

**ADMINISTRATION OF JUSTICE (ELECTRONIC
MONITORING) ACT**

ACT NO. 11 OF 2012

Act
11 of 2012
Amended by
*11 of 2020

(*See Note on page 2)

Current Authorised Pages

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UNOFFICIAL VERSION

UPDATED TO AUGUST 31ST 2021

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Note on Act No. 11 of 2020

The amendments made to this Act by Act No. 11 of 2020 took effect on 18th September 2020 by LN 324/2020.

ACT NO. 11 OF 2012
ADMINISTRATION OF JUSTICE
(ELECTRONIC MONITORING) ACT

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CHAPTER 5:34

ADMINISTRATION OF JUSTICE
(ELECTRONIC MONITORING) ACT

**An Act to make provision for the implementation of a system
for electronic monitoring in Trinidad and Tobago and
for related matters.**

*[ASSENTED TO 3RD JULY 2012]

WHEREAS it is enacted by section 13(1) of the Constitution that
an Act of Parliament to which that section applies may expressly
declare that it shall have effect even though inconsistent with
sections 4 and 5 of the Constitution and, if any Act does so
declare, it shall have effect accordingly: Preamble.

And whereas it is provided in section 13(2) of the Constitution
that an Act of Parliament to which that section applies is one the
Bill for which has been passed by both Houses of Parliament and
at the final vote thereon in each House has been supported by the
votes of not less than three-fifths of all the members of that House:

And whereas it is necessary and expedient that the provisions
of this Act shall have effect even though inconsistent with
sections 4 and 5 of the Constitution:

ENACTED by the Parliament of Trinidad and Tobago as follows: Enactment.

1. (1) This Act may be cited as the Administration of
Justice (Electronic Monitoring) Act, 2012. Short title and
commencement.
[323/2020].

(2) This Act came into operation on 18th September
2020.

2. This Act shall have effect even though inconsistent with
sections 4 and 5 of the Constitution. Act inconsistent
with the
Constitution.
Ch. 1:01.

*See section 1(2) for the date on which this Act came into force. (LN 323/2020).

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PART I
PRELIMINARY

Interpretation
and application.
[11 of 2020].

3. (1) In this Act—

“authorised officer” means the Director or a member of staff of the Unit authorised by him under section 4A;

“child” means an individual below the age of eighteen years who is charged with or convicted by a Court for an offence;

“competent authority” includes a Statutory Board or Tribunal or other person, appointed under any written law for the purposes of this Act;

“Court” means a Judge, Master, District Court Judge, Magistrate, Registrar, Senior Magistracy Registrar and Clerk of the Court, Magistracy Registrar and Clerk of the Court or Coroner as applicable;

“electronic monitoring” means the use of electronic or telecommunication systems to assist in the supervision of an individual;

“electronic monitoring device” or “device” includes a device, which operates on a global positioning system (GPS), radio frequency or telecommunications network, which is used to monitor compliance with the conditions of release of a monitored person;

“global positioning system” or “GPS” includes a navigational system using satellite signals to fix the location of a radio receiver on or above the earth’s surface;

“monitored person” means a person, respondent, child or applicant who may be subjected to electronic monitoring pursuant to a court order, a lawful condition of pardon, instructions from a competent authority or an application by a person under section 13 of the Act;

“occupier” means any person exercising control over that part of the premises where the equipment is to be installed for the time being;

“person” means an individual who is charged with or convicted by a Court for an offence;

“protection device” means a small portable device which generates audible and visual indication signals received from the radio frequency tag physically attached to a monitored person;

“public official” means a Minister or Permanent Secretary;

“Regulations” mean Regulations made by the Minister under section 25;

“respondent” means an individual against whom an application for a Protection Order is made;

“the Minister” means the member of the Cabinet to whom responsibility for offender management is assigned and “the Ministry” has the corresponding meaning;

(2) Subject to the Child Rehabilitation Centre Act and the Children Act and any other written law granting rights or protection to a child, this Act applies to a child.

Ch. 13:05.

Ch. 46:01.

PART II

THE ELECTRONIC MONITORING UNIT

4. (1) The Electronic Monitoring Unit (“the Unit”) of the Ministry, is hereby established for the purpose of implementing the system for electronic monitoring in accordance with this Act.

Electronic
Monitoring
Unit.

(2) The staff of the Unit shall include—

- (a) the Director of Electronic Monitoring (“the Director”) who shall be the head of the Unit;
- (b) the Deputy Director of Electronic Monitoring (“Deputy Director”); and
- (c) such other suitably qualified individuals as may be necessary for the proper functioning of the Unit.

(3) The Director and Deputy Director shall be individuals with tertiary level education and at least three years experience in a related field.

(4) The offices of Director and Deputy Director shall be public offices to which section 121 of the Constitution applies and shall also be prescribed for the purposes of section 141 of the Constitution.

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(5) The terms and conditions of the offices referred to in subsection (4) shall be reviewed by the Salaries Review Commission established under section 141 of the Constitution.

(6) The members of staff other than the Director and Deputy Director shall be engaged on contract, in accordance with guidelines for contract employment established by the Chief Personnel Officer.

Authorised
officer.
[11 of 2020].

4A. The functions of the Director under this Act may be delegated in writing by him to an authorised officer who shall be a member of staff of the Unit acting under and in accordance with his general or special directions.

Transitional.

5. (1) Without prejudice to the power of the Public Service Commission to make an appointment to the offices of the Director and the Deputy Director, where prior to the making of the first appointments to those offices, and the exigencies of the public service require the recruitment of individuals to perform the functions of those offices, the Permanent Secretary of the Ministry may engage, as an Electronic Monitoring Manager and Deputy Electronic Manager, suitably qualified individuals until such appointments are made in accordance with section 4(4) and (5).

(2) A contractual arrangement made under subsection (1) shall be in accordance with the guidelines for contract employment as established by the Chief Personnel Officer.

Responsibilities
of the Unit.
[11 of 2020].

6. (1) In furtherance of its responsibility for implementation and maintenance of the system for electronic monitoring, the Unit shall be responsible for—

- (a) ensuring the security of the system for electronic monitoring;
- (b) retrieving and analysing information from the system for electronic monitoring; and
- (c) reporting any non-compliance with a decision of the Court or competent authority and breaches related to the use of a device.

(2) Notwithstanding the generality of the foregoing, the Unit shall—

- (a) provide real time tracking of the location of a person or a respondent;
- (b) report alarm notifications, signal loss and device malfunction forthwith to the relevant state agency;
- (c) exercise central control of all monitoring information;
- (d) maintain a register of decisions transmitted to it by the Court or other competent authority and information relating to the subject of any decision;
- (e) undertake the fitting, maintenance and removal of a device;
- (f) ensure that a historic record is maintained of all electronic monitoring data, including any technological equipment necessary to read and display such information;
- (g) improve information technology and electronic monitoring literacy within the Ministry and advance electronic monitoring awareness;
- (h) provide technical assistance when necessary; and
- (i) provide training when necessary.

(3) The Unit shall comply with any decisions made by the Court or other competent authority.

(4) The records maintained under this Act shall be kept for a period of not less than five years.

6A. The Director may, from time to time as necessary, issue standard operating procedures for the proper functioning of the Electronic Monitoring Unit.

Director to
issue standard
operating
procedures.
[11 of 2020].

7. (1) A public official, authorised by the Cabinet, may enter into an agreement with a company (“a service provider”) for the purposes of—

Contract for
services.

- (a) training in any aspect of electronic monitoring; or

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(b) the performance of specified functions under section 6(2).

Act No. 14 of 2010.

(2) The Interception of Communications Act, 2010 shall apply to the use of electronic monitoring devices and their communication capabilities.

Confidentiality of information. [11 of 2020].

8. (1) Every employee of the Unit, whether permanent, on contract, under a consultancy or an individual engaged by a service provider in furtherance of section 7, shall take an oath of secrecy as set out in the Fourth Schedule, to not disclose any information received from the Unit or service provider in the course of his employment, otherwise than in the proper exercise of his function or as required by law.

(2) A person who takes the oath under subsection (1) commits an offence where he discloses information in contravention of the oath and is liable on summary conviction to a fine of one hundred thousand dollars and imprisonment for two years.

PART III

ELECTRONIC MONITORING

Approval of Devices.

9. The Minister may by Order, subject to negative resolution of Parliament, approve the electronic monitoring devices to be used for electronic monitoring.

Electronic monitoring imposed by the Court. [11 of 2020].

10. (1) Subject to subsection (3), the Court may impose a sentence of electronic monitoring—

(a) for an offence committed; or

(b) in lieu of a sentence of imprisonment or part of any sentence imposed,

after the coming into force of this Act.

(2) The Court may at any time, also impose electronic monitoring as a condition of—

(a) an order for bail;

(b) a Protection Order made under section 5 of the Domestic Violence Act;

Ch. 45:56.

- (c) a probation order under the Probation of Offenders Act; Ch. 13:51.
- (d) a community service order under the Community Service Orders Act; or Ch. 13:06.
- (e) any other application which in its discretion it considers appropriate to impose electronic monitoring.

(3) The Court shall not however, impose electronic monitoring in respect of any of the offences listed in the First Schedule. First Schedule.

(3A) Notwithstanding subsection (3), the Court may—

- (i) where bail is granted; or
- (ii) in the case of a child,

impose electronic monitoring as a condition of the bail.

(4) Where a respondent is arrested and charged with an offence under section 20 of the Domestic Violence Act, the Court may grant bail with or without electronic monitoring, but in making its decision, the Court shall not request the consent of the respondent. Ch. 45:56.

(5) Before making a decision under—

- (a) subsection (1) or (2), the Court may request a Report from the Director concerning the person or respondent which the Director may cause to be provided as soon as it is practicable; and
- (b) subsection (2)(a), the Court shall request the consent of—

- (i) a person, where that person is not a child; or
- (ii) in the case of a child, his parent, guardian or person with responsibility for the child,

to impose electronic monitoring and where such consent is not given, the Court may commit the person to custody or may grant bail on such terms as it thinks fit.

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Second
Schedule.

Protection
device.
[11 of 2020].

(6) The Director shall also obtain permission, in the prescribed form, from the occupier of the premises in which any monitoring instrument is to be installed or the individual without whose co-operation it would not be practicable to implement electronic monitoring.

(7) While awaiting the report of the Director, the Court may commit the person to custody or may grant bail on such terms as it thinks fit, but in the case of the respondent, the Court may make an Interim Order under section 8(1) of the Domestic Violence Act.

(8) In making a decision under this section, the Court shall take into account the report of the Director which shall be prepared in accordance with the Second Schedule and the Court shall have regard to the character, antecedents, physical and mental health of the person or respondent, to any extenuating circumstances in which an offence was committed and to the possible threat to public safety caused by his release.

(8A) The Court may also request a report from any other person, where applicable, to further assist in making a decision under this section.

(9) The Court shall explain to a person over the age of sixteen years or respondent, and in the case of a person under the age of sixteen years, his parent, guardian or person with responsibility for the child, the meaning and effect of the decision, as well as the effect of non-compliance with it.

10A. (1) Where an order for protection is made under any written law, the Court may inquire of the applicant whether that person consents to being issued with a protection device.

(2) Where an applicant agrees to being issued with a protection device under subsection (1), that applicant shall complete the prescribed form indicating that he understands the purpose of the device and accepts responsibility for its proper use and care.

11. (1) Electronic monitoring may be imposed as a lawful condition of a pardon granted under section 87(2)(a) of the Constitution.

Electronic monitoring as a condition of a pardon.
[11 of 2020].

(2) Before making a decision under subsection (1), a report shall be requested from the Director concerning the person, which the Director shall cause to be provided as soon as it is practicable.

12. (1) A competent authority empowered to grant early release from imprisonment under any written law, may impose electronic monitoring as a condition of such release.

Electronic monitoring issued by a competent authority.
[11 of 2020].

(2) Before making a decision under subsection (1), the competent authority shall request a report from the Director concerning the person, which the Director shall cause to be provided as soon as it is practicable and the competent authority shall, where necessary, commit the person to appropriate custody while awaiting the report.

(2A) The competent authority may also request a report from any other person where applicable, to further assist in making a decision under this section.

(3) The Director shall also obtain permission, in the prescribed form, from the occupier of the premises in which any monitoring instrument is to be installed and the individual without whose co-operation it would not be practicable to implement electronic monitoring.

(4) In making a decision under this section, the competent authority shall take into account the report of the Director as well as that of any other person which shall be prepared in accordance with the Second Schedule and the competent authority shall have regard to the character, antecedents, physical and mental health of the person, to any extenuating circumstances in which the offence was committed and to the possible threat to public safety caused by his release.

Second
Schedule.

(5) The competent authority shall explain to the person and in the case of a child, his parent, guardian or person with responsibility for the child, the meaning and effect of the decision, as well as the effect of non-compliance with it.

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(6) Sections 14, 15 and 16 shall apply in respect of a decision of the competent authority as they apply in respect of a decision of the Court.

Electronic monitoring by application. [11 of 2020].

13. (1) An individual may apply to the Court on a form approved by the Judiciary to have a device fitted on him.

(2) Before granting approval for the use of the device, the Court shall explain to the applicant the purpose and use of such a device as well as his responsibilities under the Act.

Type of device.

14. When the Court receives a report from the Director, a decision shall be taken concerning the type of device to be fitted, on the basis of—

- (a) the recommendations contained in such report;
- (b) any Order made by the Minister under section 9; and
- (c) all the circumstances of the matter being heard.

Payment for use of device. [11 of 2020].

15. Where the Court, having considered the report of the Director, is of the view that—

- (a) a person, other than a child;
- (b) a respondent;
- (c) in the case of a child, his parent, guardian or person with responsibility for the child; or
- (d) an applicant under section 13,

has the financial capability to pay either the total cost of the use of the device or any part thereof, the Court may require total or partial payment.

Terms of electronic monitoring. [11 of 2020].

16. (1) A decision made by the Court shall contain a directive on the period of time for which the device shall be worn and either—

- (a) that the person or respondent be in such place and for such period in each day or week as may be specified; or

- (b) that the person or respondent not be in such place at such time or during such period as may be specified.

(1A) Where a person, respondent, child or applicant has been issued an electronic monitoring device or a protection device under the Act and wilfully or recklessly causes damage to the electronic monitoring device or protection device, that person, respondent, child or applicant shall—

- (a) be liable for the replacement cost of the electronic monitoring device or protection device; and
- (b) be brought before the court or competent authority to determine whether he will be allowed to continue participating in electronic monitoring.

(2) The Court may also impose any other terms as it deems fit.

(3) Copies of the decision of the Court made under sections 10 and 13 shall be given to—

- (a) the person or respondent;
- (b) the child, as well as his parent, guardian or person with responsibility for the child;
- (c) an applicant;
- (d) the Director of the Electronic Monitoring Unit; and
- (e) any other party the Court in its discretion considers it necessary to inform,

as soon as it is reasonably practicable to do so.

PART IV

OFFENCES

17. (1) An individual who deliberately tampers with or removes a device commits an offence and is liable on summary conviction to a fine of one hundred thousand dollars and to imprisonment for two years.

Tampering with
or removal of
device.

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(2) In this section, “tampering” means anything which interferes with or is capable of interfering with the proper functioning of the device or which disrupts or is capable of disrupting the transmission of the monitoring signal of the device to the Unit.

Non-compliance with a decision or breach of a condition.
[11 of 2020].

18. (1) A person or respondent, who fails to comply with a decision of the Court or breaches any agreement or condition related to the use of the device, shall be brought before the Court in accordance with this section.

(2) As soon as the Director receives information that non-compliance or a breach under subsection (1) has occurred, he shall forthwith report the matter in writing or electronically to any police officer in charge of a police station.

(3) A police officer who receives information under subsection (2), shall forthwith cause the person or respondent to be arrested and brought before the Court.

Change of circumstances.
[11 of 2020].

19. (1) A respondent or person, other than a child, upon whom a device has been fitted, shall notify the Director of any proposed change or change in his circumstances, within a reasonable time before the proposed change is due to occur or within a reasonable time after the change occurs.

(2) Where there is a change or proposed change in the circumstances of a child who has been fitted with a device, the parent, guardian or person with responsibility for the child shall notify the Director within a reasonable time before the proposed change is due to occur or within a reasonable time after the change occurs.

(2A) As soon as the Director receives information of a change or proposed change in circumstances under subsection (1) or (2), he shall forthwith notify in writing, the Court and any other person affected by or having an interest in the change in circumstances.

(3) Failure to comply with subsection (1) or (2) shall constitute a breach of a decision under section 18, which shall be dealt with under section 20.

20. (1) Where a person or respondent is brought before the Court under section 18(3), the Court may in the case of—

- (a) a person on bail, take a decision in accordance with the Bail Act;
- (b) a person against whom a decision was made for electronic monitoring for an offence committed or in lieu of imprisonment, impose any sentence which the Court could impose for the offence with which he was originally charged; or
- (c) a respondent, impose the penalty prescribed for breach of a Protection Order under section 20 of the Domestic Violence Act,

Power of the Court in respect of non-compliance with a decision or in respect of an offence.
Ch. 4:60.

Ch. 45:56.

and in any other case, make such order as it thinks fit.

(2) It shall be a defence for an individual brought before the Court for tampering with or removal of a device, to prove that he did so in circumstances that constituted an emergency.

21. Notwithstanding the dismissal of any matter as a result of a defence raised under section 20(2), a detailed report of the reasons given for the non-compliance, or breach under section 18 or tampering or removal under section 17 shall be placed on the records kept by the Unit in respect of the person or respondent, together with a report from a medical practitioner, where applicable.

Record of non-compliance or tampering.

22. Subject to this section, in any proceedings before a Court, a document or statement recording the whereabouts of the person or respondent, at any given point in time, originating from the electronic monitoring system and—

Report may be tendered in evidence.
[11 of 2020].

- (a) signed under the hand of the Director; and
- (b) supported by a certificate of a Justice of the Peace, authenticating the statement or document,

shall be *prima facie* evidence that the person or respondent, was at the place at the time recorded in the statement or document.

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(2) (*Repealed by Act No. 11 of 2020*).

Knowingly
giving false
information an
offence.
[11 of 2020].

23. (1) In furtherance of his functions under section 10(8) or 12(4), the Director may request information from a person, respondent, or the parent, guardian or person with responsibility for a child.

(2) A person, respondent, or parent, guardian or person with responsibility for a child who knowingly gives false information under this section, commits an offence and is liable on summary conviction to a fine of one hundred thousand dollars and imprisonment for two years.

Offence of
Duplication.

24. An individual who makes, copies or in any way duplicates an electronic monitoring device commits an offence and is liable on summary conviction to a fine of twenty-five thousand dollars and imprisonment for one year.

PART V

MISCELLANEOUS

Regulations.
[11 of 2020].

25. (1) The Minister may make Regulations subject to negative resolution of Parliament for—

- (a) the procedures to be followed by the staff of the Unit in the monitoring of persons or respondents and the evaluation of information and all other matters pertaining thereto;
- (b) } (*Deleted by Act No. 11 of 2020*);
- (c) }
- (d) procedures for managing alerts, maintaining and analysing data;
- (e) procedures to be followed upon loss of signal or equipment malfunction;
- (f) (*Deleted by Act No. 11 of 2020*);
- (g) the prescribed forms required under this Act; and
- (h) any other matter required to give effect to this Act.

(2) An individual who contravenes any of the Regulations made under this section commits an offence and is liable on summary conviction to a fine of fifty thousand dollars and to imprisonment for six months.

25A. (1) The Rules Committee established under section 77 of the Supreme Court of Judicature Act may make Rules of Court generally for the purposes of this Act.

Rules.
[11 of 2020].
Ch. 4:01.

(2) Rules made under this section shall be subject to the negative resolution of Parliament.

26. The written laws set out in the First Column of the Third Schedule are amended to the extent set out in the Second Column of the said Schedule.

Miscellaneous
amendments.

27. The Minister may, by Order, amend the Schedules.

Amendments of
the Schedules.
[11 of 2020].

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[Section 10(3),
(3A)].
[11 of 2020].

FIRST SCHEDULE

List of offences for which electronic monitoring may not be imposed by
way of a sentence or in lieu of a sentence—

1. Treason.
2. Offences against the individual, namely—
 - (a) Murder;
 - (b) Conspiring or soliciting to commit murder;
 - (c) Manslaughter; and
 - (d) Shooting or wounding with intent to do grievous bodily harm, unlawful wounding.
3. Offences involving kidnapping, namely—
 - (a) Kidnapping;
 - (b) Kidnapping for ransom;
 - (c) Knowingly negotiating to obtain a ransom.
4. Drug trafficking, namely—
 - (a) Trafficking in a dangerous drug; and
 - (b) Possession of a dangerous drug for the purpose of trafficking.
5. Unlawful possession of a firearm or ammunition.

SECOND SCHEDULE

[Sections 10(8)
and 12(4)].
[11 of 2020].

Matters to be included in the report of the Director.

The information which the Director shall supply to the Court may include—

- (a) the full name and any assumed names of the person or respondent;
- (b) whether the person or respondent has a stable place of residence, the address and whether the residence is sufficiently secure;
- (c) all telephone contacts and information on the capacity of the person's or respondent's, or in the case of a child, his parent's, guardian's or person with responsibility for the child, land line or any other system which utilises a telecommunications network to accommodate the electronic monitoring device;
- (d) an emergency telephone contact and name of next-of-kin;
- (e) a list of any pets or other elements which may compromise the integrity of electronic monitoring equipment;
- (f) a list of any commitments such as employment, dependants and addresses of same;
- (g) an assessment of the person's or respondent's financial capability, or in the case of a child, the financial capability of his parent, guardian or person with responsibility for the child, to pay for the use of the electronic monitoring device;
- (h) a recommendation on the type of electronic monitoring device which is appropriate for the particular case;
- (i) any history of spousal or family abuse while living with family;
- (j) documentation evidencing pre-existing physical or mental condition of the person or respondent;
- (k) whether the person or respondent, or in the case of a child, his parent, guardian or person with responsibility for the child, has access to a standard power service; and
- (l) whether the victim agrees to the person or respondent being released under supervised monitoring.

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[Section 26].
[11 of 2020].

THIRD SCHEDULE
CONSEQUENTIAL AMENDMENTS

First Column

Second Column

The Bail Act,
Ch. 4:60.

Section 12(3) of the Bail Act is amended by—

(a) deleting the comma at the end of paragraph (c) and substituting the words “; and”;

(b) inserting the following paragraph:

“(d) be subject to electronic monitoring;”;

(c) inserting the following subsections:

“(3A) In making a decision under subsection (3)(d), the Court shall take into account—

(a) the provisions of the Administration of Justice (Electronic Monitoring) Act, 2012;

(b) the submissions of the prosecution; and

(c) any other relevant information made available to it.

(3B) Before making a decision under subsection (3)(d), the Court shall explain its meaning to the person and the consequences of its breach.

(3C) Copies of the decision shall be given to the person and sent to the Electronic Monitoring Unit, established under the Administration of Justice (Electronic Monitoring) Act, 2012.

(3D) (1) The terms of a decision made under subsection (3)(d) shall include a directive either at paragraph (a) or (b) and at paragraph (c) as follows:

(a) a requirement that the person be in such place and for such period in each day or week as may be specified;

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2012

First Column

Second Column

(b) a requirement that the person not be in such place at such time or during such period as may be specified; and

(c) the duration of time for which the Order shall be in force.

(2) The court may also impose any other terms related to paragraphs (a) or (b) and (c) prescribed by Regulations made by the Minister under section 25 of the Administration of Justice (Electronic Monitoring) Act, 2012.

(3E) In this section, “electronic monitoring” means the use of electronic or telecommunication systems to assist in the supervision of an individual.

The Domestic Violence Act, Ch. 45:56. The Domestic Violence Act is amended—

(a) in section 6, by inserting the following subsection:

“(3A) The Court may also impose electronic monitoring on the respondent as a condition of a Protection Order, in accordance with the Administration of Justice (Electronic Monitoring) Act, 2012.”; and

Act No. 11 of 2012

(b) in section 8(4), by inserting after the words “section 6” the words “but shall not contain directions for electronic monitoring”.

L.R.O.

[11 of 2020].

FOURTH SCHEDULE

OATH OF SECRECY

I,, do swear and declare that I will honestly and faithfully serve and fulfill the duties that devolve upon me by reason of my employment in the Electronic Monitoring Unit, and that I will not divulge any information being facts or expressions of opinions based on such facts gained by me as a result of my employment to any unauthorised person, orally or in writing, without the previous sanction of the Director/Manager. I understand that these provisions apply not only during the period of my employment but also after my employment with the Unit has ceased.

Signed

Date

.....

Justice of the Peace

SUBSIDIARY LEGISLATION

**ADMINISTRATION OF JUSTICE (ELECTRONIC
MONITORING) RULES**

ARRANGEMENT OF RULES

RULE

1. Citation and Commencement.
2. Interpretation.
3. When these Rules apply.
4. Electronic monitoring Orders under Section 10 of Act.
5. Sections 13 applications.
6. Assessment of financial capability and payment for device.
7. Provision of Reports to the Court.
8. Terms of the order.
9. Notification of Order.
10. Variation/Suspension/Revocation of Orders.
11. General.

SCHEDULE.

L.R.O.

**ADMINISTRATION OF JUSTICE (ELECTRONIC
MONITORING) RULES**

made under section 78(a)

1. Citation and Commencement

1.1 These Rules may be cited as the Administration of Justice (Electronic Monitoring) Rules.

1.2 These Rules shall come into force on 21st September 2020.

2. Interpretation

2.1. In these Rules, unless the context otherwise requires:

“Act” means the Administration of Justice (Electronic Monitoring) Act, 2012;

“applicant” means a person who makes an application under section 10, 10A or 13 of the Act, and includes in the case of a child, the parent, guardian or person with responsibility for the child;

“authorised officer” means the Director of Electronic Monitoring or any officer of the Electronic Monitoring Unit duly authorised by him in accordance with the Act;

“Court” means a Judge, Master, District Court Judge, Magistrate, Registrar, Senior Magistracy Registrar and Clerk of the Court, Magistracy Registrar and Clerk of the Court as applicable;

“court office” means –

(a) the place where documents are to be filed and includes a registry or sub-registry; and

(b) the place where work of a formal or administrative nature is to be dealt with by members of court staff;

“Director of Electronic Monitoring” includes an officer of the Electronic Monitoring Unit duly authorised by the Director in accordance with the Act;

“electronic monitoring” means the use of electronic or telecommunication systems to assist in the supervision of an individual;

“electronic monitoring order” means any order of the Court made pursuant to sections 10, 10A, 13 or 16 of the Act for electronic monitoring;

“filing” in relation to a document, means delivering it or sending it to the appropriate court office including by electronic means and shall not be complete until the document is received at that office;

“monitored person” means a person, respondent, child or applicant who may be subjected to electronic monitoring pursuant to a court order, a lawful condition of pardon, instructions from a competent authority or an application by a person under section 13 of the Act.

“protection device” means a small portable device which generates audible and visual indication signals received from the radio frequency tag physically attached to a monitored person;

“Protection Order” means an order made pursuant to section 5 of the Domestic Violence Act, Chap. 45:56;

“section 13 application” means an application to the Court pursuant to section 13 of the Act which is not related to any ongoing proceedings before the Court.

3. When these Rules apply

3.1. These Rules, unless otherwise provided, shall apply in criminal cases, in proceedings under the Act and the Domestic Violence Act, Chap. 45:56 in the High Court and the Summary Courts.

3.2. Where these Rules are silent, the Family Proceedings Rules, 1998, the Criminal Procedure Rules, 2016, the Children Court Rules, 2018 and any amendments where relevant, shall apply.

L.R.O.

4. Electronic monitoring orders under section 10 of Act

4.1. An application for an electronic monitoring order may be made by a party to a matter to which these Rules apply, either orally or in such manner as the Court may otherwise direct, at—

- (a) a hearing of an application for bail (including an application for variation or revocation of bail);
- (b) a sentencing hearing;
- (c) a hearing at which a Protection Order may be made or varied;
- (d) a hearing for the alleged breach of a Protection Order; or
- (e) the hearing of any other application which in its discretion the Court considers appropriate.

4.2. Notwithstanding Rule 4.1, the Court may make an electronic monitoring order without an application at any of the hearings enumerated in Rule 4.1.

4.3. Where an application is made under Rule 4.1 or Rule 4.2 by someone other than the intended monitored person, the Court shall—

- (a) inform the intended monitored person of the nature of the application and of an electronic monitoring order; and
- (b) inquire of the intended monitored person whether they consent to the Court making an electronic monitoring order,

provided that subrule (b) shall not apply in respect of an offence under section 20 of the Domestic Violence Act, Chap. 45:56.

4.4. Where an application is made under Rule 4.1(c) and (d), by someone other than the intended monitored person, the Court—

- (a) may inquire of the applicant whether they consent to be issued with a protection device; and

- (b) where the applicant consents, require the applicant to complete the prescribed form indicating that they understand the purpose of the device and accepts responsibility for its proper use and care.

4.5. An intended monitored person may consent to an electronic monitoring order by oral statement without oath to the Court, or in such other manner as the Court may direct, where necessary.

4.6. Where an application is made under Rule 4.1, the court office shall notify the Director of Electronic Monitoring and any other person or authority that the Court determines is to receive such notice.

4.7. Where an application for an electronic monitoring order is made, the Court must either—

- (a) deal with the application immediately; or
- (b) where the intended monitored person has been charged with or convicted of a criminal offence, adjourn the application, in which event, the Court must immediately consider and determine whether or not the intended monitored person shall be remanded in custody pending the determination of the application.

4.8. Where under Rule 4.7 the Court finds that the intended monitored person should not be remanded in custody pending the determination of the application, the Court shall grant bail on such terms as it thinks fit.

4.9. The Court may, at the hearing of an application under this Part give such other directions for the further hearing and determination of the application.

4.10. When determining whether to make an electronic monitoring order, the Court must consider the following:

- (a) the nature of any offence for which the intended monitored person is convicted;

L.R.O.

- (b) the safety of any person involved in or affected by the proceedings;
- (c) the financial capability of the intended monitored person or in the case of a child, the parent, guardian or person with responsibility for the child, to pay for the use of the electronic monitoring device;
- (d) the physical and mental health of the intended monitored person;
- (e) whether the intended monitored person consents to the electronic monitoring order;
- (f) the age of the intended monitored person;
- (g) the nature of the premises on which the intended monitored person is to reside and be monitored;
- (h) the criminal record of the intended monitored person;
- (i) any detrimental effect a custodial remand or sentence may have on the physical, mental, psychological or social well-being of the intended monitored person or of any other person;
- (j) any other conditions to be imposed by the Court concurrently with an order for electronic monitoring; and
- (k) any other order the Court may make which will otherwise satisfy the interests of justice.

5. Section 13 applications

5.1. A section 13 application must be—

- (a) made in writing in the form contained in the Schedule to these Rules and described as “Form 1”;
- (b) signed by the applicant;
- (c) filed at the relevant court office of the High Court or a Summary Court; and
- (d) served electronically by the applicant on the Director of Electronic Monitoring and on such other person or authority as the Court may direct.

5.2. A section 13 application must state the reasons why the applicant is seeking such an order.

5.3. The Director of Electronic Monitoring shall, within seven (7) days of service of a section 13 application, file a notice indicating—

- (a) consent to the application; or
- (b) objection to the application and the grounds for same.

5.4. Where the Director of Electronic Monitoring consents to a section 13 application, the Court may make an order without a hearing.

5.5. Where the Director of Electronic Monitoring objects to a section 13 application, or where the Court directs that a hearing is appropriate, the court office shall fix a date for the hearing of the application and shall notify the applicant, the intended monitored person and the Director of Electronic Monitoring of the said hearing.

5.6. Where a hearing is fixed pursuant to Rule 5.5, the Director of Electronic Monitoring shall, no later than fourteen (14) days prior to the date of hearing, file an affidavit in response to the section 13 application.

5.7. The Court may, upon considering a section 13 application—

- (a) require the Director of Electronic Monitoring to provide a report to the court;
- (b) require any other person or authority served with the application to provide a report or any other relevant information to the Court; or
- (c) give such other directions as are necessary for the management or conduct of the proceedings.

5.8. Any report requested by the Court under Rule 5.7 must be filed electronically with the Registrar of the Supreme Court or the Senior Magistracy Registrar and Clerk of the Court or the Magistracy Registrar and Clerk of the Court, as the case may be.

L.R.O.

5.9. When determining a section 13 application, the Court must consider the following:

- (a) the safety of any person affected by the application;
- (b) the financial capability of the intended monitored person or in the case of a child, the parent, guardian or person with responsibility for the child, to pay for the electronic monitoring device;
- (c) the physical and mental health of the intended monitored person;
- (d) the age of the intended monitored person;
- (e) whether there are good and sufficient reasons for the intended monitored person to be fitted with an electronic monitoring device;
- (f) the nature of the premises on which the intended monitored person is to reside and be monitored; and
- (g) the contents of any report submitted by the Director of Electronic Monitoring or by any other person or authority directed by the Court.

5.10 The Court may give directions for the manner of submission of any evidence or argument.

6. Assessment of financial capability and payment for device

6.1. On assessing the financial capability of an intended monitored person, or in the case of a child, the parent, guardian or person with responsibility for the child, to pay for an electronic monitoring device, the Court may consider—

- (a) employment status and history;
- (b) future earnings potential;
- (c) assets, liabilities and net worth;
- (d) monthly income and expenses;

- (e) testimonials from persons or institutions attesting to character or financial stability;
- (f) the financial capability of a person with responsibility for or who financially supports the intended monitored person;
- (g) any surety or guarantee provided by a person or institution approved by the Court; and
- (h) the contents of any report submitted by the Director of Electronic Monitoring or by any other person or authority directed by the Court.

6.2. Where the Court is satisfied that the intended monitored person cannot pay the total cost of the electronic monitoring device, the Court may direct that the intended monitored person pay a specified part or no part of the cost.

6.3. The Court may direct that the cost be paid forthwith or upon such terms and conditions as the Court may specify.

7. Provision of Reports to the Court

7.1. Upon receipt of a report, the Court may—

- (a) direct the authorised officer or other person or authority to provide a written supplement to the report where further information is necessary; or
- (b) order the authorised officer or other person or authority to appear in Court to be examined under oath on the contents of the report, or to otherwise provide any necessary clarification.

7.2. A copy of any report submitted to the Court must be disclosed to—

- (a) the prosecution (where applicable);
- (b) the intended monitored person or his Attorney-at-Law; and
- (c) in the case of a child, his parent or guardian or the person with responsibility for the child.

L.R.O.

7.3. The Court may further direct that any person or authority directed to submit a report forward a copy of such report to the Director of Electronic Monitoring.

8. Terms of the order

8.1 An electronic monitoring order may be in the form set out in the Schedule to these Rules.

8.2 The Court shall explain to a child, as well as the parent, guardian or person with responsibility for the child, the meaning and effect of the order, as well as the effect of non-compliance with it.

9. Notification of order

9.1. Where an order is made for electronic monitoring, the Court shall cause a copy of the order or its decision to be served by electronic means on—

- (a) the intended monitored person and/or the applicant;
- (b) where the intended monitored person is a child, the parent, guardian or person with responsibility for the child;
- (c) the Director of the Electronic Monitoring Unit;
- (d) the police officer(s) in charge of the station(s) located nearest to the area where the intended monitored person resides and works;
- (e) any unit established by the Trinidad and Tobago Police Service to treat with domestic violence matters;
- (f) the police officer(s) in charge of the station(s) located nearest to the area where any relevant person connected with the proceedings resides and works;
- (g) where relevant, the Probation or Child Probation Office; and
- (h) any other party the Court in its discretion considers it necessary to inform.

9.2. Notwithstanding Rule 9.1, the Court may serve an order by any other means on—

- (a) the intended monitored person;
- (b) the applicant, where the applicant is not the intended monitored person; and
- (c) where the intended monitored person is a child, the parent, guardian or person with responsibility for the child.

10. Variation/Suspension/Revocation of Orders

10.1. The following persons may make an application to vary, revoke or suspend an order:

- (a) an intended monitored person;
- (b) an applicant, where the applicant is not the intended monitored person;
- (c) the Director of Public Prosecutions;
- (d) where the intended monitored person is a child, the parent, guardian or person with responsibility for the child; or
- (e) an authorised officer.

10.2. An application to vary, revoke or suspend an order for electronic monitoring must be made by notice in Form 3 as contained in the Schedule.

11. General

11.1. The written notification required under section 19(2A) of the Act shall include changes or proposed changes not limited to—

- (a) the address at which the monitored person resides;
- (b) a list of elements which may compromise the integrity of electronic monitoring equipment;
- (c) the place of work of the monitored person;

L.R.O.

- (d) the financial capability of the monitored person or in the case of a child who is a monitored person, the financial capability of the parent, guardian or person with responsibility for the child to pay for the use of the electronic monitoring device; and
- (e) any new physical or mental conditions of the monitored person.

11.2. The authorised officer must file any written notification under this Part at the relevant court office.

11.3. The Court may disclose the contents of the notification received in this Part to any other person or authority that it considers in its discretion, necessary in the interests of justice.

SCHEDULE

FORM 1

SECTION 13 APPLICATION FOR ELECTRONIC MONITORING

REPUBLIC OF TRINIDAD AND TOBAGO

**IN THE HIGH COURT OF JUSTICE/
IN THE *** MAGISTRATES COURT
(DIVISION)**

Case No.:

**IN THE MATTER OF AN APPLICATION PURSUANT TO
SECTION 13 OF THE ADMINISTRATION OF JUSTICE
(ELECTRONIC MONITORING) ACT, 2012**

BETWEEN

.....

Applicant/Complainant

And

.....

Child/Respondent

Notice of Application

TAKE NOTICE that I, *(insert name and address of applicant/organisation)*, hereby apply to the Court for an order granting approval for an electronic monitoring device to be fitted on *(insert name of person to be monitored)* pursuant to section 13 of the Administration of Justice (Electronic Monitoring) Act, 2012 for the following reasons:

(briefly state the reasons for making this application and where applicable, the relationship of the applicant to the person to be monitored)

Dated this day of, 20.....

.....

Applicant/Attorney-at-Law

L.R.O.

FORM 2

REPUBLIC OF TRINIDAD AND TOBAGO

IN THE HIGH COURT OF JUSTICE/
IN THE *** MAGISTRATES COURT
(DIVISION)

Case No.:

IN THE MATTER OF AN APPLICATION PURSUANT TO
SECTION 13 OF THE ADMINISTRATION OF JUSTICE
(ELECTRONIC MONITORING) ACT, 2012

BETWEEN

.....

Applicant/Complainant

And

.....

Child/Respondent

ORDER

Before Judge/Master/Magistrate/District Court Judge

Dated

UPON READING

- 1) The Application for an Order for Electronic Monitoring dated
..... and filed
- 2) The Report filed by the Director of the Electronic Monitoring Unit
dated; and
- 3) (Any other such Report as requested by the Court as provided for
under section 10(8A) of the Act).

AND UPON HEARING (enter the appearances of the parties present).

AND UPON THE COURT having:

1. Determined that electronic monitoring is appropriate in the circumstances of this case; and
2. Assessed and determined that the monitored person is financially capable/incapable of making full/partial payment of the cost for the use of the electronic monitoring device.

THIS COURT ORDERS that:

1. The monitored person shall be monitored through the use of an electronic monitoring device for the period commencing (mm/dd/yyyy) and ending (mm/dd/yyyy).
2. The monitored person shall reside at (address).
3. The monitored person shall be permitted to enter the following zones on the following days and times:
(a) (Inclusion Zones and times to be identified).
4. The monitored person shall be prohibited from entering the following zones on the following days and times:
(a) (Exclusion Zones and times to be identified).
5. The monitored person shall:
(a) (Any other provisions that are specific to this Case e.g., reporting conditions at the station, refraining from verbally and physically abusing the applicant).

THIS COURT ALSO ORDERS that the monitored person or Parent/Guardian/Person with Responsibility for the monitored person, shall pay to the Registrar of the Supreme Court/Senior Magistracy Registrar and Clerk of the Court/Magistracy Registrar and Clerk of the Court the sum of [\$..... per month commencing the (dd/mm/yyyy) and ending on the (dd/mm/yyyy)] or [\$..... as a onetime payment on or before the (dd/mm/yy)];

OR

THIS COURT ALSO ORDERS that no fees are payable by the monitored person or the parent or guardian or person with responsibility for the monitored person, for use of the electronic monitoring device.

L.R.O.

THE COURT FURTHER ORDERS that:

1. The monitored person shall not engage in any act which constitutes an offence under this Act; and
2. Failure by the monitored person to comply with any of the terms of this Order will result in the monitored person being liable to such penalty, as the Court deems appropriate pursuant to Part IV of the Act.

.....
*Registrar/
Senior Magistracy Registrar and Clerk of the Court/
Magistracy Registrar and Clerk of the Court*

To: Applicant/Defendant/Respondent/Parent/Guardian/Person
with Responsibility

Address

And To: Director of the Electronic Monitoring Unit

Address

And To: Police Complainant

Station Attached

And To: The Office of the Director of Public Prosecutions

Address

And To: Attorneys

Address

And To: Any other party as directed by the Court

Address

And To: Applicant for a Protection Order

Address

FORM 3

**APPLICATION FOR VARIATION, SUSPENSION OR
REVOCATION OF ELECTRONIC MONITORING ORDER**

REPUBLIC OF TRINIDAD AND TOBAGO

**IN THE HIGH COURT OF JUSTICE/
IN THE *** MAGISTRATES COURT
(DIVISION)**

Case No.:

**IN THE MATTER OF AN APPLICATION PURSUANT TO
SECTION 13 OF THE ADMINISTRATION OF JUSTICE
(ELECTRONIC MONITORING) ACT, 2012**

BETWEEN

.....

Applicant/Complainant

And

.....

Child/Respondent

Application for Variation/Revocation/Suspension of Electronic Monitoring
Order

I, hereby apply for a variation/revocation/
suspension of the Order made against
on the day of 20..., by the Court (a copy of which is
attached to the said application).

I ask for a revocation/variation/suspension of the Order in the following terms:

(state reasons for applying for a variation/revocation/suspension of the order)

(An affidavit in support accompanies this application.)

Dated this day of 20.....

.....
Applicant/Attorney-at-Law

L.R.O.

**ADMINISTRATION OF JUSTICE (ELECTRONIC
MONITORING) REGULATIONS**

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation.
2. Interpretation.

STAFF OF THE ELECTRONIC MONITORING UNIT

3. Director to ensure that staff be trained in electronic monitoring.
4. Director to keep and maintain a register of all members of staff and their monitoring activities.

ELECTRONIC MONITORING

5. Permission to install electronic monitoring equipment.
6. Electronic Monitoring.
7. Duties of a staff member.

**ELECTRONIC MONITORING ALERTS AND
PROCEDURES TO BE FOLLOWED BY THE
ELECTRONIC MONITORING UNIT**

8. Electronic Monitoring alerts.
9. Electronic Monitoring Unit procedures.
10. Staff member to initial cleared electronic monitoring alerts.
11. Protection unit form.

SCHEDULE.

**ADMINISTRATION OF JUSTICE (ELECTRONIC
MONITORING) REGULATIONS**

326/2020.

made under section 25(1)

1. These Regulations may be cited as the Administration of Justice (Electronic Monitoring) Regulations. Citation.

2. In these Regulations – Interpretation.

“Act” means the Administration of Justice (Electronic Monitoring) Act, 2012;

“beacon” means a monitoring device which works in tandem with the electronic monitoring device;

“Director” means the Director of Electronic Monitoring or any other duly authorised officer;

“electronic monitoring alert” means a system-generated notification indicating that a condition may have been breached or signalling a problem with the electronic monitoring device;

“electronic monitoring device” or “device” includes a device which operates on a global positioning system (GPS), radio frequency or telecommunications network which is used to monitor compliance with the conditions of release of a monitored person;

“Electronic Monitoring Unit” means the Unit established under section 4 of the Act;

“exclusion zone” means such specific geographic locations where a monitored person fitted with an electronic monitoring device is not permitted to enter;

“Global Positioning System” or “GPS” includes a navigational system using satellite signals to fix the location of a radio receiver on or above the earth’s surface;

“inclusion zone” means such specific geographic locations where a monitored person fitted with an electronic monitoring device is permitted to enter;

L.R.O.

“occupier” means any person exercising control over that part of the premises where the equipment is to be installed for the time being;

“monitored person” means a person, respondent, child or applicant who may be subjected to electronic monitoring pursuant to a court order, a lawful condition of pardon, instructions from a competent authority or an application by a person under section 13 of the Act.

STAFF OF THE ELECTRONIC MONITORING UNIT

Director to ensure that staff be trained in electronic monitoring.

3. The Director shall ensure that staff be adequately trained in electronic monitoring and the use of electronic monitoring devices.

Director to keep and maintain a register of all members of staff and their monitoring activities.

4. (1) The Director shall keep and maintain a register containing details of all staff engaged in electronic monitoring, as well as transaction logs of all monitoring activity in accordance with the Electronic Monitoring Unit’s standard operating procedures.

(2) The information recorded by the Director in subregulation (1) shall be extracted from the manual and digital activities records of the electronic monitoring system.

ELECTRONIC MONITORING

Permission to install electronic monitoring equipment.

5. (1) The Director shall obtain the permission of the occupier of the premises under sections 10(6) and 12(3) of the Act to—

- (a) install;
- (b) respond to alerts from; and
- (c) visit the premises when necessary to maintain or remove,

the electronic monitoring device.

(2) The Director shall—

- (a) explain to the occupier of the premises the need to install the electronic monitoring equipment; and

- (b) obtain the permission of the occupier in the form as set out as Form 1 in the Schedule.

6. Where electronic monitoring has been—

Electronic Monitoring.

- (a) ordered by the Court under section 10 of the Act;
- (b) imposed as a lawful condition of pardon under section 11 of the Act;
- (c) imposed by a competent authority under section 12 of the Act; or
- (d) granted to an individual who has made an application to the Court to be fitted with a device and the application is approved under section 13 of the Act,

the Director shall make the necessary arrangements to have the electronic monitoring device fitted onto that person at a scheduled date, time and location, after which, monitoring will commence.

7. A staff member shall—

Duties of a staff member.

- (a) complete all administrative documentation and explain the use of and the fitting process to the person to be monitored;
- (b) test and adjust the electronic monitoring device to ensure that it works as intended and fits properly;
- (c) register and activate the electronic monitoring device of each person to be monitored;
- (d) enter into the electronic monitoring system, information on the monitored person including—
 - (i) any necessary enrolment data; and
 - (ii) the unique identifier of the electronic monitoring device which has been fitted;
- (e) ensure that the directives and terms of electronic monitoring imposed under section 16 of the Act are entered into the electronic monitoring system;

L.R.O.

- (f) input into the electronic monitoring system additional details as it relates to sections 10, 11, 12 or 13 of the Act, which would include—
 - (i) inclusion and exclusion zones;
 - (ii) a general description of the residence at which the person or respondent has been approved to stay as well as its GPS coordinates; and
 - (iii) other relevant details;
- (g) extract any information from the electronic monitoring system; and
- (h) discharge his duties and any other related functions which the Director requires him to perform.

**ELECTRONIC MONITORING ALERTS AND
PROCEDURES TO BE FOLLOWED BY THE
ELECTRONIC MONITORING UNIT**

Electronic
monitoring
alerts.

8. Where an electronic monitoring alert is received via the electronic monitoring system, a staff member shall, pursuant to the Electronic Monitoring Unit's standard operating procedures—

- (a) access the system and investigate the type of alarm triggered to determine the course of action to be taken; and
- (b) inform the Director of the type of alert received as well as whether a violation has occurred.

Electronic
monitoring Unit
procedures.

9. (1) Where an electronic monitoring alert has been triggered, a staff member shall attempt to contact the monitored person immediately via telephone to verify the cause of the electronic monitoring alert and after having verified the cause, he shall follow the standard operating procedures which the Director may, from time to time, issue for handling that particular type of alert.

(2) Where the monitored person cannot be contacted, the Director shall be informed immediately and he shall inform

any police officer in charge of a police station of the electronic monitoring alert and provide the last known location and status of the monitored person.

(3) After each alert, that staff member shall handle the event based on the Electronic Monitoring Unit's standard operating procedures, including, but not limited to—

- (a) record all actions taken;
- (b) extract any digital activity from the event log as it relates to the alert;
- (c) update all relevant logs;
- (d) update the Director; and
- (e) perform any other related function.

10. Where a staff member has reviewed an electronic monitoring alert and has determined that there was no violation committed by the monitored person and the electronic monitoring alert has been cleared, he shall place his initials next to the electronic monitoring alert on the report to be submitted to the Director or other duly authorised officer.

Staff member
to initial
cleared
electronic
monitoring
alerts.

11. The form required under section 10A(2) shall be the form set out as Form 2 in the Schedule.

Protection unit
form.

L.R.O.

SCHEDULE
Form 1

Section 10(6) & 12(3)

PERMISSION TO INSTALL AND MAINTAIN ELECTRONIC MONITORING EQUIPMENT

PLEASE PRINT INFORMATION IN BLOCK LETTERS
USING DARK BLUE OR BLACK INK PEN

FOR OFFICIAL USE ONLY

DEVICE # _____ RECEIPT # _____ INSTRUMENT # _____
TYPE _____ DATE _____ DATE OF ISSUE _____
ISSUED DATE _____ APPLICATION TYPE _____ VALID TO _____

Property Address _____

Occupation via:
☐ Sole Ownership ☐ Joint Tenancy ☐ Tenancy in Common
☐ Other _____
Your approval is sought for the installation and maintenance when necessary of electronic monitoring equipment to the internal structure of the above identified property.
The installation of one transmitter/receiver shall be to the internal structure of the said property and shall in no way inconvenience any other individual.

1. SURNAME _____
FIRST NAME _____
MIDDLE NAME(S) _____
Joint Tenancy Details _____

2. PERSONAL INFORMATION
DATE OF BIRTH ____/____/____ SEX MALE [] FEMALE []
OCCUPATION/PROFESSION _____
HOME ADDRESS _____
MAILING ADDRESS (IF DIFFERENT FROM HOME ADDRESS) _____

CONTACT INFORMATION
HOME TEL. NO. _____ MOBILE NO. _____
E-MAIL ADDRESS _____

3. PARTICULARS OF I.D. / DP / PASSPORT

I.D. / DP / PASSPORT NUMBER	DATE OF ISSUE (Day / Month / Year)	PLACE OF ISSUE

4. CONSENT

I hereby CONSENT ☐ DO NOT CONSENT ☐ (please indicate one)

without any conditions to the access, installation and maintenance when necessary of electronic monitoring equipment within the property as identified above.

5. DECLARATION

I, _____ solemnly declare that:

i. The statements made in this form are true and correct.

DATED ____/____/____

Signature

Form 2

Section 10A (2)

APPLICATION FOR A PROTECTION DEVICE

PLEASE PRINT INFORMATION IN BLOCK LETTERS
USING DARK BLUE OR BLACK INK PEN

FOR OFFICIAL USE ONLY

DEVICE # _____ RECEIPT # _____ INSTRUMENT # _____
TYPE _____ DATE _____ DATE OF ISSUE _____
ISSUED DATE _____ APPLICATION TYPE _____ VALID TO _____

1. SURNAME _____
FIRST NAME _____
MIDDLE NAME(S) _____

2. PERSONAL INFORMATION

DATE OF BIRTH _____ / _____ / _____ SEX: MALE ☐ FEMALE ☐ HEIGHT (CM) _____ PLACE OF BIRTH _____
Day Month Year

COUNTRY OF BIRTH _____ COLOUR OF EYES _____ HAIR COLOUR _____

MARITAL STATUS: SINGLE ☐ MARRIED ☐ WIDOWED ☐ DIVORCED ☐ SEPARATED ☐ OTHER ☐

HOME ADDRESS _____

MAILING ADDRESS (IF DIFFERENT FROM HOME ADDRESS) _____

OCCUPATION/PROFESSION _____

WORK ADDRESS _____

NAME OF FIRM / ORGANIZATION _____

HOME TEL. NO. _____ MOBILE NO. _____

OFFICE TEL. NO. _____ E-MAIL ADDRESS _____

3. PARTICULARS OF I.D. / DP / PASSPORT

I.D. / DP / PASSPORT NUMBER	DATE OF ISSUE (Day / Month / Year)	PLACE OF ISSUE

4. DECLARATION

I, _____ solemnly declare that:

I understand the purpose of the device and accept responsibility for its proper use and care.

DATED _____ / _____ / _____
Day Month Year

Signature

L.R.O.