



4. Section 17 of the principal Act is amended in subsection (2)(b), by deleting the word "Schedule" and substituting therefor the words "First Schedule".

**5. Insertion of new Second Schedule in principal Act.**

5. The principal Act is amended by-

(a) renumbering the Schedule as the First Schedule; and

(b) inserting next after the First Schedule, as renumbered, the following as the Second Schedule-

SECOND SCHEDULE (Section 3)

*Offences Requiring Special Provision for the Grant of Bail*

1. Murder.

2. Any offence under section 2, 3 or 4 of the Treason Felony Act.

3. Any offence under section 3 of the Malicious Injuries to Property Act (arson of a dwelling house).

4. Any offence under section 42A of the Larceny Act (extortion).

5. Any offence under the following provisions of the Firearms Act, namely-

(a) section 4 (importation, exportation and transshipment of firearms or ammunition);

(b) section 9 (manufacture or dealing in firearms or ammunition or prohibited weapons);

(c) section 10 (acquisition or disposal of firearms or ammunition or prohibited weapons);

(d) section 20 (possession of firearms or ammunition, restricted or prohibited weapons);

(e) section 24 (possession of firearm or ammunition with intent to injure); or

(f) section 25 (use or possession of firearm or imitation firearm in certain circumstances).

6. Any offence under the following provisions of the Offences Against the Person Act, namely-

(a) section 8 (conspiring or soliciting to commit murder);

(b) section 13 (administering poison or wounding with intent to murder);

(c) section 14 (destroying or damaging building with intent to murder);

(d) section 15 (setting fire to ship, etc. with intent to murder);

(e) section 16 (attempting to administer poison, etc. with intent to murder);

(f) section 17 (by other means attempting to commit murder); or

(g) shooting or attempting to shoot or wound with intent to do grievous bodily harm or with intent to resist or prevent the lawful apprehension or detainer of any person; or wounding with intent, using a firearm under section 20.

7. Any offence under the following provisions of the Dangerous Drugs Act, namely-

- (a) section 3 (import and export of raw opium and coca leaves);
- (b) section 5 (cultivation of opium or coca leaves);
- (c) section 6 (import or export of prepared opium);
- (d) section 7 (manufacturing, selling, using, etc. prepared opium);
- (e) section 7A (import or export of ganja);
- (f) section 7B (cultivation, selling or dealing in or transporting ganja);
- (g) section 8 (import or export of cocaine, or other applicable drug);
- (h) section 8A (cultivating, selling or dealing in or transporting cocaine, or other applicable drug);
- (i) section 9 (manufacture and sale of cocaine, or other applicable drug);
- (j) section 11 (trade in manufacture of new drugs); or
- (k) section 21A (using the postal services for drugs).

8. Any offence under section 4 of the Trafficking in

8. Any offence under section 4 of the Trafficking in Persons (Prevention, Suppression and Punishment) Act.

9. Any offence under section 10 of the Child Care and Protection Act (trafficking of children).

10. Any offence under the following provisions of the Offences Against the Person Act, namely-

(a) section 44 (rape);

(b) section 45, 47, 48 or 50 (procuring defilement of girl under eighteen; defilement of female, etc.; carnally knowing girl under' twelve; or above twelve and under sixteen, respectively);

(c) section 53 (indecent assault, etc.);

(d) section 56 or 57 (forcible abduction or abduction of girl under sixteen, respectively);

(e) section 58 (procuration);

(f) section 59 (procuring defilement of women by threats or fraud, or administering drugs);

(g) section 60 (abduction of girl under eighteen with intent to have carnal knowledge);

(h) section 61 (unlawful detention with intent to have carnal knowledge);

(i) section 69 (child stealing); or

(j) section 70 (kidnapping).

11. Perverting the course of justice."

## MEMORANDUM OF OBJECTS AND REASONS

A decision has been taken to amend the Bail Act in order to-

(a) provide in the case of specified offences for the onus to be on the defendant to satisfy the Court that bail should be granted; and

(b) confer upon the Director of Public Prosecutions, a right of appeal in cases where bail is granted by a Court.

This Bill seeks to give effect to that decision and is a companion to other proposed legislation aimed at reducing crime.

DOROTHY C. LIGHTBOURNE, Q.C.  
Minister of Justice.