

ANTIGUA AND BARBUDA



RECORDING OF COURT PROCEEDINGS BILL, 2020

No. of 2020

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CLAUSES

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SCHEDULE

ANTIGUA AND BARBUDA
RECORDING OF COURT PROCEEDINGS ACT, 2020
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AN ACT to provide for the recording and transcribing of court proceedings and for related matters.

ENACTED by the Parliament of Antigua and Barbuda as follows: –

1. Short title

This Act may be cited as the Recording of Court Proceedings Act, 2020.

2. Interpretation

In this Act —

“Chief Registrar” means the Chief Registrar of the Eastern Caribbean Supreme Court;

“court” includes the Eastern Caribbean Supreme Court, High Court, Magistrate Court, District Court, and any other court established by law whether before or after the commencement of this Act;

“court proceedings” includes a matter transpiring in a court required by law or by the presiding judicial officer of the court to be recorded;

“interpreter” means a person appointed by the Public Service Commission to interpret orally or otherwise from one language to another in court proceedings;

“law officer” means an attorney-at-law who holds an office in the public service and who is appointed by the Judicial and Legal Services Commission;

“Registrar” means the Registrar of the High Court;

“transcript” means the record of court proceedings made under this Act and includes an audio, video or other digital recording of court proceedings, written or typed notes made by a presiding judicial officer or transcribed record of court proceedings;

“transcriptionist” means a person authorized by the Chief Registrar, Registrar or the Chief Magistrate to transcribe records of court proceedings or any authorized person from the computer aided transcription unit of the public service.

3. Recording of court proceedings

(1) The Chief Registrar, Registrar or the Chief Magistrate, as the case may be, shall cause all court proceedings to be recorded.

(2) A recording of a court proceedings may be made electronically by using an audio or video recorder or other means directed by the Chief Registrar, Registrar or Chief Magistrate.

(3) A recording of court proceedings made under this section may be reproduced for the use of the court or parties to the court proceedings.

(4) The Chief Registrar, Registrar or the Chief Magistrate, as the case may be, may, subject to subsection (5), cause court proceedings recorded under subsection (1), to be transcribed by the means and in the manner directed by the Chief Justice.

(5) A person who is not a transcriptionist shall not transcribe a recording of court proceedings.

4. Words of interpreter

In transcribing the evidence of a witness in court proceedings, where the answers of the witness are not in the English Language, the transcriptionist shall only transcribe the answers in the words of an interpreter.

5. Certification of transcript

A person who prepares a transcript of court proceedings shall certify, in Form 1 as set out in the Schedule, that the transcript is an accurate transcript of the court proceedings.

6. Witness need not sign transcript

(1) Subject to subsection (2), where evidence given by a witness in court proceedings is recorded electronically or a transcript is prepared, the transcript may not be read or played back to the witness and the witness is not required to sign the transcript.