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**Fourth Session First Parliament Republic of Trinidad  
and Tobago**

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REPUBLIC OF TRINIDAD AND TOBAGO

**Act No. 2 of 1980**

**AN ACT to amend the Supreme Court of Judicature  
Act, 1962. (Act No. 12 of 1962)**

*[Assented to 29th February, 1980]*

**BE IT ENACTED** by the Parliament of Trinidad and Tobago Enactment  
as follows:

**1. This Act may be cited as the Supreme Court of** Short title and  
**Judicature (Amendment) (No. 2) Act, 1980, and shall** Commencement  
**come into operation on a day to be appointed by the**  
**President by notice published in the *Gazette*.**

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Amendment of  
section 2 of the  
Supreme Court  
of Judicature  
Act, 1962

**2.** Section 2 of the Supreme Court of Judicature Act, 1962, (hereinafter referred to as "the principal Act") is amended by inserting therein in their proper alphabetical order the following new definitions—

"Master" means a Master of the High Court;

"the Constitution" means the Constitution of the Republic of Trinidad and Tobago.

Insertion of  
Part IIIA in  
principal Act

**3.** The principal Act is amended by inserting therein next after section 64 the following as Part IIIA—

### "PART IIIA

#### MASTERS OF THE HIGH COURT.

Masters  
of the  
High Court

64A. (1) There shall be attached to the High Court not less than two Masters who shall respectively exercise such authority and jurisdiction of a judge in Chambers as may from time to time be assigned to a Master by Rules of Court.

(2) The Masters shall, save as this Act or Rules of Court may otherwise expressly provide, have in all respects equal power, authority and jurisdiction but shall rank among themselves according to the priority of the dates of their respective appointments as Masters.

(3) No person shall be appointed to be a Master unless he either—

- (a) is a member of the Bar of Trinidad and Tobago and has practised as such for not less than seven years; or
- (b) is a solicitor of the Supreme Court and has practised as such for not less than seven years; or
- (c) is a barrister or solicitor of the Supreme Court or of a Superior Court of jurisdiction

in a Commonwealth Country and has either—

- (i) practised as such for not less than seven years; or
- (ii) after he became qualified so to practise, has served in the judicial or legal department of Trinidad and Tobago or of any Commonwealth Country for not less than seven years; or has so practised and so served for periods which together amount to not less than seven years.

(4) The office of Master shall be an office to which section III of the Constitution applies.

Powers of  
Master

64B. (1) Where under this Act a Master has jurisdiction in relation to any matter, then, subject to this Act, he shall have and may exercise in relation to that matter all the powers of the Court or of a Judge of the High Court sitting in Chambers to make an order in the matter and such an order may include provision for costs, certificate for counsel or other consequential matters; and any such order made by a Master shall, subject to this Act, have the same effect as if it had been made by the Court or by a Judge.

(2) Where under this Act a Master exercises jurisdiction in relation to any matter, then—

- (a) in relation to such matter, the Master shall have all the

rights, powers, immunities  
privileges of a Judge;

- (b) any party to the proceedings  
may, if he so desires, appear  
by counsel or solicitor.

**Appeals**

64c. (1) An appeal shall be to the  
Court of Appeal from any order or  
decision of the Master made in the  
exercise of any jurisdiction conferred  
on him under this Act.

(2) No appeal from an order  
or a decision of a Master under this  
section shall operate as a stay of pro-  
ceedings unless such Master or the  
Court of Appeal so orders.

**Procedure  
where cases  
are not  
concluded  
by Master**

64d. Where the hearing of any  
proceedings has commenced before a  
Master and he ceases, either tempora-  
rily or permanently, to hold that office  
prior to the conclusion of the hearing—

- (a) if he has reserved judgment  
and ceases as aforesaid be-  
fore he has delivered his  
judgment, he may at any  
time lodge with the Registrar  
such judgment in writing and  
such judgment shall as soon  
as possible thereafter be read  
in Chambers in accordance  
with the directions of the  
Chief Justice, and shall take  
effect in all respects as if the  
person who reserved judg-  
ment had continued to be a  
Master and had delivered  
judgment.

- (b) he may, whether or not he  
has reserved judgment as  
aforesaid, be assigned at  
any time to be a Master for  
the purpose of concluding  
such hearing.”.
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4. Section 77 of the principal Act is amended by inserting therein next after subsection (1) of that section the following as subsection (1A)—

Amendment of  
section 77 of  
principal Act

“(1A) Rules of Court may prescribe the cases in which the powers, authority and jurisdiction of a Master may be exercised.”.

5. The Judicial and Legal Service Act, 1977 is amended in the manner set out in the Schedule to this Act.

Amendment of  
Judicial and Legal  
Service Act, 1977.  
Act No. 22 of 1977

## SCHEDULE

### Section 5

#### AMENDMENTS TO THE JUDICIAL AND LEGAL SERVICE ACT 1977. (ACT NO. 22 OF 1977).

1. By inserting at the beginning of paragraph (a) of subsection (1) of section 15 immediately before the words “the Chief Magistrate” the words “the Masters of the High Court”.

2. By inserting in Part II of the Second Schedule immediately before the words “Registrar and Marshal” the words “Master of the High Court”.

Passed in the Senate this 15th day of January, 1980.

J. E. CARTER

*Clerk of the House*

Passed in the House of Representatives this 8th day of February, 1980.

R. L. GRIFFITH

*Clerk of the Senate*