
2nd Session First Parliament Trinidad and Tobago
13 Elizabeth II



TRINIDAD AND TOBAGO

Act No. 14 of 1964

[L.S.]

AN ACT to amend the Supreme Court of Judicature
Act, 1962.

BE IT ENACTED by the Queen's Most Excellent Majesty, ^{Enactment}
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—

[Assented to 18th July, 1964]

1. This Act may be cited as the Supreme Court of ^{Short title}
Judicature (Amendment) Act, 1964.

Interpretation
of "Act"

2. In this Act the Supreme Court of Judicature Act, 1962, is referred to as the Act.

Section 2 of
Act amended

3. Section 2 of the Act is amended—

- (a) by inserting the following definitions therein:—
 “(gg) “Justices of Appeal” means the Judges of the Court of Appeal, other than the Chief Justice;
 (mm) “Puisne Judge” means a Judge of the High Court, other than the Chief Justice.”;
- (b) in paragraphs (q), (t) and (u), by substituting the word “Constitution” for the words “constitutional laws of Trinidad and Tobago”.

Section 3 of
Act amended

4. Section 3 of the Act is amended—

- (a) by substituting the words “former Supreme Court” for the words “Supreme Court” wherever those words appear in the section;
- (b) in subsection (2), by inserting the words “Subject to this Act,” at the commencement thereof;
- (c) by adding the following subsection at the end thereof:—

“(4) A reference to the Chief Justice of the former Supreme Court in any enactment passed before the commencement of this Act shall be read and construed as a reference to the Chief Justice of Trinidad and Tobago.”

Section 4 of
Act amended

5. Subsection (2) of section 4 of the Act is repealed and replaced as follows:—

“(2) (a) The Court of Appeal and the High Court shall each have a seal bearing a device or impression approved by the Chief Justice.

(b) The seal of the Court of Appeal shall bear the inscription “The Court of Appeal Trinidad and Tobago” and the seal of the High Court shall bear the inscription “The High Court of Justice Trinidad and Tobago”.

(c) There shall be duplicate seals of the High Court for use in San Fernando and in Tobago respectively and such further duplicate seals of the Court of Appeal and of the High Court as the Chief Justice may consider necessary.”

6. Section 5 of the Act is repealed and replaced as follows: Section 5 of Act repealed and replaced
 Number of “5. (1) There shall be no fewer than six
 Puisne and no more than ten Puisne Judges and the
 Judges Chief Justice shall be *ex-officio* a judge of the
High Court.

(2) The Puisne Judges shall, save as in this Act otherwise expressly provided, have in all respects equal power, authority and jurisdiction.”

7. Subsection (1) of section 6 of the Act is repealed and replaced as follows: Section 6 of Act amended

Number of “(1) The judges of the Court of Appeal
 Justices shall be the Chief Justice, who shall be
 of Appeal President, and three Justices of Appeal.”

8. The fourth sub-heading to Part I of the Act is amended by substituting the word “Precedence” for the words “Tenure of Office” Sub-heading to Part I amended

9. Section 7 of the Act is amended by adding thereto the following subsection: Section 7 of Act amended

Vacancy in “(3) The High Court and the Court of
 office of Appeal shall, during and notwithstanding any
 a judge vacancy of the office of a judge thereof, be
deemed respectively to be duly constituted.”

10. Section 30 of the Act is amended by substituting a reference to the Workmen’s Compensation Ordinance, 1960 for the reference to the Workmen’s Compensation Ordinance wherever that citation appears in the section. Section 30 of Act amended

11. Section 32 of the Act is amended in the definition of “employer” by substituting a reference to the Workmen’s Compensation Ordinance, 1960 for the reference to the Workmen’s Compensation Ordinance. Section 32 of Act amended

12. Section 33 of the Act is amended by substituting the word “The” for the word “This” at the commencement of the section. Section 33 of Act amended

13. Section 42 of the Act is amended by substituting a reference to section 64 for the reference to section 62 appearing therein. Section 42 of Act amended

Section 58 of
Act amended

14. Section 58 of the Act is amended—

- (a) in subsection (1), by substituting the words “Such records in such manner, whether in writing or by recordings on electro-magnetic tape or by any other means” for the words “Such shorthand notes”;
- (b) by substituting the word “records” for the word “notes” wherever that word appears in the section.

Section 65 of
Act amended

15. Section 65 of the Act is amended—

- (a) in subsection (2), by substituting the words “the Court of Appeal and of the High Court” for the words “the Supreme Court”;
- (b) in subsection (5), by deleting the words, “in either case of at least five years’ standing”.

Sections 67 and
68 of Act repealed
and replaced

16. Sections 67 and 68 of the Act are repealed and replaced as follows:—

“Deputy
Registrar
and
Assistant
Registrars

67. (1) There shall be a Deputy Registrar of the Supreme Court.

(2) There shall be at least three Assistant Registrars of the Supreme Court, one of whom, shall be for Port-of-Spain, one for San Fernando and one for Tobago.

(3) The Deputy Registrar and every Assistant Registrar shall be a barrister or solicitor, and shall be public offices to which section 84 of the Constitution applies.

(4) The Deputy Registrar and the Assistant Registrar for Port-of-Spain shall in the exercise of his office have all and singular the like authorities, powers, duties and immunities and liabilities of the Registrar, except where otherwise provided by rules of court and the other Assistant Registrars shall, in the absence of the Registrar, perform such duties in reference to proceedings at San Fernando and Tobago, as the case may be, as may be prescribed by rules of court.

Custody of
Duplicate
Seals

68. The Assistant Registrar for San Fernando and the Assistant Registrar for Tobago shall each have custody of the duplicate seals of the High Court for use in San Fernando and Tobago respectively."

17. Section 69 of the Act is amended by substituting the words "the Deputy Registrar or an Assistant Registrar" for the words "or any Sub-Registrar". Section 69 of Act amended

18. Section 71 of the Act is amended—

Section 71 of Act amended

(a) in subsection (1), by substituting the words "the Assistant Registrar for Port-of-Spain" for the words "the Second Deputy Registrar";

(b) by repealing and replacing subsections (2) and (3) as follows:—

"(2) The Assistant Registrars for San Fernando and Tobago shall be the Deputy Marshals of the Supreme Court for San Fernando and Tobago respectively.

(3) There shall be a Second Deputy Marshal of the Supreme Court for San Fernando who shall be an officer in the Registry of the Supreme Court at San Fernando."

19. (1) Section 76 of the Act is amended in paragraphs (a) and (b) by adding after the words "Court of Appeal" and "High Court" appearing respectively at the end thereof in each case, the words "to be nominated by the Chief Justice". Section 76 of Act amended

(2) The amendments made by this section shall be deemed to have come into operation from the commencement of the Act.

20. Subparagraph (iv) of paragraph (k) of subsection (1) of section 77 of the Act is amended by replacing the word "appeal" with the plural thereof. Section 77 of Act amended

21. The First Schedule is amended—

First Schedule amended

(a) in paragraph C.2, by substituting a reference to rule 2A for the reference to rule 3 wherever that reference appears;

(b) in paragraph D, by substituting the following words:

“D. By adding at the end thereof the following new Order:

“LXXIV

“Vacations— ”

for the words:

“D. By adding at the end thereof the following rule:

“Vacations— ””

Construction
of certain
enactments

22. (1) Subject to subsection (4) of section 67 of the Act, a reference to the Registrar or to the Deputy Registrar in any enactment passed before the commencement of this Act shall be read and construed as a reference to the Registrar or to the Deputy Registrar respectively and a reference to the Second Deputy Registrar or to a Sub-Registrar in any such enactment shall be read and construed as a reference to an Assistant Registrar.

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(2) In any enactment passed before the commencement of the Act, a reference to the Criminal Appeal Ordinance or to the Court of Criminal Appeal shall be read as a reference to the Act or to the Court of Appeal, as the case may be.

Third Schedule

23. Order I of the Court of Appeal Rules, 1962, in the Third Schedule is amended—

(a) in rule 2, by substituting for the definition of “Registrar” appearing therein the following:

““Registrar” means the Registrar of the Supreme Court and includes the Deputy Registrar and an Assistant Registrar.”;

(b) in paragraph (2) of rule 6, by deleting the words “or the Registrar of the Court below”.

Passed in the House of Representatives this 26th day of June, 1964.

G. R. LATOUR

Clerk of the House of Representatives

Passed in the Senate this 7th day of July, 1964.

A. A. DARLINGTON

Acting Clerk of the Senate