

SCHEDULES

SCHEDULE 3

STANDING CIVILIAN COURTS

Re-trial where court ceases to be properly constituted

- 8 (1) Without prejudice to the generality of paragraph 7 above, the directing officer may in the prescribed manner direct a re-trial if after the commencement of a trial before a magistrate sitting alone the magistrate dies or is otherwise unable to attend.
- (2) Where the court for a trial to which section 6(13) above applies has two members in addition to the magistrate, the directing officer may in the prescribed manner direct a re-trial—
- (a) if after the commencement of the trial the magistrate dies or is otherwise unable to attend, or
 - (b) if after its commencement both the other members of the court die or are otherwise unable to attend.
- (3) Where the court for a trial to which section 6(13) above applies has one member in addition to the magistrate, the directing officer may in the prescribed manner direct a re-trial if after the commencement of the trial either of them dies or is otherwise unable to attend.
- (4) An assessor's death or inability to attend after the commencement of a trial shall not preclude the trial continuing.