

LAW REFORM ACT

CHAPTER 3:04

Act
37 of 1969
Amended by
19 of 2000

Current Authorised Pages

<i>Pages</i> <i>(inclusive)</i>	<i>Authorised</i> <i>by L.R.O.</i>
1-6	..

Note on Subsidiary Legislation

This Chapter contains no subsidiary legislation.

CHAPTER 3:04

LAW REFORM ACT

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
 2. Interpretation.
 3. The Law Reform Commission.
 4. Functions of the Commission.
 5. Specialised Assistance.
 6. Chairman's Report.
 7. Annual Report.
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CHAPTER 3:04

LAW REFORM ACT

37 of 1969. **An Act to provide for the establishment of a Commission for reforming the law.**

Commencement. [16TH DECEMBER 1969]

Short title.
[19 of 2000].

1. This Act may be cited as the Law Reform Act.

Interpretation.
[19 of 2000].

2. In this Act—

“Commission” means the Law Reform 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 Minister responsible for Legal Affairs.

The Law
Reform
Commission.
[19 of 2000].

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 Reform Commission consisting of a Chairman and such other Commissioners as may be appointed by the President.

(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 Attorneys-at-law, 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 President 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 reappointment.

(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.

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—

Functions
of the
Commission.
[19 of 2000].

- (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 of 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 his functions under subsection (1), the Chairman of the Law Reform Commission or a member of that Commission nominated by him shall, if the President so determines, act as a member of the Law Revision Commission for the purposes of the Law Revision Act.

Ch. 3:03.

(3) }
to } *(Deleted by Act No. 19 of 2000).*
(5) }

Specialised
assistance.
[19 of 2000].

5. (1) In performing any of its functions under section 4(1) the Commission may from time to time—

- (a) consult any person who has specialised knowledge in any branch of the law or technical expertise in any particular field;
- (b) appoint committees to provide advice and information and to consider and report on any matter referred to them.

(2) In appointing persons as members of a committee under subsection (1)(b), the Commission shall not restrict consideration to members of the legal profession.

(3) The Minister may authorise the payment of remuneration and expenses to persons appointed or consulted under this section.

Chairman's
Report.
[19 of 2000].

6. The Chairman shall prepare at the beginning of each year a programme for Law Reform for that year and submit it to the Minister no later than January 31 of that year.

Annual Report.
[19 of 2000].

7. The Commission shall submit an annual Report of its activities to the Minister who shall cause the report to be laid in Parliament.