

## SCHEDULE 1

### CHARGES AND JOINDER

#### PART I

#### RULES

3. Where the specific offence with which an accused person is charged in a charge sheet is one created by or under an enactment, then (without prejudice to the generality of paragraph 2 of this Part)—

- (a) the statement of offence shall contain a reference to—
  - (i) the section of, or the paragraph of the Schedule to, the Act creating the offence in the case of an offence created by a provision of an Act;
  - (ii) the provision creating the offence in the case of an offence created by a provision of a subordinate instrument;
- (b) the particulars shall disclose the essential elements of the offence:  
Provided that an essential element need not be disclosed if the accused person is not prejudiced or embarrassed in his defence by the failure to disclose it;
- (c) it shall not be necessary to specify or negative an exception, exemption, proviso, excuse or qualification.