

CHAPTER 19

COURTS' RECORDS (INSPECTION BY MINISTER OF JUSTICE)

Act
No. 9 of 1958.

AN ACT TO ENABLE THE MINISTER OF JUSTICE TO CAUSE ANY RECORD OF ANY COURT OF JUSTICE TO BE PRODUCED FOR HIS INSPECTION IF HE CONSIDERS SUCH INSPECTION NECESSARY FOR THE PERFORMANCE OF HIS DUTIES.

[12th March, 1958.]

Short title.

1. This Act may be cited as the Courts Records (Inspection by Minister of Justice) Act.

record to which such direction relates to be transmitted to or delivered at the office of the Secretary to the Ministry.

Minister may cause a record of any Court of Justice to be produced for his inspection.

2. (1) The Minister may direct any record of any Court of Justice to be produced for his inspection if he considers such inspection necessary for the performance of his duties,

(2) Where a record to which a direction of the Minister under section 2 relates-

(a) is being used in any trial, inquiry or other proceeding that is in progress. or

(b) is with the Attorney-General, or

(c) has been destroyed in accordance with the provisions of the Destruction of Valueless Documents Ordinance,

(2) A direction of the Minister under subsection (1) in respect of a record of any Court of Justice shall be communicated in writing by the Secretary to the Ministry-

(a) where such court is the Supreme Court, to the Chief Justice,

(b) where such court is the Court of Appeal, to the President of that Court,

(c) where such court is the High Court, to the Judge of that Court.

(d) where such court is a District Court, to the Judge of that Court,

(e) where such court is a Family Court, to the Judge of that Court,

(f) where such court is a Magistrate's Court, to the Magistrate of that Court, and

(g) where such court is a Primary Court, to the Judge of that Court.

it shall be the duty of the person to whom such direction is communicated under section 2 (2) to report in writing to the Minister that such record is being so used or is with the Attorney-General or has been so destroyed, and, unless such record has been so destroyed, to cause it to be transmitted to or delivered at the office of the Secretary to the Ministry as soon as it is available.

(3) Where it is manifest on the face of the record, or it is made manifest in any other way, that the record is required in the court on any particular day, it shall be the duty of the Secretary to cause the record to be returned before that day.

Duty of person to whom a direction under section 2 is communicated to comply with it.

3. (1) Subject to the provisions of subsection (2), it shall be the duty of the Chief Justice, President of the Court of Appeal, Judge of the High Court, District Judge, Judge of the Family Court, Magistrate, or Judge of the Primary Court, to whom a direction of the Minister under section 2 is communicated, to cause the

4. In this Act-

" Minister " shall mean the Minister in charge of the subject of Justice ;

"Secretary to the Ministry" or " Secretary " shall mean the Secretary to the Ministry charged with the subject of Justice.

Interpretation.