

CAYMAN ISLANDS



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**A BILL FOR A LAW TO AMEND THE JUDICATURE LAW (2007
REVISION) TO IMPROVE THE ADMINISTRATION OF JUSTICE AS IT
RELATES TO JURY SERVICE; AND FOR INCIDENTAL AND
CONNECTED PURPOSES**

THE JUDICATURE (AMENDMENT) BILL, 2012

MEMORANDUM OF OBJECTS AND REASONS

This Bill amends the Judicature Law (2007 Revision) with a view to improving the administration of justice.

Clause 1 of the Bill provides the short title of the legislation.

Clause 2 amends section 8 of the principal Law to expand the list of persons who would be eligible to serve as jurors.

Clause 3 amends section 10 to increase the number of persons who can be summoned to appear for a session of the Grand Court.

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A BILL FOR A LAW TO AMEND THE JUDICATURE LAW (2007 REVISION) TO IMPROVE THE ADMINISTRATION OF JUSTICE AS IT RELATES TO JURY SERVICE; AND FOR INCIDENTAL AND CONNECTED PURPOSES

ENACTED by the Legislature of the Cayman Islands.

1. This Law may be cited as the Judicature (Amendment) Law, 2012.

Short title

2. The Judicature Law (2007 Revision) is amended by repealing section 8 and substituting the following section -

Repeal and substitution of section 8 of the Judicature Law (2007 Revision) - composition of juries

“Composition of juries
(2009 Revision) 8. (1) Subject to subsections (2) and (3), every person whose name appears upon the last register of electors compiled under section 18 of the Elections Law (2009 Revision) and who has not attained the age of seventy years is liable to serve on juries in the court upon the trial of all issues directed to be tried by a jury.

(2) The following persons shall be exempt from jury service -

- (a) the Governor;
- (b) the Deputy Governor;
- (c) a member of the Legislative Assembly;
- (d) a judge or magistrate;
- (e) the spouse, offspring, step-child or legally adopted child, of a person specified in

- (f) paragraph (a), (b), (c) or (d);
- (g) a public officer employed in the Cabinet Office;
- (h) an attorney-at-law actively engaged in litigation practice;
- (i) a person registered to practise medicine under the Health Practice Law (2005 Revision);
- (j) an officer of a court of competent jurisdiction;
- (k) a constable;
- (l) a person appointed as a prison officer under the Prisons Law; and
- (m) a person who is mentally disordered as defined in the Mental Health Law (1997 Revision).

(2005 Revision)

(Law 14 of 1975)

(1997 Revision)

- (3) Any person who -
 - (a) has been charged for an offence and is currently before any court of the Islands pending trial for that offence; or
 - (b) has been convicted before any court of the Islands of an offence for which he was sentenced to a term of imprisonment and who has not received a free pardon in respect of that offence,

shall be disqualified from jury service.

- (4) In subsection (2)(f) -

“public officer” has the meaning assigned to that expression in the Constitution set out in Schedule 2 to the Cayman Islands Constitution Order 2009.”.

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No. 1379

Amendment of section 10 of the Judicature Law (2007 Revision) - panel of jurors for court sessions

3. The Judicature Law (2007 Revision) is amended in section 10 by deleting the words “not less than seventy two nor more than one hundred and twenty-four jurors” and substituting the words “not less than one hundred nor more than one hundred and sixty jurors”.

Passed by the Legislative Assembly the day of , 2012.

Speaker.

Clerk of the Legislative Assembly.