

INSTRUCTIONS

INSTRUCTIONS No. (3) OF 1986 CONCERNING THE REGULATION OF THE WORKS OF THE PUBLIC PROSECUTION BEFORE CRIMINAL COURTS

In accordance with the provisions of Article (70) of the Public Prosecution Law No. (159) of 1979, and with a view to regulating and facilitating the works of the Public Prosecution before criminal courts, these Instructions are promulgated:-

Article 1

The criminal lawsuit on which a decision of commitment shall be sent with its both first and second copies from the Investigation Magistrate to the Public Prosecution member concerned in the Criminal Court.

Article 2

The Public Prosecution member in the court shall register the lawsuit, on its coming from the Investigation Magistrate, in a special record in which he enlists sufficient information on the suit.

Article 3

The Public Prosecution member shall audit the lawsuit, Procedures and decisions adopted thereon, and impeach same in cassation if he finds ground for doing that without being restricted with the opinion expressed by the Public Prosecution member in the Investigation Court.

Article 4

The Public Prosecution member shall send the first copy of the suit, after being audited, to the competent court affiliated with a letter stating therein his notes, give a copy of his letter to the Investigation court and keep in the second copy of the lawsuit to himself.

Article 5

The court shall call up the Public Prosecution member appointed or nominated before it in writing when holding its sessions to consider all criminal suits. The convention shall not be legal if he is not invited or does not attend the session. The Public Prosecution member shall have to attend in the date specified for hearing.

Article 6

In case of not appointing or nominating one of the Public prosecution members before the court, then, this court shall have to notify the Public Prosecutor before the Criminal Court, of the decisive decisions adopted within the legal period.

Article 7

The Public Prosecution member may arrange a record for the daily suits that he attends the hearing thereof, in which he fixes their numbers, names of parties, legal matter, the course of hearing and the result.

Article 8

The Public Prosecution member shall have to accompany the court when moving to examine the accident place or undertaking any other procedure outside its convening ordinary place.

Article 9

Police stations' offices and investigators shall have to submit their notes for the extension of the arrest of accused persons committed to the court, to the Public Prosecution member appointed or nominated before it, who shall extend his opinions and requests to the court in this regard, and the court shall notify him of the decisions adopted thereby to this effect within three days after the date of issuance of such decisions.

Article 10

The Public Prosecution member may discuss with the witnesses, question them and investigate the accused after he takes the permission of the court. In case that the court refuses the questioning, it shall have, after recording same in the sitting minute, to write down the grounds of refusal.