

GOVERNMENT OF ZAMBIA

**ACT**

**No. 35 of 1993**

Date of Assent: 26th August, 1993

**An Act to amend the Criminal Procedure Code**

[8th September, 1993

ENACTED by the Parliament of Zambia.

Enactment

1. This Act may be cited as the Criminal Procedure Code (Amendment) Act, 1993, and shall be read as one with the Criminal Procedure Code, in this Act referred to as the principal Act.

Short title  
Cap. 160

2. Section *one hundred and twenty-three* of the principal Act is amended by the deletion of subsection (1) and the substitution therefor of the following subsection:

Amendment  
of  
section 123

(1) When any person is arrested or detained, or appears before or is brought before a subordinate court, the High Court or Supreme Court he may, at any time while he is in custody, or at any stage of the proceedings before such court, be admitted to bail upon providing a surety or sureties sufficient, in the opinion of the police officer concerned or court, to secure his appearance, or be released upon his own recognizance if such officer or court thinks fit:

Provided that any person charged with—

- (i) murder, treason or any other offence carrying a possible or mandatory capital penalty;
- (ii) misprision of treason or treason-felony; or
- (iii) aggravated robbery;

shall not be granted bail by either a subordinate court, the High Court or Supreme Court or be released by any Police Officer.

