



TRINIDAD AND TOBAGO

Act No. 37 of 1969

[L.S.]

AN ACT to provide for the establishment of a Commission
for reforming the law.

[Assented to 6th December, 1969]

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 Law Commission Act, ^{Short title}
1969.

Interpretation

2. In this Act—

“Commission” means the Law Commission established under section 3;

“judicial office” means an office of Judge of the High Court of Justice or of Judge of the Court of Appeal;

“Minister” means the member of the Cabinet to whom responsibility for Legal Affairs is assigned.

The Law
Commission

3. (1) For the purpose of promoting the reform of the Law, there shall be constituted in accordance with this section a body of Commissioners to be known as the Law Commission consisting of a Chairman and such other Commissioners as may be appointed by the Governor-General.

(2) The persons appointed to be Commissioners shall be persons appearing to be suitably qualified by the holding of, or by having held judicial office or by experience as Barristers, Solicitors or Teachers of Law in a University.

(3) A person appointed to be a Commissioner shall be appointed for such term, not exceeding five years, and on such conditions as may be determined by the Governor-General at the time of his appointment.

(4) A Commissioner may at any time resign his office but a person who ceases to be a Commissioner shall be eligible for re-appointment.

(5) A person who holds judicial office may be appointed a Commissioner without relinquishing that office but shall not be required to perform his duties as the holder of that office while he remains a member of the Commission.

Functions of
Commission

4. (1) It shall be the duty of the Commission to keep under review all the law applicable to Trinidad and Tobago with a view to its systematic development and reform, including in particular the modification of any branch of the law as far as that is practicable, the elimination of anomalies, the repeal of obsolete and unnecessary enactments, the reduction of the number of separate enactments and generally the simplification and modernisation of the law and for that purpose—

(a) to receive and consider suggestions for the reform of the law which may be forwarded to

- it (either on the invitation of the Commission or otherwise) by Judges, public officials, lawyers and members of the public generally;
- (b) to receive and consider proposals for changes in the law referred to it by the Minister or recommended by any Law Reform Committee, Association of Lawyers or other learned bodies;
 - (c) to prepare and submit to the Minister from time to time specific programmes for the examination of different branches of the law with a view to reform including recommendations as to whether such examination should be carried out by the Commission or some other body;
 - (d) to undertake, in pursuance of any recommendation of the Minister, the formulation of draft Bills relating to the proposals for reform contained in such recommendation;
 - (e) to undertake, pursuant to any recommendations approved by the Minister, the examination of particular branches of the law and the formulation, by means or draft Bills or otherwise, of proposals for reform therein;
 - (f) to provide at the instance of the Minister advice and information to Ministries and Departments of Government and Statutory Authorities concerned with proposals for the amendment or reform of any branch of the law;
 - (g) to obtain such information in regard to the laws and legal systems of other countries as in the opinion of the Commission is likely to facilitate the performance of any of its functions.

(2) In addition to the functions set out in subsection (1), the Commission or a Commissioner thereof shall, if the Governor-General so determines, act as Commissioner for Statute Law Revision for the purposes of the Revised Statutes Act, 1969.

(3) The Minister shall, as soon as possible, place before Cabinet any programmes submitted by the Commission and any proposals for law reform formulated by

the Commission pursuant to such programmes accompanied by such comments or recommendations as he considers necessary.

(4) After consideration by Cabinet such programmes and proposals as Cabinet may approve shall be laid before Parliament.

(5) The Commission shall make an annual report of its proceedings to the Minister and the Minister shall cause the report to be laid before Parliament with such comments as he may think fit.

Passed in the Senate this 4th day of November, 1969.

J. E. CARTER
Clerk of the Senate

Passed in the House of Representatives this 14th day of November, 1969.

G. R. LATOUR
Clerk of the House