

SCHEDULE

PART 2

Modifications to the provisions of Part 1 of the 1988 Act applied by this Order

27. Section 108(1) applies—

(a) with the substitution for subsection (2) of—

“(2) For this purpose a person is to be treated as charged with an offence when he is orally charged or is served with a summons or indictment.”;

(b) with the omission in subsection (3) of “(or in Scotland, the Lord Advocate or procurator fiscal)”;

(c) with the substitution for subsection (4) of—

“(4) An appeal lies from an order made under this section by a summary court constituted under the Summary Jurisdiction Law (2006 Revision) to the Grand Court referred to in section 84 of the Constitution of the Cayman Islands.”;

(d) with the substitution for subsection (6) of—

“(6) An appeal lies from an order made under this section by a summary court constituted under the Summary Jurisdiction Law (2006 Revision) to the Grand Court referred to in section 84 of the Constitution of the Cayman Islands.”.

(1) Section 108 was amended by the Powers of the Criminal Court (Sentencing) Act 2000 (c.6), section 165(1) and by the Criminal Procedure (Consequential Provisions)(Scotland) Act 1995 (c.40), section 5 and Schedule 4 paragraph 70(2).