

No. of 2020

VIRGIN ISLANDS

AUDIO VISUAL LINK (AMENDMENT) ACT, 2020

ARRANGEMENT OF SECTIONS

Section

1. Short title and commencement.
2. Amendment of section 3.
3. Insertion of Section 3A.
4. Amendment of Schedule.

No. of 2020 Audio Visual Link (Amendment) Act, 2020

Virgin
Islands

I Assent

Governor.

, 2020

VIRGIN ISLANDS

No. of 2020

An Act to amend the Audio Visual Link Act, 2017 (No. 25 of 2017).

[Gazetted , 2020]

ENACTED by the Legislature of the Virgin Islands as follows

Short title.

1. This Act may be cited as the Audio Visual Link (Amendment) Act, 2020.

Amendment of
section 3.
No. 25 of 2017

2. The Audio Visual Act, 2017 (hereinafter referred to as the “principal Act”) is amended in section 3 by repealing subsection (1)(e) and replacing with the following:

“(e) to hearings of any civil or criminal proceedings in or before any court in the Virgin Islands including appeals to such matters and proceedings relating to protection orders, domestic violence matters, traffic and juvenile offences;

(ea) to commercial litigation proceedings;”

Insertion of
section 3A.

3. The principal Act is amended by inserting after section 3 the following section:

“Use of Audio
Visual Link
during
emergencies.

“3A. (1) For the purposes of this Act, Audio Visual Link may be used where

- (a) a period of public emergency has been declared pursuant to section 27 of the Virgin Islands Constitution Order, 2007; or U.K. S.I. 2007
No. 1678
- (b) there exists a health emergency or public health emergency of local, regional or international concern in the territory, such as an epidemic or a pandemic, and health measures under the Public Health Act, the Quarantine Act, 2014 the Infectious Disease (Notification) Act, 2013 or any other related enactment are or may be enforced. Cap. 197
No. 10 of 2014
No. 2 of 2013

(2) Where a public emergency or a health emergency as provided under subsection (1) arises, the Chief Justice may make Regulations specifically relating to the use of Audio Visual Link during such emergencies.”

4. The Schedule to the principal Act is amended by inserting after paragraph 3(a) the following new subparagraph: Amendment of
Schedule.

“(aa) the request or consent of any party to the proceedings to use Audio visual link.”

Passed by the House of Assembly this day of , 2020.

Speaker.

Clerk of the House of Assembly.

OBJECTS AND REASONS

This Bill seeks to amend the Audio Visual Link Act, 2017 (No. 25 of 2017) (hereinafter referred to as “the principal Act”).

Clause 1 would set out the short title.

Clause 2 would amend clause 3 of the principal Act by repealing subclause (1)(e) to allow for hearings to be conducted of any civil or criminal proceedings in or before any court in the Virgin Islands as well as commercial litigation proceedings.

Clause 3 would provide for the insertion of clause 3A to provide for the use of Audio visual Link where a public emergency or a health emergency arises and the Chief Justice may make Regulations specifically relating to the use of Audio Visual Link during such emergencies.

Clause 4 would amend the Schedule to the principal Act by inserting a new subparagraph (aa) to provide as a factor in determining whether or not the use of remote point Audio Visual Link should be used, the request or consent of any party to the proceedings to use Audio Visual Link.