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MAIN EXAMINATION

JANUARY – APRIL 2015 TRIMESTER

INSTITUTE OF CANON LAW

REGULAR PROGRAMME

JC- L 309: CANONICAL PENAL PROCESS

ORAL EXAMINATION

Date: April 2015	**Duration:**
INSTRUCTIONS: The Student picks THREE Questions and Answer's TWO Questions. The Lecturer can ask any other questions.	

Q1. *Nulla poena sine inducio.* The process as non imprescindable phenomenon.

Q2. The process as instrument of search for truth.

Q3. The preliminary investigation in CIC 1983: *The notitia criminis.*
- The object, the function and subject or investigation
- The preliminary investigation and proof
- Secrecy and duration of the preliminary investigation
- The judicial nature of the preliminary investigation
- The closing of the preliminary investigation
- The provision of Can. 1341

Q4. Can. 1342: The judicial way or the administrative way?

Q5. The administrative process in the 1983 Code: Differences in respect of judicial process.

Q6. The citation of the imputed person and the right to defense in the administrative process.

Q7. The evaluation of proofs in the administrative process.

Q8. The decisional and impugrument phase in the administrative process.

Q9. The exercise of the criminal action and its prescription: promoter of justice.

Q10. Precautionary and urgent provisions.

Q11. Judicial impendings prior to the beginning of the process.

Q12. The imputed person and citation to judgment.

Q13. The right of the accused person to defend himself or herself.

Q14. *The contestatio litis.*

Q15. The instruction phase:
- Interrogation of the imputed person
- Examination of the witness
- Proof of the expert
- Documentary proof

Q16. The publication of the acts and the conclusion of the case.

Q17. The discussion of the case in judicial penal process.

Q18. The decisional phase in judicial penal process.

Q19. The appeal in judicial penal process.

Q20. The adjudged matter. The *nova causae propositio* and the *restitutio in integrum.*

Q21. The *legitimatio ad causam* in actio for the reparation of damages.

Q22. The promotion of the *actio ad damna reparanda.*

Q23. The deferral of the judgement *de damnis.*

END

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