

2026-10-19

OBJECTS AND REASONS

This Bill would amend the *Magistrate's Courts Act*, Cap. 116A to provide for hearings by electronic means and for hearings to be continued where a magistrate leaves office permanently or temporarily.

Arrangement of Sections

1. Short title
2. Amendment of section 2 of Cap. 116A
3. Insertion of section 9A into Cap. 116A
4. Insertion of section 10A into Cap. 116A

BARBADOS

A Bill entitled

An Act to amend the *Magistrate's Courts Act*, Cap. 116A.

ENACTED by the Parliament of Barbados as follows:

Short title

- 1.** This Act may be cited as the *Magistrate's Court (Amendment) Act, 2026*.

Amendment of section 2 of Cap. 116A

2. *The Magistrate’s Courts Act, Cap. 116A, in this Act referred to as the principal Act, is amended in section 2(1) by inserting in alphabetical order, the following definition:*

““electronic means” includes teleconference, video-link, internet link or any other manner of instant communication between the court and the parties, facilitated by the use of technology under the management of the court;”.

Insertion of section 9A into Cap. 116A

3. *The principal Act is amended by inserting after section 9, the following:*

“Hearings by electronic means

9A.(1) Notwithstanding any other provision of this Act, hearings of cases may be conducted by electronic means used and supported by the court.

(2) A hearing by electronic means shall be conducted as if the attorney-at-law or the parties to the proceedings are physically present in court.

(3) A hearing by electronic means shall not be recorded by the attorney-at-law or the parties to the proceedings or by any other party not designated to record the proceedings.

(4) A person who contravenes subsection (3) is guilty of an offence and is liable on summary conviction to a fine of \$5 000.

- (5) The court may terminate a hearing by electronic means at any time in the event of a contravention of this section or where it is in the interest of justice to do so.”.

Insertion of section 10A into Cap. 116A

4. *The principal Act is amended by inserting after section 10, the following:*

“Procedure where hearing not concluded

10A. Notwithstanding any other provision of this Act, where the hearing of any proceedings has commenced before a magistrate and prior to the conclusion of the hearing, the magistrate ceases either permanently or temporarily to hold office

- (a) the magistrate may be assigned by the Chief Justice at any time to be the magistrate for the purpose of concluding the hearing; or
- (b) another magistrate may be assigned by the Chief Justice at any time for the purpose of concluding the hearing where
 - (i) the magistrate has been appointed a judge of the High Court;
 - (ii) the magistrate is unable for any sufficient reason to conclude the hearing; or
 - (iii) the Chief Justice otherwise considers it appropriate to do so.”.