

CAYMAN ISLANDS



Supplement No. 1 published with Gazette No. 17
dated 21 August, 2006.

**A BILL FOR A LAW TO AMEND THE BAIL LAW (2006 REVISION) IN
ORDER TO WIDEN THE CONDITIONS ON THE GRANT OF BAIL;
AND FOR INCIDENTAL AND CONNECTED PURPOSES**

MEMORANDUM OF OBJECTS AND REASONS

This Bill seeks to amend the Bail Law (2006 Revision) in order to provide that a person on bail who is subject to a curfew ordered by the court may also be subject to electronic monitoring while he is on such curfew.

Section 7 of the Bail Law provides, inter alia, that a court or a police officer may only grant bail subject to such conditions as appear to the court or to the police officer to be necessary to secure that an accused person does not commit any offence while on bail and does not interfere with witnesses or otherwise obstructs the course of justice, whether in relation to himself or another person. Currently the court and the police, pursuant to such provisions, do impose curfews on persons who are on bail. Electronic monitoring will make curfew conditions more effective but may only be ordered by the court.

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ENACTED by the Legislature of the Cayman Islands.

1. This Law may be cited as the Bail (Amendment) Law, 2006.

Short title

2. The Bail Law (2006 Revision) is amended by renumbering section 7 as subsection (1) of section 7 and by inserting the following subsections after subsection (1)-

Amendment of section
7- conditions of bail

“(2) Where a court imposes a curfew as a condition the court, in addition, may include requirements for securing the electronic monitoring of the person's whereabouts during the curfew periods specified in the condition.

(3) A court may not impose a curfew condition which includes the requirements specified in subsection (2) unless the court -

- (a) has been notified by the Ministry or Portfolio responsible for electronic monitoring arrangements that such arrangements are available in the area in which the place or places proposed to be specified in the condition is situated; and

(b) is satisfied that the necessary provision can be made under those arrangements.

(4) Electronic monitoring arrangements made by the Ministry or Portfolio responsible for such arrangements may include entering into contracts with other persons for the electronic monitoring by them of the whereabouts of persons on bail.”.

Passed by the Legislative Assembly this day of , 2006

Speaker

Clerk of the Legislative Assembly