



ST. CHRISTOPHER AND NEVIS

CHAPTER 9.10

GOVERNMENT CHEMIST'S CERTIFICATE ACT

Revised Edition

showing the law as at 31 December 2002

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, No. 9 of 1986.

This edition contains a consolidation of the following laws—

GOVERNMENT CHEMIST'S CERTIFICATE ACT

Act 8 of 1908 ... in force 15th April 1908

Amended by: Act 4 of 1974

Page
3

CHAPTER 9.10
GOVERNMENT CHEMIST'S CERTIFICATE ACT

ARRANGEMENT OF SECTIONS

1. Short title
2. Interpretation
3. Certificate *primâ facie* evidence at preliminary investigation
4. Coroner's inquest

CHAPTER 9.10
GOVERNMENT CHEMIST'S CERTIFICATE ACT

AN ACT TO MAKE PROVISION FOR THE ADMISSIBILITY OF THE GOVERNMENT CHEMIST'S
CERTIFICATE AT PRELIMINARY INVESTIGATIONS AND CORONER'S INQUESTS.

Short title.

1. This Act may be cited as the Government Chemist's Certificate Act.

Interpretation.

2. In this Act—

“government chemist” means the analytical and agricultural chemist or the assistant chemist of the State.

(Amended by Act 4 of 1974)

Certificate *primâ facie* evidence at preliminary investigation.

3. At any preliminary investigation held by a Magistrate into the facts which constitute an indictable offence, and which may necessitate the sending on of an accused person for trial, the Magistrate may, for the purpose of determining whether he or she shall dismiss the charge or send on the accused person for trial, accept at that stage the certificate of the government chemist purporting to be signed by him or her as such, as *primâ facie* evidence of the matters therein contained, if it is otherwise proved that the bottle or other vessel containing the food, viscera, or other matter or thing analyzed, and in respect of which the certificate is given, had its seals, or other fastenings uninjured, at the time the same was delivered to the chemist:

Provided that, if the accused person requires that the government chemist attends the preliminary inquiry, the police and presiding Magistrate shall take the necessary steps to procure his or her attendance:

Provided also that the certificate shall not be received as evidence at the trial of any accused person, and that at such trial, if the evidence of the government chemist is considered necessary, he or she shall attend in the same way as any other witness.

Coroner's inquest.

4. At any Coroner's inquest the Coroner may accept as *primâ facie* evidence of the matters contained in the certificate of the government chemist, if the same purports to be signed by the government chemist.
