

CAYMAN ISLANDS



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**THE CRIMINAL PROCEDURE CODE  
(AMENDMENT) LAW, 1991  
(LAW 6 OF 1991)**

CAYMAN ISLANDS

Law 6 of 1991

I Assent

ALAN SCOTT  
Governor

16th April 1991

## **A LAW TO AMEND THE CRIMINAL PROCEDURE CODE**

ENACTED by the Legislature of the Cayman Islands.

Short Title.

1. This Law may be cited as the Criminal Procedure Code (Amendment) Law, 1991.

Amendment of s. 50 of  
the Criminal Procedure  
Code.

2. Section 50 of the Criminal Procedure Code (hereinafter called "the Code") is amended by –

- (a) inserting next after the word "of" in the first line of subsection (2) the words "subsection (3) of this section and of";
- (b) inserting the following as subsections (3), (4) and (5) –

"(3) Subject to the provisions of this Law, except subsection (2) of this section, when a Court Reporter is employed to report verbatim any criminal trial or proceedings or any part of such trial or proceedings before any Summary Court, a transcript of the report, duly verified in accordance with subsection (4), shall constitute the record of the trial or proceedings or part thereof as the case may be.

(4) Verification of the transcript of any record made in

accordance with subsection (3) shall be by a certificate given by the person making the transcript –

- (a) that to the best of his skill and ability he has made a correct and complete transcript of the trial or proceedings; and
- (b) that the report transcribed was taken by him and was, to the best of his skill and ability, a complete and correct account of the trial or proceedings or so much thereof as is specified in the certificate.

(5) If for any reason a record of any trial or proceedings made pursuant to subsection (3) is not available, or if for any other reason the Grand Court so requires, the Clerk of the Court shall, if the Grand Court directs him to do so, request the Magistrate of the Summary Court to furnish him with a certified copy of the whole or any part of the notes of the trial or with a report in writing, giving his opinion upon the case generally or upon any point arising upon the case or both, and the Magistrate shall furnish the same to the Clerk of the Court."

- (c) re-numbering subsection (3) as subsection (6).

Amendment of s. 78 of the Code.

3. Section 78 of the Code is amended by –

- (a) re-numbering the section as subsection (1);
- (b) adding the following as subsection (2) –

"(2) Where a Summary Court has allowed time for the payment of any sum under paragraph (b) of subsection (1), it may, on application by or on behalf of the person liable to make the payment, allow further time for payment, or may direct payment of such sum by instalments."

Insertion of new section as s. 145A.

4. The Code is amended by inserting next after section 145, the following as section 145A –

"Power to allow time for payment.

145A. Where, upon conviction of the accused person, the court adjudges the payment of any sum, it may –

- (a) require immediate payment of the full amount; or
- (b) allow time for payment; or
- (c) direct that payment be made in instalments;

and where time is allowed for payment it may, on

application by or on behalf of the person liable to make the payment, allow further time."

Amendment of s. 172 of the Code.

5. (1) Section 172 of the Code is amended by inserting next after the word "Court" in the third line, the following words –

", including the passing of some other sentence (whether more or less severe),".

(2) Subsection (1) does not apply to any appeal of which notice had been given prior to the date of commencement of this Law.

Passed by the Legislative Assembly this 8th day of March, 1991.

**SYBIL McLAUGHLIN**  
Speaker

**GEORGETTE MYRIE**  
Clerk of the Legislative Assembly

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