



### 3. A person serving a sentence for a criminal offence

A person charged under this category shall be an eligible person if he satisfies the following 3 conditions in addition to the general conditions stated above.

- 1) The offence for which he is serving the sentence is either the offence of use of drugs or drug peddling;
- 2) If he is serving multiple sentences, and if the offence for which he is serving his current sentence is not the offence of use of drugs or drug peddling, then the subsequent sentence he will serve is for the offence of use of drugs or drug peddling;
- 3) The offence for which he is serving the sentence is not an offence referred to in section 36 of the Drugs Act 2011.



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# JURISDICTION OF THE DRUG COURT



## Jurisdiction of the Drug Court

The Drug court shall have the jurisdiction to hear cases of criminal offences committed by persons referred to in section 35 of the Drugs Act 2011.

A person is an eligible person if he falls within the four categories of persons and if he has the general and special qualifications mentioned below:

**1- A person charged with the offence of use of drugs**

**2- A persons charged with the offence of drug peddling**

**3- A drug dependent person whose drug dependency contributed to the commission of a criminal offence**

**4- A person serving a sentence for a criminal offence**

## General Qualification

A person will be eligible for the Drug Courts Rehabilitation program if he satisfies the following general qualifications.

- 1 The accused must be a drug dependent person.**
- 2 He has pleaded guilty to the offence or has indicated that he intends to plead guilty to the offence.**
- 3 He is not charged with an offence referred to in section 36 of the Drugs Act 2011**
- 4 He satisfied the criteria for a Drug Court prescribed treatment/rehabilitation program.**

## Special Qualification

**1. A person charged with the offence of use of drugs or drug peddling.**

A Person charged with the offence of use of drugs or drug peddling are required to meet only the general qualifications to be eligible for the program.

**2. A drug dependent person whose drug dependency contributed to the commission of a criminal offence**

A Person charged under this category shall be an eligible person if he satisfies the following 3 conditions in addition to the general conditions stated above.

- 1) His drug dependency contributed to the commission of the criminal offence with which he is charged;
- 2) He is not being tried in any other court for an offence referred to in section 36 of the Drugs Act 2011;
- 3) He is not charged with an offence, if convicted, be sentenced to imprisonment or banishment for a term exceeding 10 (ten) years

