

JAMAICA

No. 22 -2010

I assent,

[L.S.]

*(sgd) P.L. Allen*  
Governor-General

*July 22, 2010*

AN ACT to Make interim provision in relation to the grant of bail  
in specified circumstances.

[ *July 23, 2010* ]

NOW, THEREFORE, BE IT ENACTED by The Queen's Most  
Excellent Majesty, by and with the advice and consent of the Senate  
and the House of Representatives of Jamaica and by the authority  
of the same, as follows:—

1. This Act may be cited as the Bail (Interim Provisions for Short title.  
Specified Offences) Act, 2010.

2.—(1) This Act shall continue in force for a period of one year Duration of  
this Act.  
from the date of its commencement and shall then expire unless its  
duration is extended by resolution of each House of Parliament.

(2) A resolution under subsection (1)—

(a) shall be in the same terms for each House;

- (b) shall specify the period for which the duration of this Act is extended; and
- (c) may amend any provision of this Act.

Interim provisions in relation to the grant of bail.

3.—(1) While this Act continues in force, the Bail Act shall be read and construed as if the following were inserted as sections 3A and 3B of that Act—

“Bail in relation to serious offences.

3A.—(1) Subject to section 3B, a person who is charged with—

- (a) any offence specified in paragraphs 1 to 6 of the Second Schedule; or
- (b) any offence specified in paragraphs 7 to 11 of the Second Schedule and has, on a previous occasion been convicted of an offence specified in the Second Schedule,

Second Schedule.

shall be entitled to be granted bail only if a period of sixty days, commencing on the date on which the person is first charged with that offence, has elapsed and the person satisfies the Court that bail should be granted.

Second Schedule.

(2) A person who is charged with any offence specified in paragraphs 7 to 11 of the Second Schedule and who has not, on a previous occasion, been convicted of any offence specified in the Second Schedule, shall be entitled to be granted bail only if that person satisfies the Court that bail should be granted.

(3) In any case falling within subsection (1), upon the expiration of the sixty day period mentioned in that subsection, the procedure set out in section 22 shall apply in respect of that person.

3B.—(1) A person who is held in custody without bail under section 3A shall be brought before the Court at the intervals specified in subsection (2), for the Court to review the question of whether the person should continue to be held in custody or the grant of bail should be considered, in relation to the offence by virtue of which the person has been held in custody under that section.

Review  
relating to  
persons held  
under section  
3A

(2) The intervals at which a person referred to in subsection (1) is to be brought before the Court for the purposes of that subsection are—

- (a) not more than seven days after the person is first charged with the offence concerned;
- (b) thereafter, subject to the determination of any review under subsection (1), at intervals not exceeding fourteen days, until the sixty day period referred to in section 3A(1) expires.

Passed in the House of Representatives this 22nd day of June, 2010 with three (3) amendments.

DELROY H. CHUCK  
*Speaker.*

4 [No. ] *The Bail (Interim Provisions for Specified  
Offences) Act, 2010*

Passed in the Senate this 9th day of July, 2010.

OSWALD G. HARDING, OJ, CD, QC  
*President.*

*This printed impression has been carefully  
compared by me with the authenticated  
impression of the foregoing Act, and has been  
found by me to be a true and correct printed  
copy of the said Act.*

*Clerk to the Houses of Parliament.*