor of Ceylon, by and with the advice of the Legislative Council thereof, as follows:—

Repeal of laws, &c.,
by Criminal
Procedure Code,
1883, not to affect
offences committed
under them.

1. The repeal of any Law, Ordinance, or Rule of Court by the principal Ordinance shall not affect—

- (a) The past operation of any enactment, Law, Ordinance, or Rule of Court thereby repealed, nor anything duly done or suffered under any Law, Ordinance, or Rule of Court thereby repealed; nor
- (b) Any right, privilege, obligation, or liability acquired, accrued, or incurred under any Law, Ordinance, or Rule of Court thereby repealed; nor
- (c) Any penalty, forfeiture, or punishment incurred in respect of any offence committed against any Law, Ordinance, or Rule of Court thereby repealed; nor

(d) Any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid, and any such investigation, legal proceeding, and remedy may be carried on as if any such Law, Ordinance, or Rule of Court had not been repealed, anything in section 511 of the said principal Ordinance to the contrary notwithstanding.

2. In trials before the Supreme Court, when it appears to the Supreme Court at any time before the commencement of the trial of the person charged that any charge or any portion thereof is clearly unsustainable, the judge may make on the charge an entry to that effect. Such entry shall have the effect of staying proceedings upon the charge or portion of the charge, as the case may be.

Entry on
unsustainable
charge.

Effect of entry.

3. This Ordinance and the principal Ordinance shall be construed and read as one Ordinance, and this Ordinance shall come into operation together with the principal Ordinance.

This Ordinance and
Ordinance No. 3 of
1883 to be read as
one Ordinance.

Passed in Council the Seventeenth day of December, One thousand Eight hundred and Eighty-four.

Commencement of
Ordinance.

R. H. SINCLAIR,
Acting Clerk to the Council.

Assented to by His Excellency the Governor the Nineteenth day of December, One thousand Eight hundred and Eighty-four.

JOHN F. DICKSON,
Acting Colonial Secretary.