

MAGISTRATES (AMENDMENT) BILL, 2023

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MAGISTRATES (AMENDMENT) BILL, 2023

A BILL FOR AN ACT TO AMEND THE MAGISTRATES ACT

Enacted by the Parliament of The Bahamas

1. Short title and commencement.

- (1) This Act which amends the Magistrates Act (Ch. 54) (“the principal Act”) may be cited as the Magistrates (Amendment) Act, 2023.
- (2) This Act shall come into operation on such date as the Minister may appoint by Notice published in the Gazette.

2. Amendment of section 4 the principal Act.

The principal Act is amended by deleting section 4 and substituting the following —

“4. Administrator, Deputy Administrator and Assistant Administrator of the magisterial courts.

- (1) The Administrator, Deputy Administrator and Assistant Administrator of the magisterial courts, and such other officers as are attached to the office of the Administrator, shall assist the Chief Executive Officer appointed pursuant to the Court Services Act, 2023, to perform such administrative functions as are necessary for the due conduct and discharge of business of the magisterial courts and shall have such other powers and authorities and perform such other functions necessary for the due conduct and discharge of the business of the magisterial courts, and as the Chief Executive Officer shall direct.”;
- (2) The powers, authorities and the performance of duties necessary for the due conduct and discharge of the business of the court in subsection (2) shall not include the

performance by the Registrar of any administrative or financial powers, authorities or duties.”

3. Amendment of section 16 of the principal Act.

Section 16 (4) of the principal Act is amended by —

- (a) inserting the word “and” after the semicolon in paragraph (a);
- (b) deleting the semi-colon and the word “and” at the end of paragraph (b) and inserting a full stop; and
- (c) deleting paragraph (c).”

OBJECTS AND REASONS

The Magistrates (Amendment) Bill, 2023 divests the Chief Magistrate of the responsibility of ensuring the performance of administrative matters affecting the magisterial courts under section 16(4)(c) of the Act, and empowers all Administrators appointed under section 4 of the Act to assist the Chief Executive Officer appointed by the Council pursuant to the Court Services Act, 2023 to perform such administrative functions necessary for the due discharge by the Chief Magistrate and other magistrates of their functions under the Act, or as the Chief Executive Officer may direct.