

**Jersey Law 38/1997**

**CRIMINAL JUSTICE (AMENDMENT No. 2) (JERSEY) LAW 1997**

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**A LAW** to amend further the Criminal Justice (Jersey) Law 1957 sanctioned by Order of Her Majesty in Council of the

**22nd day of JULY 1997**

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*(Registered on the 29th day of August 1997)*

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**STATES OF JERSEY**

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The 22nd day of April 1997

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**THE STATES**, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following Law –

**ARTICLE 1**

Paragraphs (3) and (4) of Article 5 of the Criminal Justice (Jersey) Law 1957, as amended<sup>1</sup> (hereinafter referred to as “the principal Law”) shall be deleted.

**ARTICLE 2**

After Article 5 of the principal Law there shall be inserted the following new Article –

<sup>1</sup> Tome VIII, page 678.

## “ARTICLE 6

**PAYMENT OF FINES, SUMS REQUIRED AS BAIL, ETC**

(1) Subject to paragraph (2) of this Article, where a person is imprisoned or otherwise detained –

- (a) in default of the payment of a fine or the amount due under a recognizance; or
- (b) until any sum required as bail has been deposited or security in lieu of bail has been provided,

then –

- (i) on payment to the Viscount or the governor of the prison of any amount outstanding under sub-paragraph (a) (upon which such order shall cease to have effect) or the sum required under sub-paragraph (b); or
- (ii) on furnishing the Viscount with the security required under sub-paragraph (b),

such person shall be released unless he is in custody for some other cause.

(2) Nothing in paragraph (1) of this Article shall oblige the governor of the prison –

- (a) to accept payment of any sum required under sub-paragraph (a) of that paragraph; or
- (b) to release any person detained –
  - (i) in default of payment, or deposit of bail; or
  - (ii) pending the provision of security for bail,

except between the hours of 8 a.m. and 9 p.m.

(3) Where, after a period of imprisonment or other detention has been imposed on any person in default of the payment of a fine or the amount due under a recognizance, payment is made of part of that sum, the period of detention shall be reduced by a number of days bearing as nearly as possible the same proportion to the total number of days of that period of detention less one day as the sum paid bears to the amount of the fine or amount due under the recognizance.

(4) In calculating the reduction required under paragraph (3) of this Article any fraction of a day shall not be taken into account.

(5) The governor of the prison shall pay any sums received under paragraph (1) of this Article to the Viscount.”.

### ARTICLE 3

This Law may be cited as the Criminal Justice (Amendment No. 2) (Jersey) Law 1997.

**C.M. NEWCOMBE**

*Deputy Greffier of the States.*