

*Legal Supplement Part C to the "Trinidad and Tobago Gazette", Vol. 43,  
No. 190, 28th October, 2004*

**No. 31 of 2004**

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**Third Session Eighth Parliament Republic of  
Trinidad and Tobago**

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HOUSE OF REPRESENTATIVES

**BILL**

**AN ACT to amend the Criminal Procedure Act, Chap. 12:02**

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THE CRIMINAL PROCEDURE (AMENDMENT) BILL, 2004

**Explanatory Note**

(These notes form no part of the Bill but are intended only to indicate its general purport)

The Bill seeks to amend the Criminal Procedure Act, Chap. 12:02 by inserting—

- (a) a new section 37A, which would provide that a formal admission may be proof of a fact that is not in dispute; and
- (b) a new section 42A, to enable Judges to provide written directions to juries after consultation with both the attorneys for the prosecution and the defence, on matters of substantial complexity.

## **BILL**

AN ACT to amend the Criminal Procedure Act, Chap. 12:02

*[ , 2004]*

ENACTED by the Parliament of Trinidad and Tobago as Enactment  
follows:—

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

**2.** In this Act, “the Act” means the Criminal Procedure Interpretation  
Act. Chap. 12:02

Section 37A inserted

**3. The Act is amended by inserting after section 37, the following section:**

“Proof by  
formal  
admission

37A. (1) Subject to the provisions of this section, any fact of which oral evidence may be given in any criminal proceedings may be admitted for the purpose of those proceedings by the counsel for the prosecution or the accused person or his counsel, and the admission by any party of any such fact under this section shall, as against that party, be conclusive evidence in those proceedings of the fact admitted.

(2) An admission under this section—

- (a) may be made before or at the proceedings;
- (b) if made otherwise than in court, shall be in writing;
- (c) if made in writing by an individual, shall purport to be signed by the person making it and, if so made by a body corporate, shall purport to be signed by a director or manager, or the secretary or clerk, or some other similar officer of the body corporate;
- (d) if made on behalf of a defendant who is an individual, shall be made by his counsel; and
- (e) if made at any stage before the trial by a defendant who is an individual, must be approved by his counsel, whether at the time it was made or subsequently, before or at the proceedings in question.



No. 31 of 2004

THIRD SESSION  
**EIGHTH PARLIAMENT**  
REPUBLIC OF  
TRINIDAD AND TOBAGO

**BILL**

AN ACT to amend the Criminal Procedure  
Act, Chap. 12:02

Received and read the

First time.....

Second time.....

Third time.....