



ANGUILLA

BAIL (AMENDMENT) ACT, 2024

Published by Authority

I Assent


Julia Crouch, OBE
Governor
Date

ANGUILLA

NO. 1/2024

BAIL (AMENDMENT) ACT, 2024

[Gazette Dated: 26th January, 2024] [Commencement: Assent under section 57 of the Constitution]

An Act to amend the Bail Act to permit a surety to apply to the High Court for release from obligations under a recognizance.

ENACTED by the Legislature of Anguilla

PRELIMINARY**Interpretation**

1. In this Act—

“the principal Act” means the Bail Act, 2021.

Amendment of section 18

2. Section 18 of the principal Act is amended by inserting the following new subsection after subsection (2)—

“(2a) Notwithstanding subsection (2), where the defendant for whom the surety was provided is committed to stand trial in the High court, a surety who wishes to be released from his obligations under a recognizance shall apply in writing to the High Court and attend such court for the hearing of the application.”.

Repeal of section 20

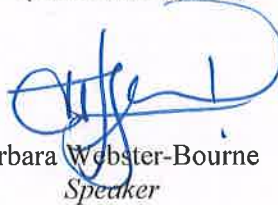
3. The principal Act is amended by repealing section 20 and substituting the following—

“Procedure on arrest or detention

20. Where a person who is arrested or detained is not charged within 72 hours after such arrest or detention, if he is not thereafter released, he shall be brought forthwith before a Magistrate who shall order that the person be released.”.

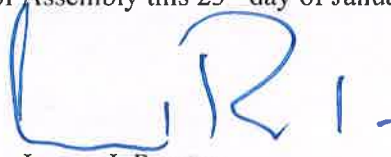
Citation

4. This Act shall be cited as the Bail (Amendment) Act, 2024.



Barbara Webster-Bourne
Speaker

Passed by the House of Assembly this 23rd day of January, 2024.



Lenox J. Proctor
Clerk of the House of Assembly

OBJECTS AND REASONS

(The objects and reasons do not form part of the Bill)

The Bill amends the Bail Act to permit a surety who wishes to be released from his obligations under a recognizance, to apply to the High Court in instances where the defendant from whom the surety was provided, has been committed for trial in the High Court. The Bill also amends the detention period after arrest, extending it from 24 hours to 72 hours. The amendment provides that where a person is detained or arrested but not charged, he must be brought before a Magistrate Court within 72 hours of such arrest. After the expiry of 72 hours, if not charged such person shall be released.