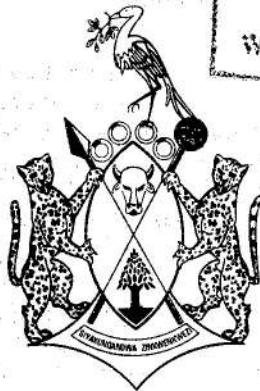


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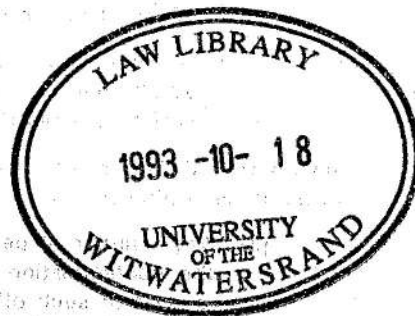
No. 109

DEPARTMENT OF THE COUNCIL OF STATE

GOVERNMENT NOTICE No. 80 OF 1993

It is hereby notified that the Deputy Chairman of the Council of State has assented to the following decree which is hereby published for general information:-

Extension of Criminal Jurisdiction Decree, 1993
Decree No. 21 of 1993



[Faint, mostly illegible text from the body of the decree, appearing as bleed-through or very light print.]

COUNCIL OF STATE — REPUBLIC OF CISKEI

EXTENSION OF CRIMINAL JURISDICTION DECREE, 1993

DECREE

To extend the criminal jurisdiction of courts in Ciskei to try offences committed partly within and partly outside Ciskei, as well as offences committed outside Ciskei which have harmful consequences in Ciskei and also certain attempts, conspiracies and incitements to commit offences outside Ciskei.

[English text signed by the Deputy Chairman of the Council of State. Assented to on 15 September 1993.]

BE IT DECREED by the Council of State of the Republic of Ciskei, as follows:-

1. Definitions. — In this decree, unless the context indicates otherwise -

“area”, in relation to any court, means the area of jurisdiction of that court;

“Ciskei” means the Republic of Ciskei; and

“jurisdiction” means the criminal jurisdiction of a court in Ciskei.

2. Extension of jurisdiction to try offences committed partly within and partly outside Ciskei and offences committed outside Ciskei which have harmful consequences within Ciskei. — If any person, either acting alone or jointly with others or through the agency of others -

(a) performs any act within Ciskei which, together with any act performed or event occurring outside Ciskei, would have constituted an offence in Ciskei if all such acts had been performed or all such events had occurred in Ciskei, or

(b) performs any act outside Ciskei which would have constituted an offence if performed within Ciskei and harmful consequences of such act take effect or are calculated to take effect within Ciskei,

and that person is found within the area of any court in Ciskei which would have had jurisdiction to try the offence if any or all of such forementioned acts had been performed or all the events had occurred within the said area, that court in Ciskei shall have jurisdiction to try such person for such offence.

3. Extension of jurisdiction to try offences committed outside Ciskei as part of a series of actions or with the same intent or offences conjoined with offences in Ciskei. — If any person commits any offence outside Ciskei which does not fall within the ambit of section 2 and the commission of such offence -

(a) forms part of a continuous act or series of acts which includes the commission of an offence in Ciskei, or

(b) is committed in the execution or furtherance or attempted furtherance of a single plan or scheme or the achievement of a single goal or result which includes the commission of an offence in Ciskei,

any court in Ciskei, in whose area any such offence was committed, shall have jurisdiction to try all such offences.

(2) Any number of persons charged in respect of separate offences falling within the contemplation of subsection (1) may be charged and tried together in respect of such offences if the prosecutor informs the court that the evidence admissible at the trial of any one of such persons will, in his opinion, also be admissible as evidence at the trial of any other of such persons.

4. Extension of jurisdiction to try offences committed on passage through or partly through Ciskei. — If any person commits an offence on any vehicle or abroad any vessel on a journey or voyage through Ciskei or its territorial waters or any part thereof as the case may be, any court within or through whose area such journey or voyage or part thereof was made shall have jurisdiction to try such offence.

EXTENSION OF CRIMINAL JURISDICTION DECREE, 1993

5. Extension of jurisdiction to try any attempt to commit offences outside Ciskei. — If any person, with intent to commit an offence outside Ciskei, performs any act which would have constituted an attempt to commit such offence if the intended offence were to be committed in Ciskei, any court within whose area such act was performed shall have jurisdiction to try such person for such offence.

6. Extension of jurisdiction to try certain conspiracies and incitements. — If any person, who is within Ciskei, performs any act whereby he —

(a) conspires with any other person to aid in or to procure the commission of or to commit any offence outside Ciskei, or

(b) incites, instigates, commands or procures any other person to commit an offence outside Ciskei,

any court within whose area such act was performed, shall have jurisdiction to try the conspiracy or incitement to commit such offence.

7. Procedure and evidence. — The laws of Ciskei relating to procedure and evidence shall apply in any criminal proceedings authorized by this decree.

8. Extended meaning of the word "act". — For the purposes of this decree and without derogating from the generality of the word "act", the bringing about or causing of any result, or the omission to perform any act, shall be deemed also to constitute the performance of an act.

9. Authority for prosecution. — No prosecution in relation to an offence committed outside Ciskei shall be instituted in terms of this decree without authority in writing given personally by the Attorney-General or acting Attorney-General after consultation with the prosecuting authority of the place outside Ciskei where the offence was committed.

10. Short title. — This decree shall be called the Extension of Criminal Jurisdiction Decree, 1993.

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