

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

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REPUBLIC OF TRINIDAD AND TOBAGO

**Act No. 23 of 1992**

[L.S.]

AN ACT to amend the Supreme Court of Judicature Act,  
Chap. 4:01

*[Assented to 24th December, 1992]*

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

1. This Act may be cited as the Supreme Court of Short title  
Judicature (Amendment) Act, 1992.

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Interpretation  
Chap. 4:01

2. In this Act the Supreme Court of Judicature Act is referred to as “the Act”.

Section 77  
amended

3. Section 77 of the Act is amended by inserting after paragraph (c) the following paragraph:

“(ca) a Master of the High Court to be nominated by the Chief Justice;”.

Section 78  
amended

4. Section 78 of the Act is amended —

(a) in subsection (1) by inserting after paragraph (a) the following paragraph:

“(aa) for making provision for the High Court in which any proceedings are pending, in such circumstances as may be specified in the Rules, to make an order requiring a party to the proceedings to make an interim payment of such amount as may be specified in the order, either by payment into Court or, if the order so provides, by paying it to another party to the proceedings;” and

(b) by inserting after subsection (3) the following subsections:

“ (3A) Rules of Court made under subsection (1)(aa) may include provision for enabling a party to any proceedings who, in pursuance of such an order, has made an interim payment to recover the whole or part of the amount of the payment in such circumstances, and from such other party to the proceedings, as may be determined in accordance with the rules.

(3B) Any Rules of Court made by subsection (1)(aa) may include such incidental, supplementary and consequential provisions as the Rules Committee may consider necessary or expedient.

(3C) Nothing in subsection (1)(aa) shall be construed as affecting the exercise of any power relating to costs, including the power contained in subsection (1)(d).

(3D) In subsection (1)(aa)—

(a) 'interim payment', in relation to a party to any proceedings means a payment on account of any damages, debt or other sum (excluding any costs) which that party may be held liable to pay to or for the benefit of another party to the proceedings if a final judgment or order of the Court in the proceedings is given or made in favour of that other party; and

(b) any reference to a party to any proceedings includes a reference to any person who for the purposes of the proceedings acts as next friend or guardian of a party to the proceedings."

5. Section 81 of the Act is amended by inserting at the end the following subsection: Section 81 amended

" (5) Orders for interim payments made by the Supreme Court in pursuance of the Rules

of Court made prior to the commencement of the Supreme Court of Judicature (Amendment) Act, 1992 and all payments made in pursuance of such orders and all acts and things done under the said Rules of Court relative to such orders which would have been lawful if the said Rules of Court had been validly made shall be deemed to have been lawfully made or done.”

Passed in the Senate this 17th day of November, 1992.

R. CUMBERBATCH

*Acting Clerk of the Senate*

Passed in the House of Representatives this 4th day of December, 1992.

N. COX

*Acting Clerk of the House*