

TRINIDAD AND TOBAGO.

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No. 26—1938.

I ASSENT,

[L.S.]

J. HUGGINS,

Acting Governor.

5th December, 1938.

[On Proclamation]

AN ORDINANCE to amend the Judicature Ordinance,
Cap. 35.

BE it enacted by the Governor of Trinidad and Tobago
with the advice and consent of the Legislative Council
thereof as follows:—

1. This Ordinance may be cited as the Judicature
(Amendment) Ordinance, 1938, and shall be read as one
with the Judicature Ordinance, hereinafter referred to as
the Principal Ordinance and shall commence on a day to be
fixed by the Governor by Proclamation.

Short title.
Construction.
Cap. 35.
Commence-
ment.

2. Section 5 of the Principal Ordinance, as enacted by
section 2 of Ordinance No. 24 of 1936, shall be numbered
as sub-section (1) of the said section 5 and the following
sub-section shall be added thereto:—

Amendment
of sec. 5 of the
Principal
Ordinance.

(2) No person shall be appointed to be a judge of the
Court unless:—

(a) he is qualified to practise as an advocate in a
Court in England, Scotland, Northern Ireland
or some other part of His Majesty's dominions
having unlimited jurisdiction either in civil
or criminal matters; and

(b) he has been qualified for not less than five
years to practise as an advocate or solicitor
in such a court,

Amendment
of sec. 7 (1) of
the Principal
Ordinance.

3. Sub-section (1) of section 7 of the Principal Ordinance is hereby amended by deleting the following words—
“being a barrister-at-law of five years standing at least”
—appearing in the last two lines of the said sub-section, and substituting therefor the following—“possessing the qualification required by section 5 (2) of this Ordinance”.

Amendment
of sec. 20 (1) of
the Principal
Ordinance.

4. Sub-section (1) of Section 20 of the Principal Ordinance as enacted by Section 5 of Ordinance No. 24 of 1936 is hereby amended by inserting the word “British” between the word “natural-born” and the word “subjects” appearing therein, and by adding thereto the following proviso, namely:—

“Provided that a decree declaring a person to be a natural-born British subject shall have effect only within the Colony.”

Amendment
of sec. 20 (2)
of the Principal
Ordinance.

5. Sub-section (2) of Section 20 of the Principal Ordinance, as enacted by section 5 of Ordinance No. 24 of 1936, is hereby amended by deleting the word ‘law’ and the comma appearing before the word ‘practice’ in the third line of the said sub-section.

Amendment
of sec. 36 (2) of
the Principal
Ordinance.

6. Sub-section (2) of Section 36 of the Principal Ordinance as enacted by Section 7 of Ordinance No. 24 of 1936 is hereby amended by deleting therefrom the following words, namely:—“but it shall not be lawful for the Court to order any costs arising from any intervention to be paid by the Attorney-General” and by substituting therefor the following, namely:—“it shall also be lawful for the Court to order any costs arising from such intervention to be paid by the Attorney-General to the parties or such of them as it shall see fit.”

Passed in Council this eighteenth day of November, in the year of Our Lord one thousand nine hundred and thirty-eight.

W. E. BOARDMAN,
Clerk of the Council.