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Fifth Session Third Parliament Trinidad and Tobago  
25 Elizabeth II

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TRINIDAD AND TOBAGO

**Act No. 6 of 1976**



Amended I: 330  
" " I: 657  
" " III: 929  
" " A1962(269)

[L.S.]

AN ACT to make amendments to miscellaneous enactments relating to the administration of justice and to provide for the coming into operation of the Rules of the Supreme Court, 1975 and to validate all acts and things done thereunder.

[Assented to 13th April, 1976]

BE IT ENACTED by the Queen's Most Excellent Majesty, <sup>Enactment</sup>  
by and with the advice and consent of the Senate and

House of Representatives of Trinidad and Tobago, and by the authority of the same, as follows:—

## Short title

1. This Act may be cited as the Administration of Justice (Miscellaneous Provisions) Act, 1976.

## Amendments of enactments

2. The enactments specified in the first column of the Schedule are amended in the manner specified in the second column of that Schedule.

## Validation of Rules of the Supreme Court 1975 and acts and things done thereunder

3. (1) Nothing in section 77(2) of the Supreme Court of Judicature Act, 1962 [hereinafter referred to as "the said section 77(2)"] applies to the Rules of the Supreme Court, 1975, and those Rules shall, by virtue of this section, be deemed to have come into operation on the 2nd day of January, 1976 and shall be judicially noticed.

(2) Accordingly, all acts and things done under those Rules which would have been lawful if the Rules had come into operation in accordance with the said section 77(2) on the 2nd day of January, 1976 shall be deemed to have been lawfully done.

## Commencement

4. This Act shall be deemed to have come into operation on the 27th day of October, 1975.

## SCHEDULE

FIRST COLUMN	SECOND COLUMN
<i>Enactments</i>	<i>Extent of Amendments</i>
Jury Ordinance, Ch. 4.	Repeal.
No. 2, section 11	
Section 12	Repeal and replace by the following:— "12. For the trial of all causes at the several jury sessions of the High Court one precept for the return of jurors according to the form 'B' in the Schedule shall be sued out by the Registrar of the Supreme Court to the Marshal so as to leave an interval before the first day of each session of fifteen days at least."
Section 16(2)	Delete the words "civil or criminal,".
Section 25	Repeal.
Section 26	Delete the words "plaintiff" and "whether civil or criminal,".

FIRST COLUMN <i>Enactments</i>	SECOND COLUMN <i>Extent of Amendments</i>
Section 36 Compensation for Injuries Ordinance, Ch. 5. No. 5, section 10	Repeal. Delete the following words:— (a) “, or where the trial is had before a jury, the jury,” occur- ring in lines two and three thereof; (b) “or they” occurring in line three thereof; (c) “, or the jury by their verdict,” occurring in lines nine and ten thereof; (d) “or jury” wherever they occur in the second proviso.
Leases and Sales of Settled Estates Ordi- nance, Ch. 27. No. 15, sections 19(2) and 24 Section 21	Delete the word “petition” occurring in line two thereof and substitute there- for the word “application”. Delete the word “motion” occurring in line five thereof and substitute there- for the word “application”.
Sections 30 and 31 Supreme Court of Judicature Act, 1962 (No. 12 of 1962), section 26	Repeal. A. Insert the words “tried in any court of record” after the word “proceedings”. B. Delete the words “in the High Court or the Court of Appeal”.
Section 29	Repeal subsection (6) and renumber sub- section (7) as subsection (6).
Section 40(3)	Repeal.
Section 66(2)	Repeal and replace subsection (2) as follows:— “(2) A person affected by any order or decision of the Registrar sitting in Chambers may appeal to the High Court or to the Court of Appeal, as the case may be, in such cases as may be provided for by rules of court. The Rules of Court relating to appeals from the Regis- trar to the High Court or to the Court of Appeal, shall be— (a) in the case of the High Court, such as are pre- scribed by rules of court; and

FIRST COLUMN <i>Enactments</i>	SECOND COLUMN <i>Extent of Amendments</i>
Section 77(2)	<p>(b) in the case of the Court of Appeal, the rules of court relating to appeals from a Judge in Chambers.”.</p> <p>Renumber subsection (2) as subsection (4) and insert the following as subsections (2) and (3)—</p> <p>“(2) Rules of court may prescribe the cases in which jurisdiction or powers of the High Court or a Judge of the High Court may be exercised by a referee appointed by the Court or a referee agreed upon by the parties and without prejudice to the generality of the foregoing provision, may in particular—</p> <p>(a) authorise the whole of any cause or matter or any question or issue therein to be ordered to be tried before or any question arising in any cause or matter to be ordered to be referred for enquiry and report to, any such referee; and</p> <p>(b) authorise powers of attachment and committal to be exercised by any referee appointed by the Court (but not by any other referee),</p> <p>and may make any provision incidental to any such provisions as aforesaid.</p> <p>(3) The decision of a referee, agreed upon by the parties, may be called in question in such manner, whether by an appeal to the Court of Appeal or by an appeal or application to the Court as may be prescribed by rules of court; but rules of court may provide either generally or to a limited extent for a decision of a referee appointed by the Court to be called in question only by appeal on a question of law.”.</p>
Supreme Court of Judicature Act, 1962 (No. 12 of 1962), section 77(2)	

FIRST COLUMN <i>Enactments</i>	SECOND COLUMN <i>Extent of Amendments</i>
Sections 77A and 77B	<p>Immediately after section 77 insert the following as sections 77A and 77B:—</p> <p>77A. The Rules of the Supreme Court, 1975 (hereinafter referred to as "the Rules") may be published in loose-leaf form or in such other form as the Rules Committee may determine and shall include such pages as may be authorised to be included therein under section 77B(1).</p>
Supreme Court of Judicature Act, 1962 (No. 12 of 1962), sections 77A and 77B	<p>Inclusion or removal of pages to be authorised by order</p> <p>77B. (1) The Rules Committee may with the approval of the Governor-General by order authorise the inclusion in the Rules of any page to be comprised therein containing any amendments to the Rules made under section 77 or any other enactment and every page so authorised shall form part of the Rules.</p> <p>(2) The Rules Committee may with the approval of the Governor-General by order direct the removal of pages from the Rules and any page so directed to be removed shall cease to form part of the Rules.</p> <p>(3) Every page included in the Rules under subsection (1) shall bear on its face or overleaf a reference to the Revised Rules of Court Order by which its inclusion in the Rules is authorised.</p> <p>(4) A page bearing a reference prescribed by subsection (3) and appearing in every respect to be part of the Rules shall for all purposes be presumed to be a page of the Rules.</p>

**FIRST COLUMN**  
*Enactments***SECOND COLUMN**  
*Extent of Amendments*

Supreme Court of Judicature Act, 1962 (No. 12 of 1962), section 80A

Immediately after section 80 insert the following as section 80A:—

“Trial with assessors

(5) A person who prints, publishes or knowingly has in his possession any page falsely purporting to be a page of the Rules or so closely resembling a page of the Rules as to be mistaken for such page is liable on summary conviction to a fine of one thousand dollars or to imprisonment for twelve months.”.

80A. (1) In any cause or matter before the High Court or the Court of Appeal, other than a criminal proceeding by the Crown, the Court may, if it thinks it expedient to do so, call in the aid of one or more assessors specially qualified and try and hear the cause or matter wholly or partially with their assistance.

(2) The remuneration, if any, to be paid to an assessor shall be determined by the Court.”.

Passed in the House of Representatives this 22nd day of March, 1976.

J. E. CARTER

*Clerk of the House*

Passed in the Senate this 30th day of March, 1976.

R. GRIFFITH

*Clerk of the Senate*