

CAYMAN ISLANDS



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THE JUDICATURE (AMENDMENT) LAW, 2006

(LAW 36 OF 2006)

THE JUDICATURE (AMENDMENT) LAW, 2006

ARRANGEMENT OF SECTIONS

1. Short title.
2. Amendment of section 8 of the Judicature Law (2004 Revision) - composition of juries.
3. Repeal and substitution of section 17 – challenges.
4. Transitional provisions.

CAYMAN ISLANDS

Law 36 of 2006.

I Assent

Stuart Jack

Governor.

12 January, 2007

**A LAW TO AMEND THE JUDICATURE LAW (2004 REVISION) WITH
RESPECT TO JURY SERVICE AND THE SELECTION OF JURORS;
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, 2006. Short title

 2. The Judicature Law (2004 Revision), in this Law referred to as “the principal Law”, is amended in section 8 by deleting from the second proviso the words “on indictment before the court who have not received a free pardon” and substituting the words “before any court of the Islands of an offence for which they were sentenced to a term of imprisonment and who have not received a free pardon in respect of the offence”. Amendment of section 8 of the Judicature Law (2004 Revision) - composition of juries

 3. The principal Law is amended by repealing section 17 and substituting the following section – Repeal and substitution of section 17 – challenges
- “Challenges 17. (1) In a trial on indictment, the person arraigned before the court and counsel appearing on behalf of the Crown shall be permitted to make –
- (a) peremptory challenges of jurors, for which no cause need be assigned; and
 - (b) in addition, further challenges of jurors for cause

given.

(2) Where the trial is of one person only, each party shall be permitted five peremptory challenges.

(3) Where the trial is of two or more persons together –

(a) each such person shall be permitted five peremptory challenges; and

(b) counsel appearing on behalf of the Crown shall be permitted five peremptory challenges in respect of each person on trial.

(4) If a challenge made by either party for cause given is objected to by the other party, the question shall be decided by the court without a jury, and the person challenged shall be examined on oath and required to answer all lawful questions relevant to the challenge.”.

Transitional provisions

4. (1) For the purposes of a trial that, on the date of commencement of this Law, was about to commence or was in progress, the amendments made by this Law to section 8 of the principal Law have no effect in relation to a person who –

(a) under that section, as in force immediately before that date, was not disqualified for jury service; and

(b) had been duly sworn, before that date, to serve as a juror in that trial.

(2) A process of challenging jurors under section 17 of the principal Law that had already commenced, but had not been completed, at the commencement of this Law shall be completed as if the amendments made to that section by this Law had not been made.

Passed by the Legislative Assembly the 21st day of December, 2006.

EDNA MOYLE

Speaker.

WENDY LAUER EBANKS

Clerk of the Legislative Assembly.