

Prisons (Execution of Sentence of Death) Regulations (1999 Revision)

Supplement No. 4 published with Gazette No. 7 of 29th March, 1999.

THE PRISONS LAW

(14 of 1975)

**THE PRISONS (EXECUTION OF SENTENCE OF DEATH)
REGULATIONS**

(1999 Revision)

Revised under the authority of the Law Revision Law (19 of 1975).

The Prisons (Execution of Sentence of Death) Regulations, 1987 made the 24th March, 1987.

Consolidated with the -

Prisons (Execution of Sentence of Death) (Amendment) Regulations, 1987 made the 9th June, 1987.

Consolidated and revised this 15th day of December, 1998.

PRISONS (EXECUTION OF SENTENCE OF DEATH) REGULATIONS

(1999 Revision)

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PRISONS (EXECUTION OF SENTENCE OF DEATH) REGULATIONS

(1999 Revision)

1. These Regulations may be cited as the Prisons (Execution of Sentence of Death) Regulations (1999 Revision). Citation
2. In these regulations- Definition

"Governor" means the person holding the office of Governor of the Islands.
3. If a prisoner under sentence of death is not pardoned or reprieved, the Governor shall cause a warrant under his hand to be directed to the Director setting out the date when the sentence of death is to be carried into effect. Death warrant
4. The Director is charged with the duty of arranging for the carrying into effect of the death sentence on the date and in accordance with the terms of the warrant. Director charged with duty
5. At the carrying into effect of a sentence of death, only the Commissioner of Police, the Director, the Chief Medical Officer, a minister of religion of his religious persuasion (if the prisoner so desires), such officers as the Director requires for the due execution of the sentence and any other person expressly authorised or directed in writing by the Governor, shall be present. Persons present
6. (1) As soon as possible after a sentence of death has been carried into effect, the Chief Medical Officer shall examine the body of the prisoner and ascertain the fact of death and sign and deliver to the Director a certificate in the form set out in the Schedule hereto. Declaration that sentence carried out

(2) The Commissioner of Police and the Director shall, as soon as possible, sign a declaration in triplicate in the form set out in the Schedule hereto to the effect that the sentence of death has been carried into effect. They shall cause one copy of such declaration to be posted on the outer gate of the prison at which the sentence of death was carried into effect and one copy to be forwarded to the Governor.

(3) Whoever knowingly and wilfully signs any false certificate or declaration required to be made under this regulation is guilty of an offence and liable on conviction to imprisonment for one year.

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Governor to hold inquest

7. (1) As soon as practicable after a sentence of death has been carried into effect the Director shall inform a coroner.

(2) Within twelve hours thereafter, the coroner shall hold an inquest on the body of the prisoner and the jury of the inquest shall enquire into and ascertain the identity of the body and whether judgment of death was duly executed on the prisoner. No officer or prisoner shall, in any case, be a juror on the inquest.

(3) Such inquisition shall be recorded in duplicate and each copy shall be authenticated by the coroner who shall forward one copy to the Clerk of the Court and one copy to the Governor.

Place of burial

8. The body of any person on whom the sentence of death has been carried into effect shall be buried in such place as the Governor shall direct.

Governor to be informed of any delay

9. The Director shall forthwith report to the Governor the facts and reasons for any delay in carrying out the orders of any warrant issued under regulation 3.

Saving as to non-compliance with directions

10. Omission to comply with these regulations with reference to the carrying into effect of the sentence shall not make it illegal in any case where it would otherwise have been legal.

SCHEDULE

(regulation 6(1))

Forms

CERTIFICATE OF CHIEF MEDICAL OFFICER

I hereby certify that I this day examined the body ofon whom sentence of death was this..... day of....., 19..... carried into effect at (*describe here the prison*) and that on such examination I found that saidwas dead.

Chief Medical Officer

**DECLARATION OF DIRECTOR OF PRISONS AND COMMISSIONER
OF POLICE**

We hereby declare that sentence of death was thisday
of, 19..., carried into effect at (*describe here the prison*)
on in our presence.

Commissioner of Police.

Director of Prisons.

Publication in consolidated and revised form authorised by the Governor in
Council this 15th day of December, 1998.

Carmena H. Parsons
Clerk of Executive Council