

LEGAL NOTICE NO. 117

REPUBLIC OF TRINIDAD AND TOBAGO

THE CARIBBEAN COMMUNITY ACT, 2005

ORDER

MADE BY THE MINISTER UNDER SECTION 6 OF THE  
CARIBBEAN COMMUNITY ACT

THE CARIBBEAN COMMUNITY (AMENDMENT TO THE  
SCHEDULE) ORDER, 2006

WHEREAS it is provided, *inter alia*, by section 6 of the Caribbean Community Act (hereinafter referred to as “the Act”) that where the Revised Treaty of Chaguaramas Establishing the Caribbean Community, including the CARICOM Single Market and Economy (hereinafter referred to as “the Treaty”) is amended in accordance with Article 236 of the said Treaty, the Minister shall, by Order, amend the Schedule to the Act accordingly:

And whereas the Conference of Heads of Government at its Sixteenth Inter-Sessional Meeting held in Paramaribo, Suriname, 16–17 February, 2005 approved for signature a Protocol to amend the Treaty entitled “The Protocol to the Revised Treaty of Chaguaramas Establishing the Caribbean Community including the CARICOM Single Market and Economy Regarding the Relationship between Provisions on the Original Jurisdiction of the Caribbean Court of Justice and the Constitutions of States Parties”:

And whereas Trinidad and Tobago signed the Protocol at the aforementioned Meeting:

And whereas Trinidad and Tobago has ratified the Protocol and the said ratification denotes acceptance by the Government of the amendment to the Treaty:

Now, therefore, the Minister in exercise of his powers conferred by the said section 6 hereby orders as follows:

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| Citation                                 | 1. This Order may be cited as the Caribbean Community (Amendment to the Schedule) Order, 2006.   |
| Schedule amended<br>Act No. 3<br>of 2005 | 2. The Schedule to the Caribbean Community Act is amended by the Protocol to the Revised Treaty of Chaguaramas Establishing the Caribbean Community including the CARICOM Single Market and Economy Regarding the Relationship between Provisions on the Original Jurisdiction of the Caribbean Court of Justice and the Constitutions of States Parties signed at Paramaribo, Suriname on the 17th day of February, 2005, the text of which is set out in the Schedule. |

## SCHEDULE

(Paragraph 2)

PROTOCOL TO THE REVISED TREATY OF CHAGUARAMAS ESTABLISHING  
THE CARIBBEAN COMMUNITY INCLUDING THE CARICOM SINGLE  
MARKET AND ECONOMY REGARDING THE RELATIONSHIP BETWEEN  
PROVISIONS ON THE ORIGINAL JURISDICTION OF THE CARIBBEAN  
COURT OF JUSTICE AND THE CONSTITUTIONS OF STATES PARTIES

The States Parties to the Revised Treaty of Chaguaramas Establishing the Caribbean Community including the CARICOM Single Market and Economy (hereinafter referred to as the "Revised Treaty"):

*Recalling* Article 236 of the Revised Treaty;

*Desiring* to make abundantly clear the relationship between the original jurisdiction of the Caribbean Court of Justice and the constitutional order in their respective jurisdictions;

Agree as follows:

## ARTICLE I

## RELATIONSHIP TO CONSTITUTIONAL ORDER

Insert in the Revised Treaty Article 222 (bis) as follows:

## ARTICLE 222 (BIS)

The provisions regarding the original jurisdiction set out in this Chapter shall not be construed to require a Contracting Party to enact legislation that is inconsistent with its constitutional structure or the nature of its legal system.

## ARTICLE II

## SIGNATURE

This Protocol shall be open for signature by the Contracting Parties to the Revised Treaty.

## ARTICLE III

## RATIFICATION

This Protocol shall be subject to ratification. Instruments of Ratification shall be deposited with the Depository who shall transmit certified copies to each Contracting Party.

## ARTICLE IV

## RELATIONSHIP BETWEEN THIS PROTOCOL AND THE REVISED TREATY

This Protocol shall be read as one with the Revised Treaty.

## ARTICLE V

## ACCESSION

1. This Protocol shall, after it has entered into force, be open for accession by any Caribbean country that is eligible to become a Contracting Party to the Revised Treaty in accordance with Article 238 thereof.

2. A Caribbean country referred to in paragraph 1 may accede to this Protocol if at the same time it ratifies or accedes to the Revised Treaty in accordance with the provisions of Article 238 thereof.

3. Instruments of Accession shall be deposited with the Depositary who shall transmit certified copies to each Contracting Party. Accession shall take effect one month after the date of deposit.

ARTICLE VI

ENTRY INTO FORCE

This Protocol shall enter into force in accordance with Article 236, paragraph 2 of the Revised Treaty one month after the date on which the last Instrument of Ratification or Accession is deposited with the Secretary-General.

IN WITNESS WHEREOF the undermentioned representatives duly authorised in that behalf have executed this Protocol for their respective Governments.

Done at Paramaribo, Suriname on the 17th day of February, 2005.

Signed by.....  
for the Government of Antigua and Barbuda on the 17th day of February, 2005 at Paramaribo, Suriname.

Signed by.....  
for the Government of Barbados on the 17th day of February, 2005 at Paramaribo, Suriname.

Signed by.....  
for the Government of Belize on the 17th day of February, 2005 at Paramaribo, Suriname.

Signed by  
for the Government of Bahamas on the            day of            , 2005  
at .....

Signed by .....  
for the Government of the Commonwealth of Dominica on  
the            day of            2005  
at .....

Signed by .....  
for the Government of Grenada on the 17th day of February, 2005 at Paramaribo, Suriname.

Signed by .....  
for the Government of Co-operative Republic of Guyana on the 17th day of February, 2005 at Paramaribo, Suriname.

Signed by .....  
 for the Government of Haiti on the                      day of                      2005  
 at .....

Signed by .....  
 for the Government of Jamaica on the 17th day of February, 2005 at Paramaribo,  
 Suriname.

Signed by .....  
 for the Government of Montserrat on the                      day of                      2005  
 at .....

Signed by .....  
 for the Government of St. Kitts and Nevis on the 17th day of February, 2005 at  
 Paramaribo, Suriname.

Signed by .....  
 for the Government of Saint Lucia on the 17th day of February, 2005 at Paramaribo,  
 Suriname.

Signed by .....  
 for the Government of St. Vincent and Grenadines on the 17th day of February, 2005  
 at Paramaribo, Suriname.

Signed by .....  
 for the Government of Republic of Suriname on the 17th day of February, 2005 at  
 Paramaribo, Suriname.

Signed by .....  
 for the Government of Republic of Trinidad and Tobago on the 17th day of February,  
 2005 at Paramaribo, Suriname.

Dated this 1st day of June, 2006.

**K. GIFT**  
*Minister of Foreign Affairs*