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GOVERNMENT OF FIJI

CRIMINAL PROCEDURE (AMENDMENT) (NO. 2) DECREE 2010
 (DECREE NO. 52 OF 2010)

IN exercise of the powers vested in me as President of the Republic of Fiji and Commander in Chief of the Republic of Fiji Military Forces by virtue of the Executive Authority of Fiji Decree 2009, I hereby make the following Decree—

TO AMEND THE CRIMINAL PROCEDURE DECREE 2009

Short title and commencement

1.—(1) This Decree may be cited as the Criminal Procedure (Amendment) (No. 2).

(2) This Decree is deemed to have come into force on the date of commencement of the Criminal Procedure Decree 2009.

Section 204 amended

2. Section 204 of the Criminal Procedure Decree 2009 is amended by inserting the following new subsections after subsection (7)—

- “(8) The name and identifying details of any assessor shall not be published or broadcast in any manner or form, including on the internet or in any other place before, during or after trial without leave of a judge of the High Court.
- (9) In the interest of the personal protection and security of any assessor, his or her spouse, children or family, the Chief Justice or a judge of the High Court may make orders dispensing with the requirements of posting, publication or gazetting of the personal details of assessors either individually or generally.
- (10) A breach of subsection (8) or any order made under subsection (9) shall constitute a contempt of the High Court whether committed before, during or after trial, and the trial judge or in his or her absence a judge of the High Court shall retain jurisdiction to hear such proceeding and to punish such contempt, including after trial and throughout and after any appellate proceedings.”

Given under my hand this 5th day of October 2010.

EPELI NAILATIKAU
 President of the Republic of Fiji