

REPUBLIC OF KIRIBATI  
(No. 4 of 2003)

I assent,

*Arute Teu*  
Berefitenti  
12/12/2003

**AN ACT TO AMEND THE COURT OF APPEAL ACT (NO 11 OF 1980)**

Commencement:  
2003

MADE by the Maneaba ni Maungatabu and assented to by the Berefitenti.

**Short title**

1. This Act may be cited as the Court of Appeal (Amendment) Act 2003.

**Insertion of new sections**

2. The Court of Appeal Act (No 11 of 1980) is amended by inserting immediately after section 19, the following new sections -

**"Appeal by Attorney General against sentence**

19A. The Attorney General may appeal to the Court against any decision of the High Court, whether on appeal or sitting as a court of first instance, as to sentence, and the Court may, in its discretion, vary the sentence and impose such sentence as it thinks proper.

**Appeal against acquittal**

19B. Where the High Court has given judgment acquitting a person or confirmed the acquittal of a person by a magistrates' Court (whether in respect of the whole or part of any charge) the Attorney General may appeal to the court against the judgment, and the Court may -

- (a) determine the appeal; and
- (b) if the appeal is sustained make such order for the prosecution of the trial as it thinks necessary or desirable."

**COURT OF APPEAL (AMENDMENT) ACT 2003**

**EXPLANATORY MEMORANDUM**

This short Act gives the Republic the right to appeal against conviction and sentence.

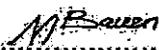
**Titabu Tabane  
Attorney General  
31 July 2003**

**CERTIFICATE BY THE CLERK OF THE MANEABA NI MAUNGATABU**

This printed impression of the **Court of Appeal (Amendment) Act 2003** has been examined by me with the Bill which was passed by the Maneaba ni Maungatabu on **18<sup>th</sup> November 2003** and is found by me to be a true and correctly printed copy of the said Bill.

  
Temano Tebubua  
Acting Clerk of Parliament

**PUBLISHED BY EXHIBITION AT THE MANEABA NI MAUNGATABU THIS 19<sup>TH</sup>  
DAY OF DECEMBER 2003.**

  
M. Bowen  
Acting Clerk of Parliament