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.”.

Read three times and passed the House of Assembly this
day of , 2026.

Speaker

Read three times and passed the Senate this day of
, 2026.

President