
2nd Session Third Parliament Trinidad and Tobago
22 Elizabeth II



TRINIDAD AND TOBAGO

Act No. 19 of 1973

[L.S.]

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

[Assented to 30th July, 1973]

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:—

1. This Act may be cited as the Supreme Court of Short title
Judicature (Amendment) Act, 1973.

Act No. 12 of
1962 amended

2. The Supreme Court of Judicature Act, 1962, is amended as follows:—

(a) in section 10—

S.10.

(i) by substituting for the words “under this Act or are, on the commencement of this Act,” occurring in lines three to five of subsection (2) thereof, the words “under the Matrimonial Proceedings and Property Act, 1971, (in this section referred to as “the said Act” of 1971”) or are, on the commencement of the said Act of 1971”;

(ii) by substituting the words “under the said Act of 1971” for the words “under this Act”, wherever those words appear in subsections (2) and (3) thereof;

(iii) by substituting for the reference to the Matrimonial Proceedings and Property Act, 1971 occurring in subsection (4) thereof a reference to the said Act of 1971.”.

S.66

(b) by deleting the word “now” appearing in the fourth line of section 66(1);

S.77(1)

(c) in section 77(1)—

(i) by inserting immediately after the word “followed” in the third line of paragraph (a) the words “and the fees to be taken”;

(ii) by deleting the words “or at any stage of any proceedings;” occurring at the end of paragraph (f) thereof and by substituting the following therefor:—

“or at any stage of any proceedings, including for providing for orders being made at any stage of any proceedings directing that specified facts may be proved at the trial by affidavit with or without the attendance

of the deponent for cross-examination and that he may be produced for that purpose.”;

(iii) by adding at the end thereof the following new paragraph:—

“(1) for regulating and prescribing the procedure in disciplinary proceedings against a barrister admitted to practice before the Supreme Court and for establishing a Disciplinary Committee for the purpose.”;

578 (d) in section 78 by adding at the end thereof the following new subsections:—

“(5) The Barristers (Disciplinary Proceedings) Rules, 1965 made by the Rules Committee on the 23rd day of June, 1965 shall, as from that date be deemed to have been validly made.

(6) Nothing in subsection (5) shall be construed as authorising the reinstatement of disciplinary proceedings against a barrister in respect of any allegation of misconduct where a motion in respect of that allegation was dismissed by the High Court, before the commencement of the Supreme Court of Judicature (Amendment) Act, 1973”;

125 (e) in section 81 by adding at the end thereof the following new subsection:—

“(3) Without prejudice to any other rule of law or to any rule of practice whereby the Supreme Court is empowered to take disciplinary action against a person admitted to practise as a barrister before it, it is hereby declared that the High Court has power to take disciplinary action in accordance with rules of Court made for the purpose with respect to his professional conduct

against any person admitted to practise as a barrister in the Supreme Court before or after the commencement of this Act, and in particular the High Court may make any one or more of the following orders, namely;—

- (a) an order disbarring the barrister against whom disciplinary proceedings have been instituted, permanently from practising at the Bar of Trinidad and Tobago;
- (b) an order suspending the barrister from practise for such time as to the High Court shall seem fit;
- (c) such order as to costs, as regards both the proceedings before it and the proceedings before the Disciplinary Committee established under section 77(1)(l) as to the High Court shall seem fit;
- (d) such further or other order as the circumstances of the case may require.”.

(4) In the exercise of the powers under subsection (3) the High Court shall sit as a full Court consisting of an uneven number of puisne judges being not less than three, as is prescribed by Rules of Court.”;

(5) The Attorney General or the barrister whose professional conduct is the subject of any disciplinary proceedings before the High Court shall be entitled as of right to appeal to the Court of Appeal from any decision or other determination of the High Court in such proceedings.

3. This Act shall come into force on a date to be fixed ^{Commencement} by Proclamation of the Governor-General published in the *Gazette*.

Passed in the House of Representatives this 15th day of June, 1973.

G. R. LATOUR
Clerk of the House

Passed in the Senate this 12th day of June, 1973.

J. E. CARTER
Clerk of the Senate

Resolved, that the Board of Directors do hereby authorize the President to execute any and all contracts, leases, and agreements that may be necessary for the proper management of the business of the Corporation.

Resolved, that the Board of Directors do hereby authorize the President to execute any and all contracts, leases, and agreements that may be necessary for the proper management of the business of the Corporation.

Witness my hand and the seal of the Corporation this 10th day of January, 1901.

Attest: Secretary

Secretary