

TANGANYIKA



No. 69 OF 1963

I ASSENT,

Julius K. Nyerere
President

24 TH DECEMBER, 1963

An Act to amend the Criminal Procedure Code

[27TH DECEMBER, 1963]

ENACTED by the Parliament of Tanganyika.

1. This Act may be cited as the Criminal Procedure Code (Amendment) (No. 2) Act, 1963, and shall be read as one with the Criminal Procedure Code.

Short title
and
construction
Cap. 20
New
section
154C added
to Code

2. The Criminal Procedure Code is hereby amended by adding, immediately below section 154B, the following new section: -

"Report of
handwriting
expert

154c.- (1) In any inquiry, trial or other proceeding by or before a resident magistrate under this Code, a report in the form set out in the Seventh Schedule to this Code, given under the hand of an officer appointed by order of the Director of Public Prosecutions for the purpose, being a report upon any handwriting, or any photographic representation of any handwriting, submitted to him for examination or comparison, together with any photographic prints, enlargements or other annexures referred to therein and signed by such officer, shall be receivable in evidence and such report shall be evidence of the matters stated therein.

(2) The court may presume that the signature to any such report, print, enlargement or annexure is genuine.

(3) Where any such report is received in evidence, the court shall, if the accused or his advocate so requests, and may, if it thinks fit, summon and examine the person who made the report or make him available for cross-examination."

3. The Code is hereby amended by adding, immediately below the Sixth Schedule thereto, the following new Schedule:-

New
Schedule
added to
code

"SEVENTH SCHEDULE

REPORT

The Criminal Procedure Code

(Section 154c)

I, _____ of _____
being an officer appointed under section 154c of the Criminal Code under
Government Notice No. _____ Of _____, hereby certify as follows:-

(1) On the _____ day of _____, 19____ at _____
I received a sealed packet, numbered _____ purporting to be sent
by _____ which contained _____ under cover of a
letter No _____ dated _____ purporting to be signed by _____
The said packet, letter and _____ were each signed and dated by
me and are attached hereto as annexures _____ and _____
respectively.

(2) On the _____ day of _____, 19____ at _____
I received *a sealed packet, numbered _____ purporting to be sent
by _____ which contained (*in the same package) _____
under cover of a letter No _____ dated _____ purporting to be
signed by _____ The said _____, and the said packet
and letter were each signed and dated by me and are attached hereto as annexures
and _____

(3) I have examined and compared the handwriting on the said annexure _____ and
the handwriting on the said annexure _____ and
have prepared as annexure _____ *a photographic representation (*a schedule) of
comparisons and similarities between the handwriting on the said annexures _____ and
_____ together with my comments thereon.

And I hereby state that, in my opinion, _____

Given at _____ under my hand this _____ day of
_____ 19____

Signed _____ " "

* Delete whichever is not applicable.
f Delete if not applicable.

Passed in the National Assembly on the fourth day of December, 1963.

Pius Msekwa
Clerk of the National Assembly