Legal Supplement Part A to the "Trinidad and Tobago Gazette", Vol. 25, No. 205, 28th July, 1986

Fifth Session Second Parliament Republic of Trinidad and Tobago

REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 13 of 1986

[L.S.]

AN ACT to amend the Summary Courts Act, Chap. 4:20

[*Assented to 22nd July*, 1986]

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

1. This Act may be cited as the Summary Courts (Amendment) Act, 1986. Short title

Chap. 4:20 of the Act amended

2. Section 130(1) of the Summary Courts Act (hereinafter called "the Act") is amended by deleting the words "if he has appeared by counsel or solicitor".

New section inserted

3. The Act is amended by inserting immediately after section 130 the following new section:

"Reasons for decision to be stated

130A. (1) Where notice of appeal has been given in accordance with section 130, the Magistrate or Justice shall within sixty days of the giving of such notice draw up and sign a statement of the reasons for his decision.

(2) The appellant and respondent shall be entitled upon application to the Clerk to obtain a copy of the statement of the Magistrate's or Justice's reasons for his decision.".

The Act amended

4. Section 135 of the Act is amended—

(*a*) in subsection (1)(*a*)—

(i) by substituting a comma for the words "and of"; and

(ii) by inserting immediately after the word "evidence" the words "and the statement of the reasons for the decision of the Magistrate or Justice";

(*b*) in subsection (2) by inserting immediately after the word "Clerk" the words "and the Clerk of Appeals";

(*c*) by adding immediately after subsection (3) the following new subsection—

" (4) For the purposes of this Part the expression "Clerk of Appeals" means the public officer whose official functions include the receipt and despatch of notices of appeals.".

The Act amended

5. Section 137 of the Act is amended—

(*a*) by substituting for subsection (1) the following:

" (1) The Clerk, shall in the prescribed manner, transmit to or cause to be served upon the respondent or his

counsel or solicitor a copy certified under his hand of the notice of appeal and of the reasons for appeal.

(2) The Clerk of Appeals shall, when ascertained from the Registrar, notify the appellant, and where the notice of appeal has been signed by counsel or solicitor, his counsel or solicitor and the respondent, of the day on which the appeal will in the ordinary course of business be on the list for hearing before the Court of Appeal.";

(*b*) by renumbering subsection (2) as subsection (3);

(*c*) in subsection (3) as renumbered—

(i) by inserting immediately after the word "Clerk" the words "of Appeals";

(ii) by inserting in paragraph (*a*) immediately after the words "post to the" the words "counsel or".

The Act amended

6. Section 138(2) of the Act is amended by inserting immediately after the word "Clerk" the words, "the Clerk of Appeals".

Validation and indemnity

7. All acts and things done or purported to be done or omitted to be done by any person or authority under or in pursuance of the powers conferred by Part VIII of the Act are deemed to have been lawfully and validly done or omitted to be done and no action or other legal proceedings whether pending or not shall lie against the State or any person in respect of or in consequence of such acts or things.

Passed in the Senate this 15th day of April, 1986.

R. L. GRIFFITH
Clerk of the Senate

Passed in the House of Representatives this 11th day of July, 1986.

J. E. CARTER
Clerk of the House

GOVERNMENT PRINTERY, TRINIDAD, TRINIDAD AND TOBAGO—1986