

32. Giving and proof of notices under section 31

- (1) A written notice to a defendant under section 31(2), shall be given to him personally or sent to him by registered post or telegram at his address appearing in his bail undertaking or notified under section 60.
- (2) Without limiting section 75(2) of the *Interpretation Act 1984*, “**registered post**” in subsection (1) includes any method of post whereby an acknowledgment of receipt is obtained from the person to whom a letter is addressed; and if a notice is sent to a person by that method, production of an acknowledgment purporting to be signed by that person shall be evidence of his receipt of the same.
- (3) If notice is sent by registered post (otherwise than as mentioned in subsection (2)) or by telegram it shall be presumed, unless the contrary is shown, to have been received and at the time when, in the ordinary course of events, the letter or telegram would have been delivered.
- (4) The judicial officer who under section 31(2)(a) notifies a defendant of the time and place for resumed proceedings shall endorse on the defendant’s bail undertaking a certificate showing details of such time and place and that he notified the defendant thereof.
- (5) In any proceedings —
 - (a) a document purporting to be a copy of a notice referred to in subsection (1) shall be evidence of the terms of the notice;
 - (b) an endorsement on a bail undertaking purporting to be a certificate referred to in subsection (4) shall be evidence of the matters appearing therein without proof of the signature of the judicial officer who made it.

[Section 32 amended by No. 74 of 1984 s. 12.]