

CAYMAN ISLANDS



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**A BILL FOR A LAW TO AMEND THE CRIMINAL PROCEDURE  
CODE, (2006 REVISION) IN ORDER TO UPDATE THE FIRST  
SCHEDULE IN RELATION TO THE OFFENCE OF DAMAGE TO  
PROPERTY; AND FOR INCIDENTAL AND CONNECTED PURPOSES**

**THE CRIMINAL PROCEDURE CODE (AMENDMENT) BILL, 2010**

**MEMORANDUM OF OBJECTS AND REASONS**

This Bill amends the First Schedule of the Criminal Procedure Code (2006 Revision) in order to clarify the prescribed mode of trial, category of offence and penalties, in relation to the offence of the destruction or damage to property as set out in section 267 of the Penal Code (2007 Revision).

Clause 1 of the Bill recites the short title.

Clause 2 repeals and replaces all the items listed in the columns of the First Schedule relating to section 267 of the Penal Code (2007 Revision).

Clause 3 saves rights and liabilities arising under the First Schedule, as in force before its amendment by the Law for which this is the Bill.

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ENACTED by the Legislature of the Cayman Islands.

1. This Law may be cited as the Criminal Procedure Code (Amendment) Law, 2010.

Short title

2. The Criminal Procedure Code (2006 Revision), in this Law referred to as the “principal Law”, is amended in the First Schedule by deleting all the items in the columns relating to section 267 and substituting the following items-

Amendment to the First Schedule of the Criminal Procedure Code (2006 Revision)

“C	A	267(1)	Destroying or damaging property where the value of destruction or damage does not exceed \$3,000	Five years and \$5,000
B	A	267(1)	Destroying or damaging property where the value of destruction or damage exceeds \$3,000	Ten years and \$10,000
B	A	267(2)	Destroying or damaging property intending to	Life imprisonment

			endanger life	
A	A	267(3)	Arson	Life imprisonment”.

Savings

3. The amendment by this Law of the First Schedule to the principal Law does not affect any rights or liabilities acquired, accrued or incurred before the date of commencement of this Law in respect of a person who contravened the provisions of that Schedule prior to that date, and proceedings in respect of such a contravention may be commenced or continued, and finally disposed of, as if this Law had not come into force.

Passed by the Legislative Assembly the        day of        , 2010.

Speaker.

Clerk of the Legislative Assembly.