

CAYMAN ISLANDS



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**A BILL FOR A LAW TO AMEND THE PRISONS LAW (LAW 14 OF  
1975) TO MAKE FURTHER PROVISION IN RESPECT OF THE  
RELEASE OF PRISONERS ON LICENCE; AND FOR INCIDENTAL  
AND CONNECTED PURPOSES**

**THE PRISONS (AMENDMENT) BILL, 2009**

**MEMORANDUM OF OBJECTS AND REASONS**

This Bill seeks to amend the Prisons Law (Law 14 of 1975) to make further provision for the release of prisoners on licence, thereby assisting in easing prison overcrowding.

Clause 1 of the Bill sets out the short title.

Clause 2 of the Bill inserts into the Prisons Law provisions to empower the Director of Prisons to release certain prisoners on licence. Provision is made for the Director to recall a prisoner to prison if there is a breach of any condition imposed on the licence.

Clause 3 of the Bill provides that the amended principal Law applies to any prisoner serving a sentence for a fixed term on or after the date of commencement of the legislation.

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**A BILL FOR A LAW TO AMEND THE PRISONS LAW (LAW 14 OF 1975) TO MAKE FURTHER PROVISION IN RESPECT OF THE RELEASE OF PRISONERS ON LICENCE; AND FOR INCIDENTAL AND CONNECTED PURPOSES**

ENACTED by the Legislature of the Cayman Islands.

1. This Law may be cited as the Prisons (Amendment) Law, 2009.

Short title

2. The Prisons Law is amended by inserting after section 31A the following section -

Insertion of section 31B in the Prisons Law (Law 14 of 1975) – release on Director’s licence

“Release on Director’s licence

31B.(1) In addition to any remission that may be granted under section 29, the Director, acting in his discretion and on such conditions as he may think necessary, may order the release on licence -

- (a) of a convicted prisoner who is serving a sentence for a term of three years or less and who has served at least half of his sentence, at any time not more than three months prior to the earliest date on which he could be discharged pursuant to section 29; or
- (b) of any other convicted prisoner who is serving a sentence for a fixed term, at any

time not more than three weeks prior to the earliest date on which he could be discharged pursuant to section 29.

(2) The Director, acting in his discretion, may recall to prison a convicted prisoner who has failed to observe any condition imposed on his licence, and thereupon he shall be liable (subject to any re-consideration for release on licence subsequently) to be detained until the earliest date on which he could be discharged pursuant to section 29 and, until such detention, shall be deemed to have escaped from lawful custody.”.

Transitional provisions  
(Law 14 of 1975)

3. The amendments effected by section 2 apply to any convicted prisoner, as defined in section 2 of the Prisons Law, serving a sentence for a fixed term on or after the date of commencement of this Law.

Passed by the Legislative Assembly the            day of            , 2009.

Speaker.

Clerk of the Legislative Assembly.